

## MINUTES OF THE BOARD OF WATER COMMISSIONERS

The regular meeting of the Board of Water Commissioners was held on Thursday June 11, 2009 at the Department Offices, 605 West Queen Street, Southington, CT. A recording of this meeting can be found on file tapes #549 and #550.

Present: President Stephen C. Pestillo, Vice President Thomas J. Murphy, Secretary/Treasurer John C. Dobbins, Commissioners Erik E. Semmel, Assistant Superintendent Frederick W. Rogers, Superintendent Thomas R. West and Janice Eisenhauer, stenographer.

### **1. CALL TO ORDER**

The meeting was called to order at 6:00PM by President Stephen Pestillo.

### **2. Approval of Minutes of May 14, 2009 meeting.**

A motion was made by Commissioner Dobbins to accept the minutes as presented. This was seconded by Commissioner Murphy and the motion was passed on a voice vote.

### **3. Communications**

#### a.) Communications from the Public

Attorney Benjamin Michaelson addressed the board on behalf of Maria Staebler, who was also present. He wished to state Ms. Staebler's position regarding the water bill presented to her and discussed at the May 14 meeting. His concern was the difference in the size of the bill from historical water use at the building she owns. He was also very concerned about the reference made to altered pipes becoming a police matter. He had four issues to address: (1) the statement made by Mr. Rogers that there had been limited access to the building by the Water Company. He spoke about a number of receipts and statements from the Water Company indicating that they had been there and inspected the equipment; (2) there was a statement that there were noticeable alterations to the pipes at the facility. In answer to that he stated that the building has been under significant alteration over the years, some dating back to before it was purchased by Staebler Properties; none of those alterations had anything to do with the water meter. One was made at the request of the Water Department and concerned a bypass that was present at the time of purchase. His client denies any alterations or activities with intent to make any avoidance of the meter. He feels it is disparaging and unfair to the property owner to have such allegations posted in the minutes of the Water Board. (3) He discussed the current water bill, in relation to the historical usage and he alleges that there was clearly a problem with the water meter, now replaced. There is a discrepancy of 1.3 million gallons of water usage within a three month period resulting in bill over \$4,000. (4) A letter has been received from the Department indicating that a settlement had been arrived at offering a payment plan of \$380 a month starting this month or the water would be turned off. He wants to know that during this payment period, a more reasonable resolution of this matter is being pursued. The property owner feels that there is just no

reasonable way that so much water could be consumed in that building. He asks that the Board reconsider its decision.

### **Discussion**

Commissioner Dobbins questioned Attorney Michaelson about any leaks on the property that could have occurred over the winter. He answered that there was one frozen pipe, but it was repaired immediately without any leak. The back flow was in an area where employees passed frequently and he felt that it was not reasonable for that to be leaking to this extent without note.

Assistant Superintendent Rogers said that he did most of the investigation on this using records kept by personnel. There was a period of time—years—when the Water Company did not access the property. The employees did find the back flow preventer blowing off and there was the leak that was mentioned, but the meter that came out was tested and it is accurate. He offered to share all records with the attorney. Attorney Michaelson stated that he has invoices from 2006 and 2007 and 2008 signed by Water Company staff that they were there and inspected the back flow. He denied that the property owner ever denied access to the building. The meter, however, had not been changed. Mr. Rogers offered to review the records with personnel, but he asserted that the meter did read accurate so the water went somewhere. The meters don't usually over-read.

Commissioner Semmel stated that his question about the pipes being altered was in response to the report by Water Company personnel and, of course, the loss of more than a million gallons of water. He reassured Attorney Michaelson.

Ms. Staebler answered Commissioner Dobbins' question about the frozen pipe last winter. There was no water leaked at that time. The pipe was repaired immediately.

The Commissioners and Administration discussed the situation at some length, including Attorney Michaelson.

### **Action**

Commissioner Murphy recommended that another site examination be undertaken by Administration. President Pestillo added that the outstanding bill be placed on hold until the site visit and further investigation completed, hoping to solve the mystery of the missing million gallons of water, and some resolution can be reached. Ms. Staebler and her attorney were happy with this.

#### b.) Communications from Administration

Superintendent West asked that the August meeting be changed due to a vacation situation. After some discussion it was decided to change the August meeting to August 20 at 6PM. Commissioner Murphy stated that due to the 65 High Street situation it would not be feasible to cancel the August meeting.

#### c.) Communications from Board Members

None.

#### 4. Financial Matters

##### a.) Review of Water Billings & Outstanding Jobbing Bills And Approval of Invoices

Superintendent West pointed out one new jobbing bill on his report. The Board reviewed and discussed the presented bills for payment. There were questions on individual bills and Superintendent West answered them. Commissioner Semmel made a motion to pay the outstanding invoices as presented. Commissioner Murphy seconded his motion and it was passed on a voice vote.

#### 5. Committee Reports

##### a.) Executive Committee No meeting was held.

##### b.) Infrastructure Committee

No meeting was held. However, Superintendent West reported that there was a meeting with the Highway and Sewer Department about upcoming repaving plans. They have changed priorities, many due to budget issues. East St in front of Camp Sloper has been bid and due to begin in a few weeks. Mt. Vernon Rd to W Center, they will overlay. South End Rd, they will do from Rte 322 to Mulberry St during the upcoming year. West St from W Main to W Center will be paved to Mill during 2010-2011. The Water Co needs to move ahead on the engineering for W Center St and West St between W Center and Mill. The town will

also pave Spring St and Lazy Lane during this current budget year. There will be a water main placed out there by a contractor as part of his project. A petition has been delivered to the Council from property owners on Lazy Lane against bringing water or sewer to their area. There was some discussion about this. Commissioner Murphy wondered if the residents realize that they might not have adequate fire protection. Superintendent West outlined his recommendations for upcoming projects. President Pestillo asked to have the three year plan updated. Commissioner Murphy commented on the excellent cooperation with the Highway and Sewer Depts.

##### c.) Wellhead Protection Phase 2

Robert Mellstrom spoke about the lack of progress at 65 High Street. He is appalled and handed out his e-mail response to the contractor by way of beginning a paper trail in the event that legal action becomes necessary. No one is sure what the contractor's problem is.

Commissioner Murphy reported that he visited the site and watched the work for about an hour recently and he deemed it grossly unproductive. Superintendent West reported the same view following his site visit. President Pestillo suggested conference calling Mr. Goldman of Standard. It was agreed that this was a good idea and scheduled for tomorrow.

Mr. Mellstrom offered some talking points to be addressed.

Commissioner Murphy questioned why sidewalks were required at the 65 High St job, one of them "to nowhere," there are none at other sites such as the dog park. No one had an answer. Sidewalks have always been required for Water Dept. properties.

- d.) Technology Committee  
No meeting was held.

## 6. OLD BUSINESS

- a.) Update on Federal Grants, State Grants and SRF Loans

Two STAG grants were awarded in the State of CT, none to Southington Water. There is no news on changing the law.

- b.) Cost Savings Initiative

Superintendent West points out an additional item on new revenue sources. The first payment has been received from Pocket Wireless. Commissioner Murphy and President Pestillo discussed investing funds more creatively.

- c.) 2009-2010 Budget

Superintendent West reports on adjustments to the budget as presented last month. Some items have been deleted, one engineering on a project now scrapped. He explained adjusted lines in detail and answered questions on them. President Pestillo asked about the legal/consultation numbers. It was agreed, following discussion, to reduce this line item to \$850,000 and hold the \$50,000 for contingency use. Commissioner Murphy asked about the chemical storage procedure and Superintendent West answered. There was some discussion about withdrawing some work orders for 65 High St in order to allow earlier completion of the work. Superintendent West feels that it is too late to make adjustments without penalty. Commissioner Murphy made a motion to accept the budget as amended and now proposed, Commissioner Dobbins seconded the motion and it was passed on a voice vote.

- d.) 2009-2010 Tapping Fees and Misc. Fees

An updated schedule of charges for services was reviewed and discussed by the board. Commissioner Semmel made a motion to accept this fee schedule as presented effective on July 1, 2009. The motion was seconded by Commissioner Murphy and passed on a voice vote.

Superintendent West reported on the recent emergency replacement of a pump at Well #9.

## 7. NEW BUSINESS

a.) Proposed Service for 209 Belleview Ave., Bathroom and 3 hose Connections for cemetery by St Thomas CC Corporation.

Assistant Superintendent Rogers presented plans for water service. Plans show a fire hydrant. Commissioner Murphy asked if the plans included a Mausoleum. It is noted that none appears on the plans. Commissioner Murphy made a motion to accept the proposal as presented. Commissioner Semmel seconded his motion and it was passed on a voice vote.

b.) Proposed service for 120 Industrial Drive, 6,000 s.f. industrial Building by G & A Industries.

Assistant Superintendent Rogers presented a plan for a job shop at this address. Gary Asel, petitioner was in attendance and answered questions for the commissioners. Commissioner Dobbins made a motion to accept the proposal as presented. Commissioner Semmel seconded it, and the motion passed on a voice vote.

c.) West Street and West Center Street Water Mains.

Superintendent West spoke about this project. Three bids were presented. Commissioner Dobbins made a motion to accept the bid of Tighe & Bond to do the detailed design for this project, after July 1, 2009. Seconded by Commissioner Murphy, the motion passed on a voice vote.

d.) Mariondale Drive Water Tank.

This project was explained and discussed. Three bids were presented. Commissioner Dobbins made a motion to accept the bid of Tighe & Bond to do the detailed design for this project, scheduled after July 1, 2009; seconded by Commissioner Murphy, the motion passed on a voice vote.

e.) Emergency Interconnections

This project was discussed and explained. Three bids are presented. Commissioner Dobbins made a motion to accept the bid of Woodard & Curran to do the preliminary design for this project, effective July 1, 2009. Commissioner Murphy seconded his motion. The motion was passed on a voice vote.

f.) Insurance Bids for 2009-2010

Current bids for the property insurance for the upcoming fiscal year were presented and discussed. There is an attractive savings over last year with a new company. Commissioner Murphy asked about the handling of prior claims. This will be addressed. Commissioner Semmel made a motion to accept the bid from H.D.Segur submitted by Praetorian for one year.

Commissioner Dobbins seconded his motion and it passed on a voice vote. Commissioner Dobbins asked for a complete review of the coverage, including deductibles, for the following year.

**9. EXECUTIVE SESSION ANTICIPATED FOR PERSONNEL AND NEGOTIATION MATTERS.**

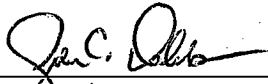
Commissioner Dobbins made a motion to move into executive Session at 9:02 PM, barring the public and press but to include the Assistant Superintendent and Superintendent. Commissioner Murphy seconded his motion and it was passed on a voice vote.

The Board Left Executive Session at 10:25 PM.

Commissioner Semmel made a motion to adjourn the meeting. Commissioner Berkmoes seconded the motion and it passed unanimously.

The meeting adjourned at 10:25 PM.

Attest:



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John C. Dobbins, Secretary & Treasurer