CITY OF DERBY

WATER POLLUTION CONTROL AUTHORITY

PUBLIC HEARING

WEDNESDAY, JUNE 28, 2017 – 6:00 P.M.

CITY HALL – JOAN WILLIAMSON ALDERMANIC CHAMBERS

MINUTES

Chairman Jack Walsh called the Public Hearing to order at 6:00 p.m. All rose and pledged allegiance to the flag.

ROLL CALL

Present: Mr. Walsh, Mr. Curtis, Mr. Lechich

Absent: Ms. Pertoso, Mr. Miani

Also Present: The Honorable Mayor Anita Dugatto
Keith A. McLiverty, City Treasurer (via telephone)
Anthony DeFala, Public Works Director
Lindsey King, WPCA Plant Supervisor
Robert Bell, Infrastructure Committee
William Marcucio, Infrastructure Committee
Ron Sill, Alderman (Arrived at 6:05 p.m.)
Marc J. Garofalo, Town & City Clerk (Arrived at 6:07 p.m.)
Christopher Wester, Weston & Sampson
Robert Tedeschi, Weston & Sampson
Francis Teodosio, Corporation Counsel

NOTICE OF PUBLIC HEARING READ INTO THE RECORD

NOTICE OF PUBLIC HEARING – City of Derby Water Pollution Control Authority – June 28, 2017. The Water Pollution Control Authority of the City of Derby, Connecticut will hold a public hearing in the Joan Williamson Aldermanic Chambers of Derby City Hall at 1 Elizabeth Street in Derby on Wednesday, June 28, 2017 at 6:00 p.m. to consider the reconstruction and other improvements to all or portions of the sanitary sewers on Emmett Avenue in Derby to address inflow/infiltration and related concerns. Affected property owners and voters of the City of Derby will be heard at the public hearing concerning the proposed project. Dated at Derby, Connecticut this 16th day of June 2017. Jack Walsh, Chairman, Derby Water Pollution Control Authority.

Keith McLiverty, City Treasurer and Chairman of the Infrastructure Committee (via phone)

Mr. McLiverty addressed the committee via phone. He apologized for missing the public hearing due to a family commitment. He said before us today is an opportunity to repair the Emmett Avenue sanitary sewer, which is very old. Mr. McLiverty said this will be a benefit to the City as a whole. Although this work wasn't originally part of the sewer bond referendum we are able to add this scope of work to the total project. He noted that we were able to save money on the Roosevelt Drive Pump Station since we are able to re-build on the same site, which gave us a savings of close to $1.5 million. The sewer work will be done and then the road will be milled and paved under the Road Bond project. Mr. McLiverty informed those present that Douglas W. Gillette, the City's Bond Counsel from Day Pitney, LLP issued a letter (attached to minutes) stating that such expenditures could be charged against the 2014 Project appropriation. Mr. McLiverty said the WPCA and Infrastructure Committees will meet at a later date to discuss the outcome of this public hearing.

EXPLANATION OF THE PROJECT – Robert Tedeschi, P.E., BCEE, Weston & Sampson

Mr. Tedeschi explained what is planned for the Emmett Avenue Sanitary Sewer replacement. The project entails 2,200 linear feet of pipe, 50 sewer laterals and will extend from 10th Street to Bluff Street. The duration of the project will be approximately two months and it will take place over this summer. Mr. Tedeschi said the sewer pipe in the southern part of the road was installed around 1920 and the northern part was installed around 1940. He noted that the WPCA determined that this work needs to be done. Mr. Tedeschi explained that the contractor will be going door to door a few days before the lateral work will be done in front of each property. The police will conduct the traffic flow for the duration of the project.

Mr. Walsh said by doing it this way we only have to disturbed the landowners one time since after the sewer work is completed the City will mill and pave the road under the Road Bond project.

COMMENTS FROM THE PUBLIC

Mr. Walsh asked if there is anyone from the public who would like to address the committee.

Marc J. Garofalo, 95 Academy Hill Road, Derby, CT (Town & City Clerk)

Mr. Garofalo commended the committees on how this project is being handled. The work will be done once and it will be done right. He offered his congratulations on moving this project forward in the correct manner stating again that is will be done once and done correctly.

Mr. Walsh asked three more times if anyone from the public wished to speak. Hearing no requests the public comment portion was closed.

Mr. Walsh said this is a good project for the City. It is going to be an efficient and cost effective project. Mr. Walsh said the WPCA will have over 35 miles of pipe to get done

under this bond referendum. Mr. King said the total is 41 miles. Mr. Walsh said that no action would be taken this evening.

Having no further business to discuss...

A MOTION was made by Mr. Lechich with a second by Mr. Curtis to adjourn the Public Hearing at 6:08 p.m. ***Motion carried***.

Respectfully submitted,

Patty Finn

Patty Finn
Temporary Recording Secretary

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE WATER POLLUTION CONTROL AUTHORITY AT THEIR NEXT MEETING

DAY PITNEY LLP

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June 6, 2017

Via E-Mail to mclivertykeith@gmail.com; cc to kmcliverty@region15.org

Mr. Keith A. McLiverty
Treasurer
City of Derby
Derby City Hall
1 Elizabeth Street
Derby, CT 06418-1801

Re: $31,240,000 WPCF and Sanitary Sewerage System Improvements -- Emmett Avenue I/I Project

Dear Mr. McLiverty:

The City has asked our advice as to whether proposed expenditures in connection with removal and replacement of the sewer pipes on Emmett Avenue to address inflow/infiltration and other concerns, as described in your email of March 20, 2017 (the "Emmett Avenue I/I Project"), may be charged against for the $31,240,000 WPCF and Sanitary Sewerage System Improvements Project (the "2014 Project") as approved by the voters at the November 4, 2014 referendum (the "Bond Resolution").

Based on our understanding of such work, we would conclude that such expenditures could be charged against the 2014 Project appropriation if so determined by the Water Pollution Control Authority following consultation with the Infrastructure Committee.

Please note that to incorporate Emmett Avenue I/I Project into the 2014 Project financing, the City should comply with the provisions in Conn. Gen. Stat. Secs. 7-247a and 8-24 regarding, respectively, any necessary public hearing or Planning and Zoning Commission approval.

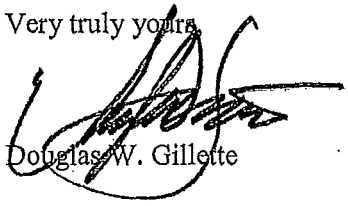
The 2014 Project appropriation as set out in the Bond Resolution includes expenditures "for costs in connection with the design, construction, installation and equipping of

improvements, additions, renovations and upgrades to the City's water pollution control facility and sanitary sewerage system, and the costs of financing thereof, contemplated to include, but not limited to: ... [*various specified improvements to the City's water pollution control facility and sanitary sewerage system*]; .... The Water Pollution Control Authority is authorized, following consultation with the Infrastructure Committee as to be established by the Board of Aldermen from time-to-time in connection with the project, to determine the scope and particulars of the projects and to reduce or modify the scope of the projects." (*Emphasis added.*)

The scope of the 2014 Project, while setting out with specificity certain contemplated portions of the 2014 Project, is broad. The appropriation explicitly provides a mechanism for further determination of the project scope and particulars, and the modification of the project scope. From your email referenced above we understand that through cost savings on explicitly specified portions of the 2014 Project, the proposed Emmett Avenue I/I Project may be accomplished within the approved appropriation without reductions to the explicitly specified portions of the 2014 Project. The Water Pollution Control Authority pursuant to the authority granted under the appropriation, following consultation with the Infrastructure Committee, could act to determine that the Emmett Avenue I/I Project will be included within the scope of the 2014 Project.

Please let me know if we can be of other assistance in this or any other matter.

Very truly yours,



Douglas W. Gillette

cc: Hon. Anita Dugatto, Mayor (to adugatto@derbyct.gov)