

**Minutes
Special Meeting
Bolton Lakes Water Pollution Control Authority**

09 JUN 22 AM 10: 58

February 4, 2009

7:00 PM

Notch Road Municipal Center

Attendees: Chair Robert Morra, Secretary/Treasurer Richard Hayes Jr., Members: Mike Morris, Noel Gessay, Mark Turkington and Daniel Wright. Alternate John Ward (arrived at 7:04 pm). Also present was Marshall Gaston of Fuss & O'Neill, Inc., Peter Grose of Fuss & O'Neill, Inc. and, Vernon WPCA Director David Ignatowicz.

1. CALL TO ORDER

Chairman Robert Morra called the meeting to order at 7:00 P.M. and the Alternate Members were made voting Members (John Ward for Jason McCoy)

2. PUBLIC COMMENT

None

3. ACCEPTANCE OF MINUTES

Richard Hayes Jr., seconded by Noel Gessay, moved to accept the minutes of the October 22, 2008 regular meeting of the Bolton Lakes Water Pollution Control Authority as presented. The motion passed unanimously.

Richard Hayes Jr., seconded by Mike Morris, moved to accept the minutes of the November 13, 2008 special meeting of the Bolton Lakes Water Pollution Control Authority as presented. The motion passed unanimously.

4. ONGOING BUSINESS

Mr. Morra noted that the project was continuing to make progress and that tonight's meeting was the result of the January 28, 2009 meeting being cancelled due to inclement weather.

5. NEW BUSINESS

A. Election of Officers

Richard Hayes Jr. nominated Robert Morra to continue to serve as Chairman of the BLRWPCA for 2009. There were no other nominations. Mr. Morra called for a vote on the recommendation. Carried unanimously.

Richard Hayes Jr. nominated Jason McCoy to continue to serve as Vice-Chairman of the BLRWPCA for 2009. There were no other nominations. Mr. Morra called for a vote on the recommendation. Carried Unanimously.

Mike Morris nominates Richard Hayes Jr. to continue to serve as Secretary/Treasurer of the BLRWPCA for 2009. There were no other nominations. Mr. Morra called for a vote on the recommendation. All voted in favor, with Mr. Hayes abstaining.

B. Adoption of 2009 Meeting Schedule

Richard Hayes Jr. moved to adopt the Bolton Lakes Regional Water Pollution Control Authority 2009 meeting schedule as presented in the agenda. Noel Gessay seconded. The motion carried unanimously.

C. Adoption of Resolution for Department of Environmental Protection Contracts

The following resolution was reviewed and discussed by the BLRWPCA:

BE IT RESOLVED, that it is in the best interests of the Bolton Lakes Regional Water Pollution Control Authority to enter into contracts with the Department of Environmental Protection. In furtherance of this resolution, the Chairman of the Bolton Lakes Regional Water Pollution Control Authority is duly authorized to enter into and sign contracts on behalf of the Bolton Lakes Regional Water Pollution Control Authority. The Chairman is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute amendments, rescissions, and revisions thereto. The Secretary of the Bolton Lakes Regional Water Pollution Control Authority is authorized to print upon or impress the seal of the Bolton Lakes Regional Water Pollution Control Authority upon any such document, amendment, rescission or revision.

After review and discussion, Noel Gessay moved that the Bolton Lakes Regional Water Pollution Control Authority adopt the Resolution as read, Dan Wright seconded, and the motion carried. Mr. Hayed abstained.

D. Amendment No 2 to Fuss & O'Neill Design Contract

Peter Grose and Marshall Gaston spoke to proposed Amendment No. 2 to Fuss & O'Neill's contract and explained that the purpose was to establish construction phase budgets, included in the original June 5, 2007 agreement, that initially did not have detailed dollar amounts specified for 6 different tasks for each of the 5 construction phases. This amendment identifies the hours and costs associated with the tasks presented. The total budget increase for the design phase is \$169,900, however it was noted that the total project budget of \$21.7 million established in April 2008 does not change as a result of this amendment. Approval is needed by the BLRWPCA for submittal to the DEP as part of the application for Clean Water Fund construction funding.

Noel Gessay moved that the Bolton Lakes Regional Water Pollution Authority adopt Amendment No. 2 to Fuss & O'Neill's contract as presented. Rich Hayes seconded the motion. Motion carried unanimously.

E. Funding Status Report

Mr. Gaston reported that Rural Development was updated on the progress of the project and was advised that design approval from DEP was pending. Mary Grasso of RD stated that the archeological work for Phase 4 would need to be completed prior to receiving additional funds. The scheduled work is included in Amendment No. 2.

The bond closing with the State of Connecticut for the Design Phase took place on December 30, 2008. The first two Requests for Reimbursement were submitted to the DEP in early January 2009. The Construction Phase Agreement was submitted to the DEP on January 30, 2009.

F. Consider and Act on STAG Submission

Mr. Gaston reported that the application for the release of the remaining STAG funds (\$600,100) was submitted to EPA on January 30, 2009. Of the total earmark of \$650,500 granted to Vernon and Bolton, \$50,400 was expended on conceptual engineering services and was administered by Vernon. MBE/WBE quarterly reports, from 2003 to date, were prepared by Fuss & O'Neill and will be executed by Vernon Town Administrator John Ward for submission to EPA. In 2008, Vernon transferred administrative control of the remaining \$600,100 to the Bolton Lakes Regional Water Pollution Control Authority.

The Bolton Lakes Authority requested that Fuss & O'Neill prepare a flow chart showing how funds get from various grant sources to the final vendor. Mr. Grose said that Fuss & O'Neill would do this.

G. Consider and Act on Fuss & O'Neill Request for Payment No.1

The Authority reviewed a letter dated January 7, 2009 to Hank Olszewski of the CT DEP requesting funding for payment No.1 to Fuss & O'Neill, Inc. in the amount of \$394,403.81. It was the consensus of the Authority that no additional approval or action by the BLRWPCA was necessary to request this funding since the Chairman was previously authorized to do so. Supporting documentation was provided with the request for reimbursement.

H. Discussion on Easements

Draft easements have been prepared for the parcels along Route 44 for Gary Bergeron/Capital Insights and were submitted to Mr. Bergeron's attorney for review. Mr. Morra met with Mr. Bergeron who will have his attorney review the results of that meeting.

A draft temporary easement for the Shady Glenn property (the Rieg Realty, LLC.) was also prepared and the owner is looking for concessions for access rights. Mr. Gaston reported that the property is in the midst of a sale from Rieg Realty to the minority stakeholder and that this has slowed the easement acquisition.

Mr. Morra thought the easement discussions were going well.

I. Discussion on Grinder Pump Easement Agreement

The Authority discussed a "Draft" Grinder Pump Easement Agreement, revised on August 22, 2008. Item # 13 was still at issue and the BLRWPCA decided to defer this item to the next meeting. Mr. Ward agreed to bring the agreement to Vice Chairman Jason McCoy for review and recommendation.

J. Project Status

Mr. Gaston spoke to his February 4, 2009 progress report that was handed out at the meeting. Many of the items noted were previously acted on or discussed:

- The Construction Phase Agreement was submitted to DEP
- The Authorizing Resolution needs to be adopted (Item 5c)
- Amendment to the Design needs to be approved (Item 5d)
- Easements need to be finalized for Route 44 properties
- Obtain written approval of E-1 grinder pumps from DEP (have verbal)
- Finalize grinder pump easements

K. Next Steps

The Authority requested that Fuss & O'Neill prepare a flow chart with a timetable showing the steps that need to be taken once the construction contract is advertised for bids. This should include advertising, review of bid tabs and qualifications, WPCA review, DEP review, legal counsel, award of bid, notice to proceed, etc. Mr. Grose will look into this and report back to the BLRWPCA.

6. REPORT OF THE CHAIR

Mr. Morra stated that he had no additional comments other than those already noted.

7. COMMITTEE REPORTS

None

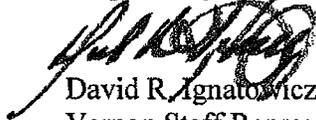
8. ANY ADDITIONAL MATTERS

None

9. ADJOURNMENT

A motion was made by Richard Hayes and seconded by Mike Morris to adjourn the meeting at 8:05 P.M. Carried unanimously.

Respectfully Submitted,



David R. Ignatowicz
Vernon Staff Representative