

MINUTES OF THE APRIL 8, 2008
REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
GREATER NEW HAVEN
WATER POLLUTION CONTROL AUTHORITY

The Regular Meeting of the Greater New Haven Water Pollution Control Authority was held April 8, 2008, at 6:00 P.M. at the New Haven Water Pollution Control Facility, 345 East Shore Parkway, New Haven, CT in order to transact the following:

Chairman Mongillo called the meeting to order at 6:15 PM.

Roll Call

Directors Present: Directors Desorbo, Ginzberg, Harned, Mongillo, Perrone, Paolillo

Directors absent: Directors Cyr, Farina, Turner

Also present: Dominick Di Gangi, Executive Director

Gabriel Varca, Director of Finance and Administration

Gary Zrelak, Director of Operations

Tom Sgroi, Director of Engineering

Louis Criscuolo, Deputy Finance Director

Mike Blake, GIS/IT Administrator

Mario Ricozzi, Manager of Design CSO, LTCP

Luigi DiMonico, Construction Administrator

Glenn Santoro, GNHWPCA Attorney

Deborah Torre, Secretary

1. Public participation relating to agenda items.

No Public Present

2. Approval of minutes of March 11, 2008 – Regular Meeting.

Director Paolillo made the following motion:

RESOLVED: That the minutes of the March 11, 2008 Regular Meeting of the Board of Directors of the Authority are hereby adopted and approved in the form attached hereto as Exhibit 2, any such changes, revisions or additions thereto having been noted to and by the Secretary of the Authority.

Director DeSorbo seconded the motion.

Voice Vote: Unanimous

AYES

NAYES

ABSTENTIONS

DeSorbo

Ginzberg

Harned

Mongillo

Perrone

Paolillo

3. *Discussion – City of New Haven, Cost Sharing Agreement, Combined Sewer Overflow Long Term Control Plan and Mayor John DeStefano, Jr. letter dated March 24, 2008.*

After extensive discussion, the Board members were in agreement that the issue needed to be resolved quickly. Director Ginzberg asked what would happen if the City does not pay. Mr. DiGangi stated that the Authority was the debtor under the Clean Water Fund loans and that failure to pay by the City under the Cost Sharing Agreement would require that the ratepayer to cover the debt service payments. The outcome could be a lawsuit. Glenn Santoro, attorney for the GNHWPCA stated that he drafted the original agreement but since Robinson & Cole is Bond Counsel for the City of New Haven, a conflict exist and he would have to remove himself from representing the GNHWPCA. Attorney Santoro said that it was essential to have a meeting with City officials and the Authority to resolve this issue. The Executive Director informed the Board that a meeting with City officials from the Mayor's office and Engineering Department was scheduled for April 25th, 2008 at 10:00 A.M. It was agreed that Chairman Mongillo and Director Paolillo attend on behalf of the Board of Directors.

A ten minute break was called 7:30 pm- 7:40 pm.

4. *Executive Director's Report*

- Status of Professional Service Agreements
- Status of On Call Engineering Service Agreements
- Status of Construction Contracts
- Status of Legal Representation
- Status – 260 East Street Property Acquisition
- 2007 Revenue Bonds, Series E
- Reports
- Monthly Budget Report – October, 2007

- GIS/IT Monthly Progress Report
- Operations Performance Report
- Engineering Department – Project Status
- CSOLTCP – Project Status

5a. *Amend the resolution for adoption of the Fiscal Year 2008-2009 Annual Capital Budget changing the amount from \$ 49,000,000 to \$23,000,000 in accordance with the revised Exhibit 5 provided by the Executive Director.*

Director DeSorbo made the motion to amend the resolution.

Director Perrone seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

5. *Consideration and adoption of the Fiscal Year 2008-2009 Annual Capital Budget as amended in the amount of \$ 23,000,000.*

Director DeSorbo made the following motion:

WHEREAS, the Authority, pursuant to Section 43 of the Sewer Ordinance, has submitted to the Board the Fiscal Year 2008-2009 Annual Capital Budget as amended in the amount of \$ 23,000,000, attached hereto as revised Exhibit 5; and

WHEREAS, the Authority, pursuant to Section 43 of the Sewer Ordinance, held a public hearing on such Annual Capital Budget on April 8, 2008.

NOW THEREFORE, BE IT HEREBY

RESOLVED: The Resolve will read that, pursuant to Section 43 of the Sewer Ordinance, the Fiscal Year 2008-2009 Annual Capital Budget as amended in the amount of \$23,000,000 is hereby approved.

Director Perrone seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

6a Amend the resolution for *adoption of the Fiscal Year 2009-2013 Five Year Capital Improvement Plan in accordance with revised Exhibit 6 provided by the Executive Director.*

Director DeSorbo made the motion to amend the resolution.

Director Perrone seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

6. *Consideration and adoption of the Fiscal Years 2009-2013 Five Year Capital Improvement Plan as amended.*

Director DeSorbo made the following motion:

WHEREAS, the Authority, pursuant to Section 43 of the Sewer Ordinance, has submitted to the Board the Fiscal Years 2009-2013 Five Year Capital Improvement Plan as amended, attached hereto as revised Exhibit 6; and

REVISED, pursuant to the revised Exhibit 6

WHEREAS, the Authority, pursuant to Section 43 of the Sewer Ordinance, held a public hearing on such Five Year Capital Improvement Plan on April 8, 2008.

NOW THEREFORE, BE IT HEREBY

RESOLVED: Resolution reads as Revised to new Exhibit 6, FY 09, \$23,000,000, FY 2010, \$46,525,000, FY 2011, \$40,650,000, FY 2012, \$44,325,000 and FY 2013, \$213,025,000 and that the Fiscal Years 2009-2013 Five Year Capital Improvement Plan as amended and revised is hereby approved.

Director Harned seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

7. *Consideration and approval of a resolution appropriating \$ 49,000,000 for various capital improvement projects in accordance with the approved Fiscal Year 2008-2009 Annual Capital Budget and authorizing (i) the issuance of revenue bonds in the amount of \$ 48,000,000 as amended secured solely by revenues of the sewerage system and (ii) \$ 1,000,000 from the General Fund Balance for the Sanitary Sewer Infrastructure Renewal Program in accordance with the approved Fiscal Year 2008-2009 Annual Capital Budget as amended.*

Director DeSorbo made a motion to table Item 7.

Director Perrone seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

8. *Presentation of the Fiscal Year 2009 Cost of Service Study and the Executive Director's proposed Annual Budget of the projected expenditures and revenues of the sewer fund and recommended sewer user rates and charges.*
9. *Schedule a public hearing, pursuant to CGS Section 7-255 and Section 43 of the Sewer Ordinance, to be held on Tuesday, May 13, 2008, at 5:30 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut on the Fiscal Year 2009 Annual Budget of the projected expenditures and revenues of the sewer fund and recommended sewer user rates and charges.*

Director DeSorbo made the following motion:

WHEREAS, the Authority, pursuant to CGS Section 7-255 and Section 43 of the Sewer Ordinance, desires to hold a public hearing on May 13, 2008, at 5:30 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut to obtain public comment with regards to the Fiscal Year 2009 Annual Budget of the project expenditures and revenues of the sewer fund and recommended sewer user rates and charges.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That the scheduling of a public hearing on May 13, 2008, at 5:30 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut to obtain public comment with regards to the Fiscal Year 2009 Annual Budget of the project expenditures and revenues of the sewer fund and recommended sewer user rates and charges is hereby approved.

Director Paolillo seconded the motion.

Voice Vote; Unanimous:

AYES

DeSorbo
Ginzberg
Harned
Mongillo
Perrone

NAYS

ABSTENTIONS

Paolillo

10. *Schedule a public hearing, pursuant to CGS Sections 7-255, 22a-506(a) and 22a-509(e) and Section 42 of the Sewer Ordinance, to be held on Tuesday, May 13, 2008, at 5:40 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut on the establishment of a revised fee schedule of connection charges.*

Director DeSorbo made the following motion:

WHEREAS, the Authority, pursuant to CGS Sections 7-255, 22a-506(a) and 22a-509 (e) and Section 42 of the Sewer Ordinance, desires to hold a public hearing on May 13, 2008, at 5:40 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut to obtain public comment with regards to the establishment of a revised fee schedule of connection charges.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That the scheduling of a public hearing on May 13, 2008, at 5:40 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut to obtain public comment with regards to the establishment of a revised fee schedule of connection charges is hereby approved.

Director Paolillo seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo

Ginzberg

Harned

Mongillo

Perrone

Paolillo

11. *Consideration and approval of the Agreement with Southern Connecticut Gas Company to install a natural gas service and/or main at the East Shore Water Pollution Control Facility.*

Director Ginzberg made motion to table, and then withdraws motion to table.

Director Harned made the following motion

RESOLVED: That, the Executive Director is hereby authorized to execute the Agreement with Southern Connecticut Gas Company to install a natural gas service and/or main at the East Shore Water Pollution Control Facility, as described on Exhibit 11 attached hereto.

Director Paolillo seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

12. *Consideration and approval of the deletion of the existing position of Project Engineer 1, Position Code 1300 21 04 001 (Vacant) and the establishment of the position of Project Engineer 2, Position Code 1300 22 06 002 in the Engineering Department.*

Director Ginzberg made the following motion:

WHEREAS, the Authority, pursuant to CGS Section 22a-501(a)(3), desires to delete the existing Engineering Department position of Project Engineer 1, Position Code 1300 21 04 001 (Vacant) and establish the position of Project Engineer 2, Position Code 1300 22 06 002 in the Engineering Department.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That, the existing Engineering Department position of Project Engineer 1, Position Code 1300 21 04 001 (Vacant) is hereby deleted, and that, the Engineering Department position of Project Engineer 2, Position Code 1300 22 06 002 is hereby established.

Director Paolillo seconded the motion.

Tom Sgroi, Director of Engineering, provides explanation for establishing a change in Project Engineer position from a Project Engineer 1 to a Project Engineer 2.

Voice Vote: Unanimous

AYES_

NAYS

ABSTENT

DeSorbo

Ginzberg

Harned

Mongillo

Perrone

Paolillo

13. *Consideration and approval of acquisition of easements from the Town of Hamden and United Illuminating Company with respect to the Whitneyville Pump Station.*

Director Paolillo made the following motion:

WHEREAS, the Authority desires to acquire an easement from each of the Town of Hamden and United Illuminating Company with respect to the Whitneyville Pump Station, as further described on Exhibit 13 attached hereto (collectively the "Whitneyville Pump Station Easement"), and the Board has determined that such acquisition is in the best interests of the Authority.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That, pursuant to CGS Section 22a-501(a)(18), the Authority hereby approves the acquisition of the Whitneyville Pump Station Easement, and that the Executive Director is hereby authorized and empowered for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents relating to the acquisition of the Whitneyville Pump Station Easement.

Director Perrone seconded the motion.

Tom Sgroi, Director of Engineering explained the need for the easement and the requirement for the public hearing.

Voice Vote: Unanimous:

AYES

NAYES

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

14. *Schedule a public hearing, pursuant to CGS Section 22a-504, to be held on Tuesday, May 13, 2008, at 5:50 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut with respect to (i) the acquisition of easements from the Town of Hamden and United Illuminating Company with respect to the Whitneyville Pump Station and (ii) capital improvements as set forth in the Fiscal Year 2008-2009 Annual Capital Budget.*

Director Ginzberg made the following motion:

WHEREAS, the Authority, pursuant to CGS Section 22a-504, desires to hold a public hearing on Tuesday, May 13, 2008, at 5:50 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut to obtain public comment with regards to (i) the acquisition of easements from the Town of Hamden and United Illuminating Company with respect to the Whitneyville Pump Station and (ii) capital improvements as set forth in the Fiscal Year 2008-2009 Annual Capital Budget.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That the scheduling of a public hearing on Tuesday, May 13, 2008, at 5:50 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut to obtain public comment with regards to (i) the acquisition of easements from the Town of Hamden and United Illuminating Company with respect to the Whitneyville Pump Station and (ii) capital improvements as set forth in the Fiscal Year 2008-2009 Annual Capital Budget is hereby approved.

Director Paolillo seconded the motion;

Voice Vote: Unanimous
AYES
DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

NAYES

ABSTENTIONS

15. Increase the authorization for the Executive Director to issue Orders on Contract to Baltazar Contractors, Inc. for the Morris Cove Pressure Sewer Replacement Project for an additional sum of \$ 250,000 increasing the sum not to exceed to \$376,800.

Director Ginzberg made the following motion:

RESOLVED: That the Executive Director is hereby authorized and empowered for and on behalf of the Authority to increase the authorization to issue Orders on Contract to Baltazar Contractors, Inc. for the Morris Cove Pressure Sewer Replacement Project for an addition sum of \$ 250,000 increasing the sum not to exceed to \$376,800.00, as described on Exhibit 15 attached hereto, and pursuant to Section 5.1 of the Bylaws and the Purchasing Policy.

Director Harned seconded the motion.

Tom Sgroi, Director of Engineering, provided a handout to the Board summarizing the field conditions encountered which results in the request for additional Order on Contract authorization. Director Perrone expressed concerns with regards to the design consultant's responsibilities. Mr. Sgroi further explained the circumstances and the decision process used in the selection of the boring locations.

Voice Vote: Unanimous
AYES
DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

NAYES

ABSTENTIONS

16. **Executive Session pursuant to CGS Section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation relating to the existing Agreement for Operation and Maintenance of the Wastewater System.**

Director Perrone made motion to go into Executive Session at 8:20 PM.

Director Harned Seconded the motion.

RESOLVED: That, pursuant to a two-thirds vote of the Board, the Board has approved to move into Executive Session for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation relating to the existing Agreement for Operation and Maintenance of the Wastewater System, a proper purpose pursuant to CGS Section 1-200(6)(B).

Director DeSorbo made motion to come out of Executive Session at 9:10 PM.

Director Paolillo seconded the motion.

Voice Vote: Unanimous.

AYES

NAYES

ABSTENTIONS

DeSorbo
Ginzberg
Harned
Mongillo
Perrone
Paolillo

17. *Consideration and approval of the Amendment No. 1 to the Agreement for Operations and Maintenance of the Wastewater System with Operations Management International, Inc., dated November 21, 1997.*

Director Paolillo made the following motion:

RESOLVED: That, the Amendment No. 1 to the existing Agreement with Operations Management International, Inc., dated November 21, 1997, relating to operations and maintenance services, as set forth on Exhibit 17 attached hereto, is hereby approved, and that the Executive Director of the Authority be and hereby is

authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver the Amendment No. 1 as well as any and all other reasonable and necessary documents in furtherance thereof.

Director Perrone seconded the motion.

Voice Vote: Unanimous

AYES

NAYES

ABSTENTIONS

DeSorbo

Ginzberg

Harned

Mongillo

Perrone

Paolillo

18. Consideration and approval, as necessary, of any other new business of the GNHWPCA.

No new business.

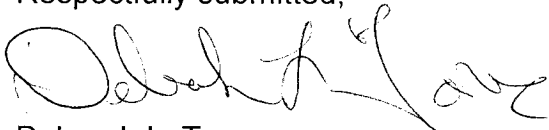
19. Call to Public

No Public Present.

20. Adjournment.

There being no further business, a motion to adjourn was made by Director Paolillo, seconded by Director DeSorbo, and the motion passed unanimously. The meeting adjourned at 9:26 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deborah L. Torre". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Deborah L. Torre
Secretary/Authority