

**WATER POLLUTION CONTROL AUTHORITY  
TOWN OF SOUTH WINDSOR**

*Deborah W. Reid, Arc*  
**RECEIVED SEP 01 2023**  
*0 6:24 pm*

**REGULAR MEETING 7:00PM  
SOUTH WINDSOR TOWN HALL  
MADDEN ROOM**

**MINUTES  
TUESDAY, SEPTEMBER 5, 2023 7:00 P.M.**

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**A. Roll Call**

**Members Present:** Stephen Wagner, Michael Lyon, James Murray, Joseph Botti, Toby Lewis, David Basile, Bala Ramasamy,

**Members Absent:** None

**Alternates Present:** Joseph Kennedy

**Alternates Absent:** Vicki Paliulis

**Staff Present:** Tony Manfre, Superintendent of Pollution Control  
Jeff LeMay, Plant Supervisor  
Megan Siegel, Recording Secretary

**Others Present:** Peter Demallie, Jim Bernardino, John Sandberg

**B. Acceptance of Minutes of Previous Meetings**

1. June 6, 2023 Regular Meeting

Motion to accept the minutes of June 6, 2023 Regular Meeting minutes.

The motion was made by Mr. Toby Lewis and seconded by Mr. Bala Ramasamy  
The motion carried unanimously.

**C. New Business**

2. 75 Connecticut Avenue – Approval to Connect (Decision)

Included with the Agenda was a copy of the Narrative Report for this project (see Exhibit B). Mr. Peter Demallie from Design Professionals was in attendance, and he presented the development of 75 Connecticut Avenue, proposing a twenty-six (26) unit industrial flex complex which will include offices, bathrooms, and industrial flex space.

Mr. Demallie stated the project was approved by the Wetlands Agency in May and approved by the Planning and Zoning Commission in July. He also showed where the project would be located on a map, showing it would be at the northerly end of Connecticut Avenue.

He stated they would be developing just over four (4) of the six (6) acres, and an acre and a half (1.5) of wetlands. He showed where the driveway would be built and stated that it circumscribes the middle buildings. He stated there will be four (4) buildings, totaling just shy of forty-thousand (40,000) square feet. The units in the building would range from 1,200 square feet up to 3,000 square feet. Sixteen (16) of the units would be 1,250 square foot, and that there would be ten (10) units varying in size.

They are proposing that there is an existing sanitary manhole in the cul-de-sac northerly end of Connecticut Avenue and want to use that. Also, it was stated there are laterals into the four buildings and they are proposing three manholes on site. The first will have 15-foot easement

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so the Town can perform their monitoring and observations as needed. There are two other manholes that would serve the site internally. He stated there would be no floor drains as they are meeting the town's requirement of slope for 2.1% slope to the main line coming in, and .8 for balance of it.

Mr. Demallie also stated they would not be disturbing any wetlands, that they are not anticipating any entities with the tenants that would have any processed waste. If tenants did propose that, they would be required to get approval from the WPCA. They are anticipating that the typical tenants are going to be electricians, plumbers, individuals who needs to store samples or parts of their products, or remodeling contractors. With this, they are going to have a centralized dumpster location, which will paid by the tenants monthly fee, and be monitored by gates and cameras.

He also stated that the design is to accommodate solar, but it has not been finalized yet. Mr. Demallie expressed that he would be surprised if solar is not used, since it is cost effective and environmentally friendly.

Mr. Tony Manfre pointed out that the Connection Charge would be billed by 4.15 buildable acres, and that the Capacity Charge is going to be determined by the size and quantity of the water meter(s). He stated flows from the site would go directly to the treatment plant, meaning it would not go through any pump stations and that the Town had requested a sewer monitoring easement to the first manhole, which Mr. Demallie showed was included in their plans.

Mr. Toby Lewis asked Mr. Demallie to clarify the vague statement of that they do not anticipate any occupants having processed waste and to see if there were any stipulations or restrictions to that. Mr. Demallie replied that their director of engineering stated in writing that tenants are not allowed to do that, and if they do want to that in the future, they would have to go through the WPCA.

Mr. Bala Ramasamy asked for clarification about electricians and so forth, to which Mr. Demallie replied that the tenants would be contractors. Mr. Bala Ramasamy then asked if they would get a separate unit and Mr. Demallie replied yes, everyone would get a separate unit but not for purchase. He clarified that tenants would lease the space, and that they could even lease a budding space. The goal of this building is to have a facility where individuals can grow their business outside of their homes. He stated it is a good thing for economic development for the town.

Mr. Joseph Botti asked if each unit had their own bathroom, Mr. Demallie answered yes.

Mr. Joseph Kennedy stated that small businesses are backbone of our town and that he wants to see more of those, so thank you to Mr. Demallie.

Motion to approve the connection of 75 Connecticut Avenue subject to the following conditions:

1. Technical approval by the Engineering Department;
2. The sewer line is installed in substantial conformance with the design plans;
3. A monitoring easement to a monitoring manhole in favor of the Town;
4. Payment of the following charges will be calculated and due at the time of connection at the rates for which are in effect at that time:

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- a. Connection Charge for 4.15 buildable acres;
- b. Capacity Charge determined by the size and quantity of domestic water meter(s) as specified.

The motion was made by Mr. Toby Lewis and seconded by Mr. James Murray.  
The motion carried unanimously.

3. 1014 Sullivan Avenue – Approval to Connect (Decision)

Included with the Agenda was a copy of the Narrative Report for this project (see Exhibit F). Mr. Jim Bernardino from CMG Engineering was in attendance, presenting the proposal. He stated that at this location, there are two lots – one is an existing development where the Subway and the bank is located and that where the driveway comes up, there is an empty grass area. The proposal is for just over a 2,500 square foot building that will be identical to the building already there. They are looking to have two (2) tenants, one would be retail, and the other side is proposed to be a quick service restaurant. This quick service restaurant would provide a pre-order drive up window, where customers would order on an app, get a notification when the food was ready, and food would be pickup at the window.

The side of the property where they are proposing this building was considered a conceptual plan prior back in either the late 1990s or early 2000s when the building nearby was originally built. Due to that, there is already an 8-inch sewer main coming up with 6 inch stubs going into each of the buildings and they are proposing to connect to those stubs. There would also be water and gas coming into the main site.

They are going to be stubbing off in that spec retail location, with a spot that may connect to the kitchen waste in the future. They did some preliminary planning and resized the grease trap for that type of kitchen use for 40 seats. They are anticipated to have 20 seats in the proposed restaurant area, and for the expected retail location, they accounted for an extra 20 seats in the event the location wants to change from retail to restaurant, and can use the same grease trap for both tenants.

Utilizing the standard health department flow calculations, they designed the grease trap for about 800 gallons-per-day (GPD). During the preliminary meetings, they received approval by Planning and Zoning commission in July, and that Mr. Tony Manfre mentioned that easement will be required to gain access to the site. Mr. Bernardino stated that is in the site package they gave the Town access to the written easement and access up and to the first manhole so they can do sampling if need be. Mr. Bernardino stated the initial assessments were paid back when the original building was built, so they would be looking for other charges.

Mr. Tony Manfre stated this site flows straight to the treatment plant, meaning it would not go through any pump stations. Mr. Toby Lewis asked why that is. Mr. Manfre responded It is all gravity to the treatment plant, and that it goes down to Sullivan Ave, to Main Street, and to the facility. Mr. Manfre stated they included a monitoring easement for us to monitor as needed. He also stated that the Connection Charge is based on .425 buildable acres and any Capacity Charge is to be determined by the size and quantity of water meter(s) used.

Mr. Bernardino stated that the applicant's attorney reached out to the Pollution Control Department to see if there is any standard language required in easement documents. He requested if specific verbiage is needed, that the Pollution Control Department could provide

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that for him. Mr. Manfre stated he did not recall hearing from anyone, but that if they email him, he will reach out.

Mr. David Basile asked if the 800 GPD is a capacity that is way above what is needed. Mr. Bernardino responded that the 800 GPD is sized to the grease trap and that they assume that two-thirds (2/3) of the daily flow would be kitchen waste which is a high estimate. He stated even if in the future if the second half of the building was also to be a restaurant too, they would be able to meet grease separator requirements.

Mr. James Murray asked if this project is all in spec, to which Mr. Bernardino replied there is no tenant yet. Mr. James Murray asked how many square feet is being built, and Mr. Bernardino stated it will be 2,520 square feet total. There will be two tenants, 1,260 square foot each.

Mr. Michael Lyon asked to Mr. Manfre that the last two items on the agenda proposed will not go through any pumping stations, and that it seems month after month they continue to add flow to the treatment plant. He is wondering when they will reach capacity and how they keep track of that measurement. Mr. Manfre replied, stating that they have capacity estimates for each pump station and have flow meters at the pump stations and the treatment plant. He reassured they are well below the capacity design flow so projects like this can be approved and have room for growth. He stated they just did a capacity line to add additional capacity from Sullivan Road where the Mr. Sparkle car wash is, and extended the line for capacity overflow.

Mr. Toby Lewis asked what can disrupt the gravity flow. Mr. Manfre said if there are rags or grease it can create blockages, but that is why they have preventative maintenance teams to do inspections and prevent these things from happening.

Mr. Michael Lyon asked if there is any place where they are getting tighter with capacity for sewer. Mr. Manfre stated in some areas yes, for example at the Clark Street Sewer Shed, they are doing a sewer study since they have room to grow, but they want to ensure they can prevent infiltration and give extra capacity if needed.

Mr. Toby Lewis then asked if Mr. Bernardino got approval from other committees, to which he responded and said that they went through Wetlands and site approval with Planning and Zoning committee, receiving approval in early July. Chairman Wagner asked about if there was a traffic light at that location, and Mr. Bernardino stated no.

Motion to approve the connection of 1014 Sullivan Avenue subject to the following conditions:

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Chairman Wagner then asked for clarification if they are going to hook up the kitchen yet. Mr. Bernardino responded not yet but they will set up plumbing so outside it will be ready if need be.

The motion was made by Mr. Toby Lewis and seconded by Mr. Michael Lyon.  
The motion carried unanimously.

4. CT Urban Act Grant Award Resolution and Incumbency Statement for Odor Control Improvements

Mr. Tony Manfre stated they were awarded \$1.3 million from the State Bond Commission for odor control improvements. Chairman Wagner stated that amount is half of the project estimate. Mr. Manfre said in order to receive funding, there needs to be a contract in place. The state has required a resolution and incumbency statement to show funds are assigned to odor control improvements and are authorized by the town manager to execute documents on behalf of the town. Mr. Manfre stated a summary of the CT Urban Act Grant Award Resolution and Incumbency Statement for Odor Control Improvements (see exhibit I).

Mr. Toby Lewis stated that his understanding was that if the WPCA got the grant, they would not raise rates for residents and that the money would not go to new things, instead it would be going back to residents.

Chairman Wagner stated they raised rates by \$50 this year. The grant only covers half of the project, and that they are expected to fund the other half, so it is fortunate that they are setting aside money for design on the prior installment of carbon units on the sludge tanks and gravity thickeners. Chairman Wagner stated those were paid for with last year's budget and that this would come out of this years budget. Mr. Manfre stated they have request for qualifications (RFQs) out now. Chairman Wagner assured that they would be able to move ahead with the design before getting the contract in place, however hopefully the money would be ready when construction needs to begin.

Mr. Toby Lewis stated again that he wants to make a commitment to lock rates in for the next few years for residents, since citizens are tired of increasing rates.

Chairman Wagner stated he agrees in principal, and that they have a budget process to set or raise rates. He hopes with the grant money they would not have to raise the rates again, but it is not guaranteed. Mr. James Murray asked when the money would be available. Mr. Manfre responded that the Department of Energy and Environmental Protection (DEEP) did not state an official date. Chairman Wagner assured that the legislators he spoke to mentioned they want the WPCA to spend the money right away, so that should be the goal.

Mr. Michael Lyon asked for clarification if they are moving ahead with what is budgeted for even though they do not know specifically when they will get the grant money. Mr. Manfre stated that they have Request for Proposals (RFPs) out for design, and that the intention is to then use the \$1.3 million for construction. Mr. Lyon then stated it does not seem smart to move ahead, and was wondering if DEEP does not respond to them, would it cause the WPCA harm. Mr. Manfre assured there would be no harm, just a delayed project. Mr. Lyon then asked if there is any financial risk doing that, to which Mr. Manfre responded no since that money is already allocated in their budget. Chairman Wagner stated that if the bids are higher than what they budgeted for, it could be a potential issue.

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Mr. Bala Ramasamy asked when they get 50% of money are they going to start using 50%? Mr. Manfre responded yes, since that is budgeted and if it goes over budget, they can review that next budget cycle. Mr. Manfre said it is important to consider other projects as well, such as the sewer study at the Clark Street Sewer Shed as it will provide recommendations for improvements, so the WPCA will have to weigh out how to budget moving forward.

Chairman Wagner stated that out of the \$2.6 million, they take responsibility to 50% of that. He stated they have already spent money on sludge tanks, gravity thickeners, the study, the design phase, and so on. He stated that the money may be enough to do the construction of the features but not to remove the biofilter. If they do not have enough money budgeted, they could consider things to postpone. He states that the \$1.3 million would probably go to construction and that as they get more accurate estimates, they can determine how to divvy up the budget later.

Mr. Joseph Botti stated that they remember this for next year, and that they cannot rely on the \$1.3 million they have not been granted with yet. He also stated that it would be good either hold the rates flat to lower rates for next year. Mr. James Murray reiterated that they were promised the money, and that they have just not received it yet. Mr. Joseph Botti asked if the money comes to the WPCA, and if they pay the contractors. Mr. Tony Manfre explained they pay invoice and then submit to the state.

Mr. Joseph Kennedy said to thank Mr. Manfre for getting this grant money and that on a federal level, there is going to be money coming into the state, which will provide money for water treatment plants. He also stated that state, federal, or private funding is a good thing. Mr. Manfre pointed out the work that Chairman Wagner completed as well.

The motion to approve the resolution and incumbency statement was made by Mr. Michael Lyon and seconded by Mr. Toby Lewis.

The motion carried unanimously.

#### **D. Communications and Reports**

##### **1. Superintendent Report**

Included with the Agenda was a copy of the Superintendent's report (see Exhibit J). Mr. Tony Manfre presented his report which included updates on the treatment plant, collection systems, capital improvement project updates, and collection of sewer fees.

For the Collector of Revenue Report, the 2023 report stated that 85.91% of commercial billing and 97.86% of residential billing has been collected. The total outstanding balance is \$259,604.86

Mr. David Basile asked if the percentage paid for the commercial side of things is lower compared to previous years. Mr. Manfre responded that from 2022 there is a 98.86% collection rate. Mr. Manfre stated that liens have been filed and once that happens, collections increase. Mr. Joseph Kennedy asked if sheriffs do collections or if it is private firms. Mr. Manfre stated the constables do the collections for sixty (60) days, and if there is no movement, it goes to the state marshal.

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Mr. Joseph Botti asked if the new vehicle is being lettered/identified. Mr. Jeff LeMay stated it already is.

Mr. Michael Lyon asked if they were getting worse in terms of delinquency. Mr. Manfre responded that for full year they bill in March, so once January or February comes around, the delinquency amount drops quite a bit, and that the collector of revenue has had a 98-99% collection rate for commercial and 98%-99% for residential. For the residential billing side they are about 98-99% collection rate. Mr. Michael Lyon stated there is not a trend and Mr. Manfre agreed.

Chairman Wagner had a few questions about the rainy season and since the town had upgrades, if they were close to capacity. Mr. Manfre stated there was not substantial rainfall but that it is a wet season, so the water levels are up and get more infiltration which is why they're looking at Clark Street Pump Station Sewer Sheds to reduce infiltration and reduce water they have to treat.

Mr. Bala Ramasamy asked about all the flooding in Connecticut River, and if that impacted them at all. Mr. Manfre responded that the water level came up but that it did not hit flood stage four (4) at the treatment plant. Mr. Jeff LeMay clarified that they were prepared and at Vibert Road, the water level was high up to the gate and Mr. Manfre said they were preparing and have an SOP in place if needed. Chairman Wagner asked what they would do. Mr. Manfre stated they would use sandbags, portable dams by the gates in order to prevent water flooding over the road, and there are these slots where they can put boards in and sandbag them in front of garage base so their buildings don't flood.

Mr. Toby Lewis asked about Carla's Pasta being discussed in meetings previously and if the WPCA is good with them. Mr. Manfre stated yes, and that they submit monthly monitoring reports and pay surcharges. Chairman Wagner stated they are on new management now. Mr. Jeff LeMay clarified that as well.

2. Brochure Insert

Included with the Agenda was a copy of the Brochure Insert to be included with the Residential Bill (see Exhibit K) Mr. Tony Manfre presented the brochure showing the completed projects, current projects, who the WPCA is, and the reason for sewer fees. He explained there is a section about fats, oil, and grease (FOG) and that they can clog sewer pipes.

Mr. David Basile asked if the town has issues with flushable wipes and Mr. Manfre answered yes, and that it is something they probably will never get away from. He then stated that the manufactures are trying to make flushable wipes more tear-able and that there has been law suits higher than the town or even the state, so it is always going to be an issue.

Chairman Wagner asked about how long the Weir Gates project will last. Mr. Manfre stated that it should be completed in eight weeks and that they are just waiting on materials to arrive, and that they have been waiting for several months. Mr. Jeff LeMay said the concrete work should start the week after next, and that gates themselves will be delivered at the end of September. He believes the eight weeks is an overestimate for the project timeline. Mr. Michael Lyon asked if most of the hardware is stainless steel and Mr. Manfre responded yes.

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Mr. David Basile pointed out a grammatical error in the brochure under the WPCA section. He then asked to add something about flushable wipes to the brochure insert, and Mr. Manfre stated they have different focuses year by year.

Mr. Michael Lyon stated that some of the people effected by the projects but do not have sewer, so they would not receive this brochure insert. Mr. Michael Lyon requested if they could mail it out to those people without sewer. The WPCA agreed on this unanimously.

**E. Public Participation (Items not on the agenda)**

None.

**F. Bills, Change Orders, Disbursements**

None.

**G. Unfinished Business**

5. 139 Lawrence Road Sewer Assessment (Discussion)

Mr. John Sandberg was in attendance. Mr. Manfre stated his department researched the 139 Lawrence Road Sewer Assessment but could not find any new information. The packet for 139 Lawrence Road (see exhibit L) is from the June's WPCA meeting. Mr. Sandberg stated he found out that Rockville Court, who had dealt with the suit he had with JMJ, told him their records were wiped out a long time ago and gave him an "award." The award stated it was closed out on 02-03-2003 by withdrawal. Mr. Sandberg stated he would need someone from the WPCA committee to call Rockville Court because they could not provide a printed copy of pleadings. Mr. James Murray asked why, and Mr. Sandberg stated Mandy from Rockville Court told him it was internal.

Mr. Michael Lyon advised him to submit a freedom of information request. Mr. Sandberg stated he did not know why, and that they gave him a piece of paper saying it is withdrawn. Mr. James Murray asked if the judge signed it, and Mr. Sandberg showed it was the district attorney of Tolland who signed it.

Mr. John Sandberg stated he asked seven (7) different ways to get just the pleadings, but all he has is the docket number, as they purged records back in 2009. He also said he reached out to JMJ but did not provide him with any information. Chairman Wagner stated he believes Mr. Sandberg is suggesting that Mr. Manfre should reach out to Mandy from Rockville to confirm that it was dismissed on that date in 2003.

Mr. Sandberg also referred to a bill he found back from 1999, and that his bill was reduced to \$0 because the initial bill was overpaid, so the town refunded him. Mr. Manfre stated that bill was the sewer use charge and when he connected, that is paid in advanced, which is why the bill was reimbursed. He clarified that is separate from the Benefit Assessment.

Mr. Toby Lewis asked Mr. Sandberg what he wants the WPCA to do and Mr. Sandberg requests that the WPCA dismisses the benefit assessment. He is saying he should never have been put on the list.



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Chairman Wagner stated that Mr. Sandberg went to court and the court ruled against him because the time had passed for him to appeal. Mr. Manfre also restated that he went through previous meeting minutes and was unable to find anything.

Mr. Toby Lewis asked what the benefit assessment cost is of 139 Lawrence Road, and Chairman Wagner responded that it is \$8,963. Mr. Bala Ramasamy asked before coming to the WPCA, what other options Mr. Sandberg tried to go through after losing the case between that time and May. Mr. Sandberg stated he did not and was not sure because the timeline was jumbled in throughout Covid and other things.

Mr. Joseph Botti asked about getting the bill and that Mr. Sandberg was supposed to appeal in 30 days. Mr. Sandberg said he missed the appeal date by 2-3 days and that if he got it, he would have done it right away.

Mr. Toby Lewis asked what would happen if they were to waive the benefit assessment and Mr. Manfre stated the town would be losing the \$8,963. Mr. Michael Lyon stated it is an issue of fairness as other residents have paid but there was no proof or evidence that JMJ would pay for it.

Chairman Wagner clarified that JMJ did not receive an assessment because they built the sewer, so that fee was waved. Mr. Manfre explained 139 Lawrence Road was already there when they had put sewer around his home.

Mr. Bala Ramasamy asked if the benefit assessment was based on sewer design. Mr. Manfre stated the math has changed on how that is calculated, but at the time it was based on frontage for the front and rear of the lot. Mr. Michael Lyon asked Mr. Manfre if he knew which method would be to result in a lower assessment? Mr. Manfre said he had not calculated that.

Chairman Wagner asked if the WPCA wants Mr. Manfre to do more research and talk to Mancy from Rockville Court. Mr. Sandberg then asked Mr. Manfre if there is any way to find JMJ agreement and Mr. Manfre said he looked but could not find anything.

It was decided this discussion would be continued to the next WPCA meeting.

#### **H. Executive Session**

None.

#### **I. Adjournment**

Motion to adjourn at 8:18pm.

The motion was made by Mr. Toby Lewis and seconded by Mr. Joseph Botti.  
The motion carried unanimously.

Respectfully Submitted,



Megan Siegel, Recording Secretary

