



"PENDING APPROVAL AT THE NEXT BOARD OF DIRECTOR'S MEETING"

REGULAR MEETING OF THE
GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY
BOARD OF DIRECTORS
TUESDAY, JULY 14, 2015 6:00 P.M.
260 EAST STREET
NEW HAVEN, CONNECTICUT

The regular meeting of the Greater New Haven Water Pollution Control Authority was held July 14, 2015 at 6:00 P.M. at the GNHWPCA offices, 260 East Street, New Haven in order to transact the following:

Chairman Paolillo called the meeting to order at 6:00 P.M.

Roll Call:

Director's present: Director Michael Fimiani, New Haven
Chairman Alphonse Paolillo, New Haven
Director Clayton Williams, New Haven
Director Vincent Arpino, East Haven
Director Anthony Criscuolo, East Haven
Director Russell Cyr, Hamden
Director Jeffrey D. Ginzberg, Woodbridge

Director's absent: Director Joyce Alton, New Haven
Vice Chairman Stephen Mongillo, Hamden

Also present: Sidney J. Holbrook, Executive Director
Gabriel Varca, Treasurer
Gary Zrelak, Director of Operations
Thomas Sgroi, Director of Engineering
Mario Ricozzi, Manager of Design CSO, LTCP
Glenn Santoro, Esq., Robinson & Cole, LLP
Deborah L. Torre, Secretary

1. Approval of minutes of June 9, 2015 – Regular Meeting.

Director Ginzberg made the following motion:

RESOLVED: That the minutes of the June 9, 2015 Regular Meeting of the Board of Directors of the Authority are hereby adopted and approved in the form attached hereto as the Exhibit to Agenda Item #1, any such changes, revisions or

additions thereto having been noted to and by the Secretary of the Authority.

Director Williams seconded the motion.

Voice Vote: Unanimous

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

2. Public participation relating to agenda items.

Public present.

Ken Joyner of 451 Huntington Street, New Haven, was present to voice concerns regarding Items 3, 4 and 5 on the agenda. Mr. Joyner asked our Director's of Operations and Engineering for clarification on Item 3 on the Clean Water Fund Program. On Item 4, C.H. Nickerson contract and nitrogen credits, Mr. Joyner needed clarification on line items and amounts. The memorandum did not seem to be accurate to him, in his opinion. And on Item 5, East Street Pump Station, Mr. Joyner's question was regarding the \$200,000, where is the authorization and where does it come from.

An area of Mr. Joyner's street experienced a sink hole. He was impressed with the immediate response of the GNHWPCA emergency trucks and the handling of the situation.

3. Consideration and approval of a resolution approving the second amendment to the resolution approved by the Board on January 11, 2011, appropriating \$50,000,000 for engineering, design, and construction of wet weather improvements and nitrogen reduction at the East Shore Water Pollution Abatement Facility and authorizing the issuance of \$50,000,000 Clean Water Fund obligations of the Authority under the State of Connecticut Clean Water Fund Program, as amended by the Board on March 12, 2013 to an increase of the appropriation and authorization of Clean Water Fund obligations from \$50,000,000 to \$64,000,000, to provide for a further increase of the appropriation and authorization of Clean Water Fund Obligations from \$64,000,000 to \$69,000,000.

Director Arpino made the following motion:

RESOLVED: That the resolution, attached hereto as the Exhibit to Agenda Item #3, amending the resolution approved by the Board on January 11, 2011, appropriating \$50,000,000 for engineering, design, and construction of wet weather improvements and nitrogen reduction at the East Shore Water Pollution Abatement Facility and authorizing the issuance of \$50,000,000 Clean Water Fund obligations of the Authority under the State of Connecticut Clean Water Fund Program, as amended by the Board on March 12, 2013 to an increase of the appropriation and authorization of Clean Water Fund obligations from \$50,000,000 to \$64,000,000, to provide for a further increase of the appropriation and authorization of Clean Water Fund obligations from \$64,000,000 to \$69,000,000 is hereby approved.

Director Fimiani seconded the motion.

Allocation of Clean Water Funds request is to provide authorization for an amendment amount of \$5 million for Project No. CWF 2010-01 for additional Nitrogen Reduction and wet weather improvements at the East Shore Water Pollution Abatement Facility. The amounts projected for next FY 2016 was based on last years' amount for nitrogen credits (performance) which would include additional funds to cover construction costs.

Note: The moneys approved to be spent on nitrogen credits are not borrowed funds. These funds are taken from reserve funds and added to the total cost of construction

Voice Vote: Unanimous

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

4. Consideration and approval of a resolution amending the resolution approved by the Board on July 23, 2013, authorizing the Authority to execute and deliver an agreement with C.H. Nickerson for the construction of wet weather improvements

and nitrogen reduction at the East Shore Water Pollution Abatement Facility to provide for a total cost from \$46,663,545, to a revised not to exceed total cost of \$51,055,640.

Director Fimiani made the following motion:

RESOLVED: That the resolution, attached hereto as the Exhibit to Agenda Item #4, amending the resolution approved by the Board on July 23, 2014 authorizing the Authority to execute and deliver an agreement with C.H. Nickerson for the construction of wet weather improvements and nitrogen reduction at the East Shore Water Pollution Abatement Facility to provide for a total cost from \$46,663,545, to a revised not exceed total cost of \$51,055,640 is hereby approved and the Executive Director, Sidney J. Holbrook, be and hereby is authorized, empowered and directed, for and on behalf of the Authority, to negotiate, execute and deliver such agreement and any and all reasonable and necessary documents in furtherance thereof.

Director Arpino seconded the motion.

Allocation for additional funds for wet weather improvements and nitrogen reduction upgrades. This is a request to authorize funds to execute work with the contractor, C.H. Nickerson. The first authorization exceeded the 5% for change orders(Change orders #1-11, grouped together). This is for change order #12 and for other potential change orders due to changes in work found during construction.

Voice Vote: Unanimous

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

5. Consideration and approval of a resolution authorizing the Authority to award an agreement to the lowest responsible bidder for services related to the furnishing and installation of a new oil storage tank and ancillary monitoring equipment at the East Street Pump Station, in an amount not to exceed \$200,000.

Director Williams made the following motion:

RESOLVED: That an agreement with the lowest responsible bidder for services related to the furnishing and installation of a new oil storage tank and ancillary monitoring equipment at the East Street Pump Station, in an amount not to exceed \$200,000, as further described in the Exhibit to Agenda Item #5, is hereby approved and the Executive Director, Sidney J. Holbrook, be and hereby is authorized, empowered and directed, for and on behalf of the Authority, to negotiate, execute and deliver such agreement and any and all reasonable and necessary documents in furtherance thereof.

Director Arpino seconded the motion.

There was one bidder for the East Street Pump Station Oil Storage Tank Replacement, True Blue Environmental, Inc. of Wallingford, CT. This tank fuels the emergency generator, Fuel #2, diesel, the old storage tank will be removed and disposed of properly. The new tank is fiberglass with a monitoring system. The bid for the project was \$129,306.

Voice Vote: Unanimous

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

6. Consideration and approval of a resolution authorizing the Authority to award an agreement to the lowest responsible bidder for services related to the furnishing of the equipment required to replace existing bar rack equipment and gates at the East Shore Water Pollution Abatement Facility, in an amount not to exceed \$750,000.

Director Fimiani made the following motion:

RESOLVED: That an agreement with the lowest responsible bidder for services related to the furnishing of the equipment required to replace existing bar rack equipment and gates at the East Shore Water Pollution Control Abatement Facility, in an amount not to exceed \$750,000, as further described in

the Exhibit to Agenda Item #6, is hereby approved and the Executive Director, Sidney J. Holbrook, be and hereby is authorized, empowered and directed, for and on behalf of the Authority, to negotiate, execute and deliver such agreement and any and all reasonable and necessary documents in furtherance thereof.

Director Ginzberg seconded the motion.

Item needs to be amended. The bid for the East Shore Bar Rack Systems came in over the \$750,000.00. C.H. Nickerson was the low bidder.

The estimated amount put in the budget was \$750,000.00, from last year's figure.

Chairman Paolillo motions to make an amendment to raise the amount from \$750,000.00 to \$798,500.00 not to exceed.

Director Fimiani moves the motion.

Director Williams seconded the motion.

All in Favor of amendment:

AYES

Arpino
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

Criscuolo

ABSTENTIONS

All in favor to the original Item 6:

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

7. Consideration and approval of a resolution authorizing the Executive Director, Sidney J. Holbrook, to negotiate, execute and deliver an agreement with United

Illuminating Company for Low Emission Renewable Energy Credits, for an amount not to exceed \$45,000

Director Ginzberg made the following motion:

RESOLVED: That the agreement with United Illuminating Company for Low Emission Renewable Energy Credits, for an amount not the exceed \$45,000, as further described in the Exhibit to Agenda Item #7, is hereby approved and the Executive Director, Sidney J. Holbrook, be and hereby is authorized, empowered and directed, for and on behalf of the Authority, to negotiate, execute and deliver such agreement and any and all reasonable and necessary documents in furtherance thereof.

Director Fimiani seconded the motion.

The State has a program for Low Emission Renewable Energy Credits that requires CL&P and UI to a 15 year contract for a credit per kilowatt hour produced by a fuel cell. The WPCA submits a bid to UI. The GN H put a conservative bid in of \$0.065. We are notified if we are selected. Notice of awards is by July 24, 2015. We then would have to sign a contract with UI. We give them \$45,000.00 upfront and then that \$45,000.00 comes back to us when we submit our first request for credit payment. With the commitment to the agreement we produce the power all the time and they pay us for producing it at a rate of \$0.065/kwh produced by the fuel cell. We would lease the fuel cell. A private company will lease the fuel cell to us to take advantage of the tax credit.

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

8. Discussion concerning a dispute related to a customer account of the Authority. Rental property – 354 Shepard Avenue, Hamden. The bill for this property is at the minimum charge. The GNHWPCA is not changing the format in which they bill.

No votes taken.

9. **Executive Session pursuant to Section 1-200(6)(B) of the General Statutes of Connecticut for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation with the United States Environmental Protection Agency.**

Chairman Paolillo called for a motion to go into Executive Session. Director Fimiani moved the motion to go into Executive Session.

RESOLVED: That, pursuant to Section 1-200(6)(B) of the General Statutes of Connecticut and Section 2.14 of the Bylaws, by two-thirds vote of the members of the Board present and voting, the Board of Directors hereby approves to enter in Executive Session for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation with the United States Environmental Protection Agency.

Director Williams seconded the motion.

7:05 P.M.

Vote to go into Executive Session.

At 7:26 P.M. Chairman Paolillo called for a motion to end Executive Session.

No votes were taken in Executive Session.

All in Favor.

Voice Vote: Unanimous

AYES

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

NAYES

ABSTENTIONS

10. Consideration and approval of a resolution authorizing the Executive Director, Sidney J. Holbrook, to negotiate, execute and deliver an agreement with the United States Environmental Protection Agency.

Director Williams made the following motion:

RESOLVED: That the Agreement of Order Consent with the United States Environmental Protection Agency regarding Capacity Management, Operation

and Maintenance Program Assessment as further described in the Exhibit to Agenda Item #10, is hereby approved, and the Executive Director, Sidney J. Holbrook, be and hereby is authorized, empowered and directed, for and on behalf of the Authority, to negotiate, execute and deliver such Agreement and any and all reasonable and necessary documents in furtherance thereof.

Director Arpino seconded the motion.

Voice Vote: Unanimous

AYES

NAYES

ABSTENTIONS

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

11. Consideration and approval of a resolution cancelling the August 11, 2015 Regular Meeting of the Board of Directors of the Authority.

Director Fimiani made the following motion:

RESOLVED: That the August 11, 2015 Regular Meeting of the Board of Directors of the Authority is hereby cancelled.

Director Arpino seconded the motion.

Voice Vote: Unanimous

AYES

NAYES

ABSTENTIONS

Arpino
Criscuolo
Cyr
Fimiani
Ginzberg
Paolillo
Williams

12. Consideration and approval of certain Departmental Budget Transfer Requests. Director Fimiani made the following motion:

RESOLVED: That the Departmental Budget Transfer Requests, as described in the Exhibit to Agenda Item #12, are hereby approved.

Director Williams seconded the motion.

Department budget transfers for both Capital Funds and Operating Funds for a grand total of \$997,770.00 was approved. This is to close out FY2014-2015.

13. Executive summary and department updates and presentations.
 - Monthly Budget Report
 - Monthly Operations Report
 - Monthly Engineering Report
 - CSO Improvements & Monitoring – Input from new Hydraulic Model
 - Design started at East Haven Pump Station Projects- Meadow Rd., Minor Rd., Cosey Beach and Fairview
 - Flag Pole – 260 East Street
 - Parking Lot – Finalizing Design w/ Green Infrastructure included
 - Plant Project – Daily Progression

14. Consideration and approval, as necessary, of any other new business of the Authority.

No new business.

15. Call to the public.

No public present.

16. Adjournment.

There being no further business, a motion was made by Director Williams seconded by Director Fimiani and the motion passed unanimously. The meeting adjourned at 7:46 P.M.

Respectfully submitted

Deborah L. Torre
Secretary