

**WINDHAM WATER POLLUTION  
CONTROL AUTHORITY**

**MINUTES**  
**(Amended)**

**June 30, 2009**

The Windham Water Pollution Control Authority held its meeting on June 30, 2009 in the Meeting Room, Town Hall. Vice-chairman Charles Kratt called the meeting to order at 6:35 P.M. Members present were Stanley Morytko, Nita Giordano, Mary Burnore and Charles Kratt. Also present was Plant Superintendent David Garand.

Nita Giordano made a motion to amend the agenda to move item 6A to the first order of business and Mary Burnore seconded the motion. The motion carried unanimously.

**1) Action on Investments – RBC Presentation.**

Michael T. Paulhus, a financial consultant with RBC Wealth Management, said he is before the WPCA this evening to answer any questions or to clarify any information presented at a recent WPCA meeting regarding its short-term portfolio. He said he compared the WPCA's existing portfolio (presently with MBS Multi-Bank Securities Inc.) and found that a portfolio with RBC Wealth Management would basically be the same. The big difference in moving the funds to RBC would be service. He said he would be available to personally service the account and could attend meetings regularly to discuss the funds. He said the performance of the funds would be basically the same. The difference is not about costs; it is about having local management of the WPCA's account, he added.

After some discussion, Mary Burnore made a motion to leave WPCA investments with MBS (Multi-Bank Securities, Inc.) for now, but to re-evaluate its position in several years. Nita Giordano seconded the motion. The motion carried unanimously. The Authority thanked Mr. Paulhus for his presentation.

**2) Public Comment**

There was no public comment.

**3) Rene Goss**

Vice-Chairman Charles Kratt referred to Rene Goss's resignation as Chairman of the WPCA. He expressed thanks to Rene for his years of service to this Authority and the many hours he devoted to it. Rene put much energy and time into his commitment, said

Kratt. He was a big part in our growth and development, and his dedication will be greatly missed. Let's all wish him well in his future plans and activities, added Kratt. He said the Board of Selectmen will be filling the vacancy caused by his resignation in the near future.

#### 4) Correspondence

Charles Kratt said he attended two meetings recently. One meeting pertained to hybrid cars. There were no hybrid trucks, but they may become available within 1-2 years, he said. Brad Wojick, Public Works Superintendent, said when hybrid trucks become available he would be interested in looking at them. The second meeting was to meet the candidates for the Town Manager position. He said he felt the slate of candidates was a good one and added that they have diverse backgrounds.

5) The minutes of May 26, 2009 were amended as follows: Pg. 5 item e line 4...Dave Garand said our account representative (Multi-Bank Securities) has 20+ years experience and proven himself to have a good track record. Charles Kratt asked if the W.P.C.F. is a regional septage and grease receiving facility as reported on Pg 2, Para 2. Plant Superintendent David Garand confirmed that it is.

Mary Burnore made a motion to approve the minutes as amended and Stanley Morytko seconded the motion. The motion carried unanimously.

#### 6) Reports

##### A) Chairman

The Vice-Chairman had nothing to report.

##### B) Plant Superintendent

###### a) Construction

Current Work: **New Garage Building:** continue electrical work, install windows. **Primary Settling Tanks:** installing primary collector equipment, installing electrical conduits, installing feed gates. **Administration Building:** installing electrical switchgear, installing emergency generator and associated equipment. **Gravity Thickener:** on line (issues with flow turbulence) **Park Entrance Road:** Pave binder course, complete roadway edging.

Garand reviewed one change order (7 total) which resulted in an increase of \$16,674. in the contract price.

###### b) Plant Performance

All permit requirements were met for the month of May. Garand said everything is working well. He then reviewed the May 2009 Effluent Quality Report,

**c) Administration & Finance**

**1) Monthly Budget Report**

Garand reviewed the Monthly Budget Report dated 5/31/09. He said he contacted the Finance Dept. because some of their numbers are not correct. He said he adjusted some of the numbers and plugged in the numbers that he felt were correct in order to balance out. **Adjusted revenues total \$2,686,256.** This is 85% of budgeted revenue through 92% of the year completed. **Adjusted expenses total \$2,797,235.** This is 85% of budgeted expenses through 92% of the year completed. Garand will meet with the Finance Dept. to review the Monthly Budget Report.

**2) Significant Non-recurring Expenses.**

Garand reviewed significant non-recurring expenses May 27 to June 25, 2009.

**3) Mansfield Dispute.**

Lon Hultgren, Town Engineer for the Town of Mansfield, said Mansfield has filed an appeal based on the recommendation of their attorneys because they did not want the appeal time to run out.

Dave Garand referred to correspondence from Attorney George A. Dagon (Murtha & Cullina) regarding Mansfield arbitration – Mansfield’s motion to vacate. He said Mansfield has filed a new case in the superior court, asking the court to vacate the interim award. They filed the motion to vacate, as well as an order issued the same day assigning the matter for a hearing on July 13, 2009. Mansfield isn’t necessarily looking for judicial review at this stage, but that Mansfield was concerned about the running of the statutory 30-day limitation (Conn. Gen. Stat. 52-420(b) on the filing of motions to vacate arbitration awards. The concern is legitimate, since a court lacks subject matter jurisdiction to consider any motion to vacate that is filed more than 30 days after notice of an arbitration award. In any event, Mansfield has gone ahead and presented this to the court and obviously we need to respond. While I assume that Mansfield intends to request that the court defer or delay action on the Motion to Vacate, I recommend that we should file an objection and that we should urge the court to deny the Motion to Vacate.

**4) High Strength Waste.**

Dave Garand will discuss this at the CAWPCA meeting and will report back.

**5) Reserve Investments**

Dave Garand reviewed the quarterly report from Multi-Bank Securities, Inc. He said one additional security was purchased with interest.

**6) Teamster Contract negotiations.**

Dave Garand said the negotiations are going well.

**7) Assistant Superintendent/Operator 12 (Class 3 Certification).**

Garand said we are going to need three Class 3 operators. He said Assistant Superintendent Dave Gagnon's position is a management position. Dave Gagnon is interested in taking a Teamster Operator 12 position. Garand said if Dave Gagnon takes the position then we would have to work with the Town on developing a job description. Garand explained the difference between union and non-union positions. Major advantages of having Dave Gagnon as an Operator 12 is the fact that he has his class 3 certification and is extremely familiar with the current and new facility equipment. The union staff is responsible to respond to after hour emergencies, and he will be the only union staff qualified to respond to electrical problems after hours.

Garand asked the Authority to think about the position. He said the new contract should be signed by the next WPCA meeting and he could bring this back to the Authority for action.

Charles Kratt said we are governed by the Town's employee rules and we would have to look into the feasibility of doing this. Garand said it would be a lateral transfer versus going out to advertise the position. We would be filling the Operator 12 position from within, but it would be up to the Town if they would allow him to transfer.

**8) Facility Vehicle Purchase**

Garand asked the WPCA to re-evaluate the facility's need for an additional vehicle. If the assistant superintendent position is not refilled the necessity for another vehicle would be eliminated.

**9) 1987 Pick-up Truck – donate to Public Works.**

Garand suggested donating the 1987 pick-up truck to the Public Works Dept. Charles Kratt asked if we could legally give Public Works the truck outright or would we have to sell it for \$1.00. Garand said he will check with the Town Attorney to see if a monetary exchange is necessary.

After some discussion, Mary Burnore made a motion to donate the 1987 pick-up truck to the Public Works Dept. and Nita Giordano seconded the motion. The motion carried unanimously.

## **10) New Town of Windham Cash Management Investment Policy**

Dave Garand referred to the new Cash Management Investment Policy. Included in the policy are investment and portfolio procedures, settlement, safekeeping and collateralization and investment reporting requirements. He said the WPCA is not bound by this document. He will address any questions the WPCA may have at the next meeting.

## **11) Splash Park**

Garand said he was asked by the First Selectman to present "In Kind Services" in exchange for sewer use payments for 2009. He outlined a list of tasks he feels would benefit the sewer facility and the Town to offset the projected 2009/2010 sewer user charges of \$7,000 to \$10,000 at the Splash Park: 1) provide snow plowing services: plow the sewer facility access road and the entire paved facility area. (this must be completed prior to 6:30 AM, and 2) mow the lawn at the sewer facility as requested.

Brad and I agreed he would plow the access road from Route 14 and plow all areas inside the facility by 6:30 AM. Jean de Smet informed me just before the meeting that Brad did not agree to the conditions in the letter dated 6/11/09. Garand agreed to discuss this with Brad to see if there was a misunderstanding or if he had changed his mind.

After some discussion, Mary Burnore made a motion requiring the Town to accept the offer as written and further stipulated that any changes to this agreement would have to come back to the WPCA. Nita Giordano seconded the motion. The motion carried unanimously.

## **12) D.E.P. Retirement Reception**

Bill Hogan is retiring and a reception in his honor is being held. The cost of the ticket is \$50.00. Dave Garand said he is willing to attend.

Mary Burnore made a motion to send Dave Garand to the retirement reception and to pay the \$50.00 for his ticket. Stan Morytko seconded the motion. The motion carried unanimously.

## **13) D.E.P. Required Higher Degree of Treatment. Phosphorus Removal will begin 2010.**

Dave Garand said he attended a D.E.P. meeting recently. He said the new treatment will result in an estimated \$150,000 increase in annual operating expenses. Garand has asked D.E.P. to use current data (last 3 years) to come up with a pound limit. Dave is putting together a spreadsheet which he will review with D.E.P.

#### **14) Customer Relations**

There was one sewer blockage in our lines through 6/30/09/, said Garand. On 6/13/09, 63 & 65 Elm Street had a sewer backup caused by dirt, rocks and sand blocking the flow in our sewer main. The connection from the sewer main to the manhole failed, but has since been repaired.

#### **6) Old Business**

##### **Update of Heavy Metals in sewer system.**

Dave Garand reported that the Baptist Church in Willimantic has not yet installed an automatic grease retrieval unit because they do not have the money to install it. Charles Kratt suggested that Dave contact the Pastor and tell him that they have until year 2011 to become compliant. Dave agreed to speak to the Pastor and will report back. He added that Stone Gate Manor is okay.

#### **7) New Business**

Charles Kratt referred to a newspaper article regarding a Magnet School being proposed on Tuckie Road, Windham, CT. The article stated that sewer hook-ups would not be a problem and that a booster station could be added. Dave Garand said that is not correct as the proposed location is outside of the area.

There being no other business, the meeting was adjourned at 8:05 P.M. Motion by Mary Burnore and seconded by Nita Giordano. The motion carried unanimously. The next meeting will be held on July 28, 2009.

Respectfully submitted,

Lillian Murray, Clerk