



Stamford Water Pollution Control Authority Board Meeting
Wednesday, April 10, 2013 – 5:30 PM
Stamford Government Center – Republican Caucus Room
888 Washington Blvd, Stamford, CT
Full Meeting Minutes
(The meeting was videotaped.)

Attendees

Ernie Orgera	Chairman, WPCA Board
Tim Abbazia (absent)	WPCA Board Member
Cristina Andreana (absent)	WPCA Board Member
Daniel Capano (absent)	WPCA Board Member
Michael Handler	WPCA Board Member
Donald Huppert	WPCA Board Member
Mitchell Kaufman	WPCA Board Member
Dan Schwartz	WPCA Board Member
William Brink	Executive Director, WPCA
Rhudean Bull	Administration Manager, WPCA
Prakash Chakravarti	Supervising Engineer, WPCA
William Degnan	Plant Supervisor, WPCA
Marie Sabo	Laboratory Director, WPCA
Mark Turndahl	Accountant, WPCA
Daniel McCabe	WPCA Legal Counsel

Call to Order, Pledge and Roll Call

Chairman, E. Orgera, called the meeting to order at 5:39PM with Roll Call. The Pledge of Allegiance was not recited since a flag was unavailable. A quorum was not present (4 Board Members).

The Chairman called for a moment of silence to commemorate the 50th anniversary of the USS Thresher loss at sea and for recently deceased Board Member, Louis Basel.

Public Participation

Four public participants asked and were granted permission to speak at the meeting: K. Olsen, Kathleen Murphy, Karen Murphy and F. Flynn. E. Orgera announced that comments were to be kept to three (3) minutes.

SWPCA Board Membership

Chairman Orgera stated that following from the Public comment of an illegal WPCA Board at the last meeting, he asked WPCA Legal Counsel McCabe and Corporation Counsel Capalbo for their opinions on the matter. He referenced Charter Sections C6-160-1 and C6-160-6 and City Code Section 200-17. He stated that he also met with the Charter Revision Board last week and that all parties concurred that the current Board membership is legal.

Mr. Orgera then asked M. Handler to address the issue of Donald Rullman's membership and assured everyone that this Board had done nothing to change any documents. M. Handler stated that approximately 3 months

ago, Board member Dan Capano questioned whether his Board seat was about to expire in March. Upon checking with Lynn Arnow of the Mayor's Office, he found that it was actually Don Rullman's term that was to expire in March and that Dan Capano's seat will expire April 15, 2015.

Note: Board Member Mitch Kaufman arrived at 5:58 pm. A quorum was present (5 members).

Upon further checking, it was found that multiple errors had occurred prior concerning documents sent to the Appointments Board incorrectly listing Lou Casale as the Board engineer (it was Lou Basel). In addition, the March 2012 BOR minutes reflected Capano's term expiring in 2013 and Rullman's in 2015, and Town Clerk's forms for Capano and Rullman each incorrectly signed by the other person. When it was confirmed that Mr. Rullman's seat was up, the Mayor chose to fill his seat with someone else and thanked him for his service. The issue with the BOR policy on changing things internally was clarified by a letter sent from Annie Summerville (provided to Board members). E. Orgera stated that he has received an email from Mr. Rullman relating that, in accordance with the Mayor's request, he is vacating his position as a Board member. M. Handler added that Rullman's attendance was a matter of public record.

Auditor's Report on Internal Control over Financial Reporting

Chairman Orgera addressed the items in the Independent Auditor's Report submitted by O'Connor Davies and asked Board and Staff members to answer with information.

Material Weaknesses:

1. Ineffective governance, oversight and accountability - Bill Brink has been hired as the full-time Executive Director
2. Controls Department Administrative arrangement between the City and the WPCA – there is a draft copy of a Memorandum of Understanding (MOU) and completion of that is in-progress.

Deficiencies:

1. Unable to obtain master list of all customers, street by street, where customers are attached to sewers – CDM has been engaged to perform GIS mapping that will address this issue.
2. Procedures to assure that all new connections are entered into a billing system in a timely manner – B. Brink stated that this is being looked into; a meeting with K. Vitale, D. Yanik and P. Chakravarti was held concerning connection charges and it was agreed that an up-to-date list will be compiled.
3. Procedure for Special Assessments and Connection Charges – E. Orgera stated that CompUtil and Atty Ward have been working on liens and foreclosures and that this process was in place during the Audit.
4. SWPCA Accountant and Controller's Department – D. Yanik stated that the WPCA hired Accountant Mark Turndahl late last summer and have since been working together to focus on the Accounts Receivable side, monthly financial reporting to the Board, and current and YTD financial information to assess the performance of the WPCA.
5. Pooled-cash arrangement with the City – M. Handler discussed the setting-up of separate accounts and B. Brink said that the State does not have a problem with the WPCA using pooled-cash accounts or have the City as our "bank" as long as the finances and deficits are tracked.
6. Rate setting & Budgeting process – Towards this item, the WPCA is holding a Public Hearing on the proposed user charge increase of 8% for the April billing. This action would result in an average customer increase of \$16.32 per billing building sufficient operating reserves becoming less reliant on the City overtime.
7. Remove costs to WPCA for non-WPCA services – charges for pump stations and hurricane barrier will be paid by the City and included in the MOU.

E. Orgera stated that the Board and staff have made great progress in addressing the deficiencies and that the plan is to address any audit concerns throughout the year before the next audit session. He stated that one other issued not included was the Darien Agreement and that B. Brink has been addressing that long-outstanding issue.

Minutes Approval

M. Kaufman made a motion to approve the March 19, 2013 Special Board Meeting Minutes; seconded by M. Handler. There was no discussion. **Vote:** 3-0-2 (abstentions: D. Huppert and D. Schwartz); the motion carried.

Safety Update

M. Sabo reported on the following:

- The April Monthly WPCA Site Safety Team Meeting will be held next week on April 18th
- The first of the new monthly safety training sessions was held on March 27th and addressed OSHA-required refresher training on bloodborne pathogens and PPE (Personal Protective Equipment). The next monthly safety training session will be held on April 24th and will cover LOTO (Lock-Out-Tag-Out) and hazard communication, both of which also annual OSHA-requirements
- FY12/13 Incident Statistics
- Accidents to date—one that was rather serious and involves lost work time. She stated an Accident Investigation Team (B. Brink, R. Bull, W. Degnan, M. Sabo) has conducted extensive interviews with all involved employees and is finalizing a report including procedural corrective actions.

Sub-Committee Reports

Finance Committee

C. Andreana not present at the meeting; no report.

Technical Committee

D. Schwartz reported on behalf of the Committee:

- Reviewed Synagro contract to give a 6-month extension with a modification to include installation of a carbon-filter for RTO odor control improvement at their expense
- Odor control scrubbers are up and running; chemical feed pumps are being replaced; D. Capano volunteered to help given his experience
- Wright Pierce was voted as the consultant to provide odor control expertise on evaluation and improvements of the systems; cost not to exceed \$32,000
- Committee voted to purchase the Jerome meter (at ~\$17,000) to do odor monitoring

M. Kaufman reported that he is no longer a member of the Technical Committee due to his work schedule and that D. Schwartz has replaced him.

Final FY'14 Operating & Revenue Budget

B. Brink outlined the final changes previously approved by the Board:

- \$30,000 increase in miscellaneous revenues
- \$350,000 decrease in operating expenses: \$340,000 from electricity costs and \$10,000 from fuel costs.
- After consultation with Webster Bank, removed Capital Reserve set-aside from the operating expenses and also the GO debt; both were moved to below the bottom line
- The final FY14 approved budget total is \$25,841,566, which is an increase of \$606,514 or 4.7 percent in operating expenses.

Billing/Financial Update

a. Budget to Actuals Report

M. Turndahl reported that the current receivable balance is \$3,610,689 as of March 31st and collections rates for Oct '12 billing—93.9%, April '12 billing—95.39%, Oct. '11 billing—96.01% and April '11 billing—96.67%. In addition, he reported that with respect to budget to actuals, operating expenses and revenues were on budget.

b. Update: Status Report

Attorney Ward updated the Board on the collection files status stating that 710 files are with his office for collection, 136 have paid in full and 460 are in payment plans. He began to discuss item c, however the time for the Public Hearing was almost at hand. The Board asked Attorney Ward to hold the remainder of his discussion until after the Public Hearing.

D. Huppert made a motion to take agenda item # 11-a out of order; seconded by M. Kaufman. There was no discussion. **Vote:** 5-0-0.

FY2012-2013 WPCA April Billing Cycle User Charge Rate Increase

a. Update on March Presentation

B. Brink referenced the Rate Setting Model handout from the previous special meeting and provided an update. He explained that the required Capital reserve set aside and the \$1.25 million pooled cash repayment amount to the City were the driving forces for the increase. He recommended that the increase be implemented in increments or stepped and stated that page two (2) of the handout shows the cumulative increase in cash flow of \$2,009,604 with an eight (8) percent increase for the April '13 cycle billing and a four (4) percent increase for the October '13 and April '14 cycle billings. He stated that the proposed rate increase to \$4.21 would mean an increase of \$16.32 for an average resident for the billing cycle.

FY2012-2013 WPCA April Billing Cycle User Charge Rate Increase

b. Vote to Adjourn for the 6:30 pm Proposed User Charge Rate Public Hearing.

At 6:30 pm M. Handler made a motion to close out the regular meeting and open the Public Hearing on the User Charge; seconded by D. Huppert. There was no discussion. **Vote:** 5-0-0.

There were six individuals who requested to speak at the User Charge Public Hearing: F. Flynn, S. van Wachem, L. Ruijter, Karen Murphy, Kathleen Murphy and M. Mead Willson.

c. Vote to Reconvene after Public Hearing

D. Huppert made a motion to end the Public Hearing and reconvene the regular meeting at 6:54 pm; seconded by D. Schwartz. There was no discussion. **Vote:** 5-0-0.

d. Vote on April Billing Cycle User Charge Rate

M. Handler made a motion to approve the eight (8) percent increase to \$4.21 for the April bill; seconded by D. Schwartz. There was no discussion. **Vote:** 3-2-0 (opposed: D. Huppert and D. Schwartz); the motion carried. D. Huppert stated he wanted to explain why he voted against saying he definitely believes in the need for the money but he was not sure of the figures. He said that he agreed with the Murphy sisters and wished the Finance Committee members were present to explain.

Discussion & Vote: Bond Refunding Resolution

P. Privitera, who arrived at 6:54 pm stated, to his knowledge, the Board had already voted on the Refunding Resolution and went on to report on the saving for SWPCA when the refunding occurs—approximately \$500,000 per year for the next four years. He concluded his report outlining timelines, which depends on the BOR process.

Action Item: R. Bull to verify if the refunding resolution was previously voted on by the Board.

Note: At 6:58 pm M. Handler and P. Privitera exited the meeting. At 7:00 pm M. Handler returned; P. Privitera did not.

Billing/Financial Update 'cont'd

- c. Discussion: Modifying the collection policy to allow payments directly to SWPCA after the legal fees have been paid and the customer has executed a payment agreement.
Attorney Ward explained this issue and asked that it be tabled until after the April cycle billing.
- d. Discussion & Vote: Lower Foreclosure Threshold to \$8,500
Attorney Ward reported that the current threshold for foreclosures is \$10,000 and requested that the threshold be lowered to \$8,500 to capture 27 accounts. He said that the three demand letters sent to these customers have not yielded any movement and only foreclosure will prompt them to pay the outstanding balances. D. Huppert made a motion to lower the threshold ceiling from \$10,000 to \$8,500; seconded by D. Schwartz. There was no additional discussion. **Vote:** 5-0-0.

Transfer from Contingency

- a. B. Brink and R. Bull explained the need for the \$33,000 transfer to the Sludge Haulaway account saying that when the conveyer was inoperable the WPCA needed to haul away its sludge and that this transfer would allow the last of those related costs to be handled.
- b. R. Bull explained the need for the transfer to the Equipment Maintenance account. D. Huppert questioned the current contingency balance, to which R. Bull replied, about \$80,000 remains. She reported on the equipment account's current balance and most recent expenditures, saying the funds are needed for repair and equipment expenses for the remainder of the fiscal year. D. Huppert made a motion to transfer the funds to the respective accounts; seconded by D. Schwartz. There was no additional discussion. **Vote:** 5-0-0.

Executive Director's Report

B. Brink provided a table, *Stamford WPCA Top 10 Issues (4-10-13)*, and discussed each briefly.

1. Odor Control – Wright Pierce/Jeff Pinnette to address the Technical Committee at their next meeting to report his findings on how SWPCA odor scrubbers are operating vs design; B. Brink said chemical feed pumps have been ordered and are expected in within a couple of weeks; scrubbers are being run without chemicals giving some reduction in odors, but not enough; in response to questions from Board Members he stated that the equipment lead times prevent accelerating work beyond what we are doing, loaner pumps are on-site on trial, the fan issue (possibly oversized fan and recirculating pump) causing the spray prevents running chemicals for now, we are awaiting the RTO report from Wright-Pierce, the packed scrubbers are the correct technology, and the charcoal filters mentioned previously are not for the scrubbers - they are for the start-up and bypass RTO odors; the April 1st deadline is passed unfortunately, June 1st is the new deadline
2. Sludge Drying and Disposal – discussed earlier; Synagro contract extended for a six- month period. Preparing RPF for new Sludge Dryer service contract.
3. Internal Controls over Financial Reporting –
4. SWPCA User Charge – discussed previously during this meeting. M. Turndahl stated that the agreement for on-line bill paying is in-place but it is unlikely it will be ready for the April billing; it should be available for October
5. Darien Agreement – meetings with Bob Steeger and Darren Oustafine were held and substantial progress made
6. CMOM, FOG, and WPCF Evaluations – awaiting final report from Stantec, will present that to the Technical Committee; the response to the EPA Administrative Order was submitted; studies on Plant flow distribution and evaluation of the headworks need to be conducted, a consultant will be on board by July 1
7. Separate Stormwater and Flood Protection from SWPCA Budget—plan to instate tracking for labor separately; all other costs are already being independently tracked; both Committees have this item on their agendas
8. Septage Rates—no progress to report.

9. Separation of SWPCA from City—discussed previously under #5.
10. 5-Year CIP—reported that draft plan will be ready for the Technical Committee on April 24th.

Update & Discussion: Capital Projects

- a. Update: Upgrade of Secondary Clarifiers & Thickeners—P. Chakravarti reported the clarifiers are all on-line but some minor punch list issues remain; project is 95% complete. He reported one secondary clarifier will be taken down for about a week and that B. Degnan, Paul Dombrowski and he walked the plant about a week prior to this meeting. He said that P. Dombrowski made recommendations on operation efficiency and that the operators feel more confident running the Plant as a result of those recommendations.
- b. Pump Stations: He reported that the Cumming Station is on-line and that the Dyke Lane’s Stantec contract—totaling \$58k—has been reviewed by the law department and is ready for approval. After a brief discussion regarding funding source, M. Handler made a motion to approve the contract pending clarification of funding source; seconded by D. Huppert. There was no additional discussion. **Vote:** 5-0-0.
- c. Summer Street Ext—He reported that the work is 90% complete; that one lateral is in poor condition—a private lateral—but will be repaired as part of the project. After some discussion regarding location of the broken lateral and curb-to-curb paving, P. Chakravarti reported that the Carriage Drive project bids were opened that day; he provided the bid amounts for the Board.

New Business

M. Handler presented a letter from Attorney Hennessey representing Trinity Stamford, LLC regarding the possibility of a discounted lump sum payment for its sewer connection. R. Bull explained that this issue had been brought before the WPCA Board previously but was tabled and never discussed or voted upon. B. Brink explained that he spoke to M. Muhammad who asked if they pay their entire connection charge upfront would they get a discount. After a brief discussion, M. Handler decided to hold further discussion and to bring it up at another time.

M. Kaufman stated that the Windermere area people are concerned that the current land owner is not keeping to the terms of the agreement with the WPCA. After a brief discussion, D. Huppert requested that the item be put on the agenda for the next meeting.

Executive Session:

At 7:45 pm, M. Handler made motion enter into Executive Session to discuss legal strategy and negotiations for the BLT connections appeal and the Darien Agreement; seconded by D. Huppert. There was no discussion.

Vote: 5-0-0.

At 8:25 pm, M. Handler made a motion to exit Executive Session; seconded by M. Kaufman. **Vote:** 5-0-0. Chairman Orgera stated that no action was taken during Executive Session.

At 8:26 pm, M. Handler motioned to adjourn the meeting; seconded by D. Huppert. **Vote:** 5-0-0.