

MINUTES OF THE BOARD OF WATER COMMISSIONERS

The regular meeting of the Board of Water Commissioners was held on Thursday, May 14, 2009 at the Department Offices, 605 West Queen Street, Southington, CT. A recording of this meeting can be found on file tapes #546, #547 and #548.

Present: President Stephen C. Pestillo, Vice President Thomas J. Murphy, Secretary and Treasurer John C. Dobbins, Commissioners Erik E. Semmel, Robert Berkmoes, 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 April 9, 2009 meeting.

A motion was made by Vice President Murphy to accept the minutes as presented. Secretary-Treasurer John Dobbins seconded it and the motion was passed on a voice vote.

3. Communications

a.) Communications from the Public

None

b.) Communications from Administration

Superintendent West presented a letter from Rex Florian, owner of 119 West Main Street in Plantsville. Apparently the building had an unusually large water usage during this past winter and the Water Company had contacted him on the assumption that there was a meter problem. The meter was changed and the removed meter inspected. It appeared to have frozen at one point but was not in failure. There was also an issue with the sewer department due to the increased winter usage. He is asking for relief on this water bill. Superintendent West recommends that this not be granted on the basis that the water meter did test appropriately following removal, and the sewer department did have the information that several leaks had been repaired inside in the building with resultant usage dropped to a reasonable level. After some discussion, the commissioners did not approve the request. Commissioner Murphy instructed Superintendent West to secure the appropriate documentation from the sewer department and the normal test card on the removed meter, to be kept on file. Commissioner Berkmoes asked that Mr. Florian be notified in writing of the board's decision.

Assistant Superintendent Rogers presented a letter on behalf of Maria Staebler regarding property at 409 Canal Street in Plantsville. The building has been used for several different purposes and has not been accessible to the Water Co. for the last few years. There have been issues with the backflow preventer and leaking from the building. Upon recent examination

of the water meter it was noted that there had been some alteration of the pipes in the vicinity of the meter. The meter was removed and an actual read was obtained. The meter did not malfunction. Commissioner Semmel asked if pictures were taken of the altered water pipes and whether this should be a police matter. Commissioner Dobbins wondered if the altered pipes were old. Superintendent West explained that some old buildings had bypass pipes placed by the water company under unique circumstances. After some discussion it was decided that the bill should be paid as presented, and that the water pipes be inspected before a new meter is placed. The board agreed that a payment schedule could be offered to the landowner.

c.) Communications from Board Members

President Pestillo reported that he had been to the Town Council meeting and that he would report on it later.

4. Financial Matters

a.) Review of water billings & outstanding jobbing bills & approval of invoices.

Superintendent West reported that the Water Co. did receive the SRS distribution from the State. There is another check pending and expected within the next few days.

A listing of outstanding invoices and jobbing bills is before the commissioners for approval. Collections are improved due to the rate increase. There was some discussion and questions were answered regarding individual invoices. Superintendent West informed the board regarding meter installation at condos on the Meriden-Waterbury Turnpike. Commissioner Murphy asked about the deposit policy and Superintendent West explained that a deposit is required for this work. Commissioner Dobbins made a motion that the schedule of invoices be approved as presented. Commissioner Berkmoes seconded his motion and a voice vote was in the affirmative.

5. Committee Reports

a.) Executive Committee

There will be a brief discussion in executive session.

b.) Infrastructure Committee

Commissioner Murphy reported that the committee had met. Many of the issues will appear and be discussed in the new budget. Superintendent West suggested that the funds for completion of the Well 1A be set aside with the STAG money. Also, funds for the Well #7 site was discussed, to provide preliminary engineering and geotechnical work for replacement of Well #7. This appears on the budget, as well. He discussed this at length. The engineering for the replacement of the Mariondale tank is also in the budget. The preliminaries for the interconnection projects are in the budget, as well. The Welch Road loop engineering will be carried in this year's budget. There is no construction number available for that yet. West

Center and West water mains engineering design is being included in the budget as is Lazy Lane. There is also one potential real estate matter that needs to be discussed in executive session. There were some questions about well #9. That work is scheduled to begin on Monday. Superintendent West explained in detail the manganese problem at some of the wells. The proposed manganese plant will alleviate this problem. The replacement of the well is a different issue.

c.) Wellhead Protection Phase 2

Robert Mellstrom, P.E. of Stantec appeared before the Board to discuss the lagging work by Standard Demolition Services at Well 1A, 65 High Street. The work is presently seriously behind schedule and well past the agreed upon completion date at the end of April. Change order #5 is pending and needs to be signed so that the work can progress. The new date for completion is set at August 14. The well is shut down now. Commissioner Murphy questioned him about the August date and the extreme extension. Commissioner Berkmoes summed up the exasperating situation for the Board and for the Town of Southington. He expressed his profound disappointment with the poor progress of Standard Demolition, especially since he was in favor of that company being awarded the contract. He drives by that area regularly and rarely finds anyone working. He wonders what the problem is. Mr. Mellstrom had few answers and, in fact, was in agreement with the Board's complaints. He feels that there is a legitimate cause for extension on the basis of change orders for work returned to the project at the end. Commissioner Berkmoes asked if August 14 is a realistic completion date. Mr. Mellstrom feels that it is. Commissioner Murphy asked about the propane tank that will be placed on the site to insure adequate power backup for emergency use and the aesthetic shrubbery. There was a lot of discussion about accepting the new date without penalty to the contractor. Commissioner Murphy raised the issue of liquidated damages on this job. This project is now more than a year in progress and it will be longer before it is done. There was minimal progress during the winter in spite of some good days. Commissioner Berkmoes stated that if they work at the site diligently and it takes four months, it could be understood. However, he anticipates that they will work on this only sporadically. Commissioner Murphy is also unhappy with the performance of this contractor and he explained this at some length. He wants to see a time schedule that identifies goals. Mr. Mellstrom promised to speak with Standard Demolition. Commissioner Murphy feels that the Board is overly generous to allow for an additional 90 days but he feels that 120 days should be out of the question. He suggests that they check with the Fire Marshall about placement of the propane tank and proper preparation of the site, prior to the work being done. Commissioner Berkmoes indicated that the Board felt the original contract time was more than adequate. He states that he doesn't want liquidated damages, the board wants the job done. That being said, he did recommend that the

Board sign the change order and the new completion date to facilitate an end point to this project. There are events planned that depend on the completion of this project and he warns that the contractor must comply with these goals. If this doesn't happen, the contractor can be assured that liquidated damages will definitely be assessed if this work and punch list is not completed. Commissioner Murphy questioned Mr. Mellstrom at some length about the work schedule. There was some discussion about calling a special meeting with the contractor and project manager. Mr. Mellstrom did comment that environmental services, caused by a hydraulic spill, were required at the site and the responsibility for that rests with the contractor. The contractor is aware of this. The propane gas tank will be handled directly by the Water Department. It is not part of the contractor's specs for this job. The Board decided to sign the updated agreement and get this going.

d.) Technology Committee

Superintendent West reports that he continues to explore radio-read meters. Commissioner Murphy asked about a projected time frame on this. Superintendent West reported that it will be phased in. Commissioner Murphy spoke about new construction in progress, projecting the need for hundreds of meters. He also suggested that money be put aside to purchase new meters for installation going forward. There was a discussion about the cost of changing the meters in town and the equipment options available.

6. OLD BUSINESS

a.) Update on Federal Grants, State Grants and SRF Funds

A delegation went to Washington D.C. last week. They were able to make a contact with Senators Dodd and Lieberman, Congressman Larson, and the Senate Committee on Energy and Water. Superintendent West felt the trip was productive. Commissioner Berkmoes felt that they understand the problems here and reinforced their support.

The loan closing for 65 High Street has been moved to November 30, 2009.

There is no stimulus money coming our way. There were 300 drinking water projects submitted, we were ranked at 70 and the top 10 received money. Five million dollars went to the MDC in Hartford.

We are on the list for DWSRF. Since this is a loan program only, Southington Water will probably ultimately withdraw.

b.) Medication Return Program

Commissioner Dobbins reported on the Medication Return Program held on April 25. There were 191 cars that brought medication to be discarded. The partial list includes 3400 individual containers, 320 controlled substances which were

turned over to the police under lock and key to be disposed of by the state narcotics people. Clean Harbors disposed of the remainder. There were 15 gallons of controlled substances, 220 gallons of non-controlled substances, partially filled 5 gallon can of inhalers, 5378 milliliters of liquid controlled substances. Some dated back to the 1970's. Most of the people who participated were senior citizens from Southington. An enormous amount of drugs were processed, keeping them from the street and the Southington water supply. He presented letters of congratulations. President Pestillo expressed his congratulations to Commissioner Dobbins, as did Commissioner Berkmoes who offered exceptional congratulations to Dobbins on the idea and the detailed organization of this event. The Board remained until 6PM that day to accommodate all who came. Commissioner Dobbins commended Commissioner Santa Maria who had the foresight to make arrangements for food for the workers and distribute flyers to the elementary schools. The Board recommended that Commissioner Dobbins set up an independent committee to plan for next year, drawing from the public. This event was an overwhelming success. The cost will be divided with the Bristol Water Department on a prorated basis.

c.) Cost Savings Initiative

Superintendent West discussed the cell site on Mill Street.

d.) Safety Valve

Paul Roberts of Safety Valve congratulated the Board on the Medication Return Program's phenomenal success and offered to supply hand-out shopping bags next year. He gave a short report on the safety valve program for Southington water customers.

e.) "Red Flag" Rule

The Identity Theft Prevention Program for Southington Water Department was presented to the board for review and acceptance. Superintendent West explained and answered the questions. Commissioner Murphy suggested that the person responsible for this program appears twice and the contact is not the same. He would like to see Superintendent West be responsible for this and his name appear in both places. There was some discussion and the Board agreed to accept this document with said change. Commissioner Murphy praised the work.

7. NEW BUSINESS

a.) 2009-2010 Budget

Superintendent West presented the budget for the next fiscal year. It was reviewed, explained and discussed line by line.

Highlights of this discussion:

Commissioner Murphy spoke about a system of self financing major projects resulting in substantial savings of interest and outlined it for the board. It met with great interest by the board.

There was a long discussion and explanation about the painting of a water tank and the cost involved.

Commissioner Murphy asked about the Welch Road project scheduled in the budget for engineering and permitting. There was some discussion about this, but ultimately Commissioner Berkmoes made a motion that the Welch Road project be funded for engineering and permitting. Commissioner Murphy seconded his motion and a voice vote was in the affirmative.

There was a discussion about purchasing a truck and Commissioner Murphy had some questions about the projected cost. He suggested shopping for a leftover vehicle this year.

There was a discussion about a proposed appropriation for snow plowing equipment. A question about whether using staff to plow snow would become a union issue. Commissioner Berkmoes ventured that plowing by staff was not a good idea.

Commissioner Murphy questioned Superintendent West about any shelved projects. They were listed.

The budget will be approved at the next meeting.

All commissioners complimented Superintendent West on his excellent work on this budget.

Commissioner Berkmoes made a motion to approve engineering services for the Welch Road River Crossing for \$11,000 with Tighe and Bond. Commissioner Murphy Seconded the motion and it passed unanimously.

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

Superintendent West presented a proposed schedule of fees for taps to begin July 1, 2009. He noted that this fee schedule reflects the charge for equipment necessary for radio-read technology. This will be voted on at the next meeting.

c.) DEP "Stream Flow" Regulations

Superintendent West included a streamflow chart of existing wells for the Board's review. The numbers include a projected acceptable withdrawal rate for each well. They range from ample to marginal. There was a discussion about response.

d.) Proposed service for 1198 West St., 4 unit industrial condos

Superintendent West presented the phase 1 specs for the West St. project. Commissioner Murphy noted that the water supply is being brought in from the rear (Churchill St.) of the parcel. He also asked about hydrant service and zoning on Churchill Street. An 8" pipe from the street and a 6" fire sprinkler system is planned. Commissioner Berkmoes made a motion to accept the specs as presented and Commissioner Murphy seconded his motion. A voice vote was in the affirmative.

8. Executive Session Anticipated for Personnel and Negotiation

Commissioner Dobbins made a motion to enter executive session barring public and press at 10:24PM. This was seconded by Commissioner Berkmoes and all were in favor by voice vote.

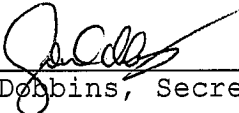
The Board Left Executive Session at 10:55 PM.

Commissioner Berkmoes made a motion to approve the "Red Flag" Rule as corrected. Commissioner Murphy seconded the motion and it passed unanimously.

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

The meeting adjourned at 10:56 PM.

Attest:



John C. Dobbins, Secretary & Treasurer