WATER POLLUTION CONTROL AUTHORITY
REGULAR MONTHLY MEETING
TUESDAY, JANUARY 13, 2009

MEMBERS PRESENT: Steven N. Wawruck, Jr., Joseph Calsetta, Dennis DeMaine, Jeffrey Ives, and Gary Laurito

MEMBERS ABSENT: Denise Balboni, Edward Ferrari, John McSweegan, and Dana Steele, Ex Officio

ALSO PRESENT: Scott C. Lappen, Director of Public Works, Ex Officio
Gary Kuczerski, Superintendent
Heather Kane, Recording Secretary

CALL TO ORDER: The meeting was called to order at 6:02 p.m. by Steven N. Wawruck, Jr.

MINUTES: Dennis DeMaine made a motion: "TO APPROVE THE MINUTES FROM THE DECEMBER 9, 2008 REGULAR MONTHLY MEETING" - Seconded by Gary Laurito (passed 4 – 0, with one abstention for Joseph Calsetta).

PUBLIC INPUT: Joseph Calsetta made a motion: "TO MOVE ITEMS 7c AND 7d IN THE AGENDA UP TO THE NEXT ITEM AS MR. JESSE LANIER AND MR. FAZZA SALEH WERE PRESENT" – Seconded by Dennis DeMaine (passed unanimously).

It was noted that Joseph Calsetta does have a conflict in regards to Kentucky Fried Chicken’s appeal. He can participate in the discussion but must abstain from voting on the motion.

Gary Kuczerski informed the Authority that as part of the grease trap program the WPCA has been focused on the Route 75 area. All restaurants in that area were given the opportunity to install a 1000 gallon grease trap starting in 2006. Poquonock Giant Grinder has been reluctant to install the grease trap. Mr. Saleh believes the interior unit is sufficient though it does not meet WPCA’s specifications. He is here tonight because the last correspondence WPCA sent to him gave him a deadline of December 31, 2008 to have a grease trap installed or he would be fined $99.00/day. Mr. Saleh went to Steven N. Wawruck, Jr.'s office to appeal and Steven informed Mr. Saleh that it was out of his authority and that it had to be the Authority itself that rules on the appeal. Mr. Lanier, from Kentucky Fried Chicken, hand delivered his appeal to Gary Kuczerski on December 29, 2008. His appeal is based on his plan to move Kentucky Fried Chicken to Starbuck’s Plaza. At this time, the Planning and Zoning Board has not heard anything in regards to this move.

The WPCA is requiring that both restaurants install a 1000 gallon grease interceptor in the ground. The only time a restaurant can vary from the 1000 gallon grease interceptor tank is when there is a conflict with utilities or if the Health Department states that due to the restaurant’s menu a 1000 gallon grease interceptor is not necessary. Neither of these situations applies to the appeals WPCA is hearing tonight. The only establishment that has been excused from the 1000 gallon grease interceptor requirement in Town is Comfort Suites due to their menu. They have instead installed an under the sink grease trap.

7d. Poquonock Giant Grinder Shop – Appeal: Mr. Fazza Saleh came to appeal the requirement to install the 1000 gallon grease interceptor due to financial hardship. Currently, he does not have a lease with his landlord. Instead, he has been on a month-to-month basis with the landlord since 2001. Mr. Saleh is not able to nor does he want to cover the entire cost of installing a 1000 gallon tank on his landlord’s property. Mr. Saleh feels that, for his restaurant, he does not need a 1000 gallon tank and that there are alternative units that he can put in that are more portable which would allow him to take it with him should he have to move. Mr. Jeff Horn, a representative for Thermaco Big Dipper (the company that makes the alternative unit that Mr. Saleh would like to install in his restaurant), attended the WPCA meeting with Mr. Saleh. Thermaco manufactures automatic grease trap systems which are identified as an alternative to the 1000 gallon grease interceptor by the Department of Environmental Protection (DEP). These grease trap systems self-clean daily. The efficiency of any grease trap is based upon how clean it is. The skimming wheel in the system removes the grease from the water tank daily. Within one hour is can remove up to 1.5 gallons of grease. The grease gets collected in an external container that has to be emptied and cleaned manually. The unit is sized based upon the flow rate of the sink it is servicing. This is an under the sink system. If no one empties the exterior container, it will go all over the floor. Thermaco Big Dipper trains the
restaurant owners/employees to empty the inside strainer that collects solids and the grease collection container once a day as this system requires daily maintenance. Mr. Horn is recommending the installation of model W-350-IS into Poquonock Giant Grinder Shop. These Big Dipper units have a 98+% effective rate of removing stratified grease. Grease that is highly emulsified will travel through to the sewage system. There can not be a garbage disposal up stream from one of these systems. Steven N. Wawruck, Jr. thanked Mr. Saleh and Mr. Horn for coming in and informed Mr. Saleh that the WPCA will get back to him by the end of the week.

Gary Kuczarski informed the Authority that the DEP does approve these automatic systems though their first preference is the 1000 gallon tank. The Town's Ordinance only approves the 1000 gallon tank. Two of the bigger issues are that these units are usually undersized which allows flow to pass right through them and that 95% of them are not well maintained by the restaurant. If the restaurant turns on scalding hot water the grease will not be able to separate and it will pass right through into the sewage line. The State of Connecticut's General Permit for Fats, Oils, and Grease and/or the WPCF and the Northern Connecticut Division of the Health Department (NCDHD) determines the frequency that the in-ground tank needs to be pumped. The NCDHD at minimum requires that the in-ground tank be pumped once a year. The NCDHD determines the pump schedule based on the history of the restaurant's production and they require reports to be generated each time the tank is pumped. These reports must be presented to the NCDHD when they visit the restaurant. The WPCA will go out and set up routine inspections in addition to the NCDHD. Gary Kuczarski informed the commission that Mr. Sponzo, the owner of that property, has complained about numerous back-ups on that side of the building due to grease. Mr. Saleh claims it is not his restaurant but the apartments above that are causing it. To Gary's knowledge half of that building goes to one side, half to the other. Poquonock may require a pump due to elevation. WPCA previously denied Mr. Saleh's appeal to tie into the tank that Long Jiang Restaurant has put in on the other side of the building.

The Authority understands Mr. Saleh's reluctance to invest dollars since he does not have a lease but is unsure that this automatic system will be maintained. Joseph Calsetta suggested giving a limited trial, such as one year, for the automated system. There are two issues here: the money and the mistrust of the landlord. Since there is no lease, the Authority is concerned that the restaurant owner will install the 1000 gallon grease trap and then the landlord will find another tenant. A lot of the tension may be due to the number of back ups that the landlord has had to deal with on that side of the building for the grease. The burden fell on the landlord to hire the plumber and deal with the other tenants in the building that it affected each time. Gary Kuczarski feels Mr. Saleh is willing to put the tank in but is looking for an extension since the window to put in the exterior tank has passed with the cold weather now. It might cost about $5000 to put in the automatic, under the sink unit. This type of unit though can be taken with him. Gary Kuczarski is not receptive to monitoring the automatic unit for a year but is willing to give Mr. Saleh a 90 day window to sign an agreement to install the exterior tank when the weather changes. Steven N. Wawruck, Jr. stated that the Authority is not willing to allow the automatic under the sink unit because it will set a precedent and the Authority has not allowed it with other businesses. Joseph Calsetta asked about Bagel Express. Gary Kuczarski informed the Authority that the WPCA did allow Bagel Express to install a Big Dipper unit in their establishment but they are under the agreement that, within one year of the installation of the Big Dipper, the Big Dipper must come out and an exterior tank must be in the ground. The key is that the tank has to go in. It is not a question of whether the Big Dipper is acceptable; it is not. Steven N. Wawruck, Jr. suggested giving Mr. Saleh two options: one -- all permits must be in place by April 1st for the installation of the exterior tank in either April or May. Second option—Mr. Saleh can install the Big Dipper as long as the exterior tank is in place within one year and the Big Dipper is removed. Fines would start accruing January 1, 2010 if a 1000 gallon exterior grease interceptor is not in place. It would show a little flexibility and kindness on the Authority's part. The Authority would be letting him buy some time to get the tank in the ground – but the tank must be put in the ground either way. The Town does require the 1000 gallon tank in the ground. The fines would be liened against the business, not the property, if the tank is not put in the ground in the agreed upon time. The Town attorney would do a UCC 1 or a UCC 2 filing against the business.

7c. Kentucky Fried Chicken (KFC) – Appeal: KFC currently is located at 70 Ella Grasso. There was a restaurant at that location before KFC that had installed a grease interceptor that was approved at that time. KFC has been and still is currently using this 50 gallon grease trap. They clean it once every two to three weeks. Mr. Lanier thought that KFC would be grandfathered in from the requirement to install the larger exterior tank. It is cost prohibitive at the current location to install the 1000 gallon grease interceptor due to the lack of business. Mr. Lanier is looking to relocate KFC to the Starduck’s plaza which already has a 1000 gallon exterior grease interceptor. He wants to move KFC into the vacant portion of the building where there planned to be a bank. This part of the building is currently not tied into the grease interceptor though Mr. Lanier has been told that he could tie into the tank by the property owner. All four establishments would be tied into the same 1000 gallon grease interceptor. In this case, the tank would need to be monitored and pumped more frequently. Typically the grease generator would be responsible for the pumping of the tank. There is only one common grease trap between two entities in Town. The WPCA still needs to verify the tank size at the Starduck’s plaza. If it is smaller than 1000 gallons Mr. Lanier would be in the same situation he is in now. If Mr. Lanier finds out the tank size is smaller or that he can not be tied in, he said that he would look to the landlord to resolve the situation even if that requires installing a new exterior tank. He has not started the approval process with KFC or the Town yet. Mr. Lanier is requesting a three month extension to be able to go through the approval process. He just went through the elevation phase. Mr. Lanier estimates it will take 30-45 days to get approval from KFC. And he estimates that he will have a letter of intent with the landlord within 30 days. Steven N. Wawruck, Jr. thanked Mr. Lanier for coming in and informed him that the WPCA will get back to him by the end of the week.

As noted previously, the State of Connecticut’s General Permit for Fats, Oils, and Grease and/or the WPCF and the Northern Connecticut Division of the Health Department (NCDHD) determines the frequency that the in-ground tank needs to be pumped. The establishment would need to provide the WPCA with their pumping record. The cost to pump a tank is about $300.00. Gary Kuczarski believes that KFC is one of the biggest generators of grease on the Town’s main sewage line. If Mr. Lanier rents out the current property to another restaurant he will still need to comply with the State regulations regarding grease interceptors.

Gary Laurito made a motion: “TO GRANT KFC AN EXTENSION OF 45 DAYS IN WHICH TIME HE NEEDS TO DELIVER APPROVALS FROM KFC, A SIGNED AGREEMENT OF INTENT FOR RENTING THE SPACE OR A PRELIMINARY RENTAL AGREEMENT FOR THE SPACE, AND DOCUMENTATION THAT HE HAS PRESENTED TO THE PLANNING AND ZONING BOARD AN OUTLINE OF THIS MOVE.” – Seconded by Jeffrey Ives

The Authority discussed the amount of days to grant for the extension. Gary Laurito stated that his intention was to say that at the end of 45 days if the WPCA has this documentation the Authority will consider additional extensions. Steven N. Wawruck, Jr. would like to amend the motion to add: “THE $99/DAY FINE IS IN PLACE IF KFC DOES NOT CONCUR TO MEET THESE REQUIREMENTS. FINES WILL ACCRUE FROM JANUARY 1, 2009 UP THROUGH THE 45 DAY WINDOW.” Jeffrey Ives accepted the amendment as a friendly amendment. The WPCA will run it by Atty. Chadwick before getting back to KFC to ensure the motion is okay and not too restrictive. If the WPCA has not heard from Atty. Chadwick by the end of the week, the WPCA will contact Mr. Lanier and inform him that we are still waiting on the Town attorney’s approval.

The motion now stand as “TO GRANT KFC AN EXTENSION OF 45 DAYS IN WHICH TIME HE NEEDS TO DELIVER APPROVALS FROM KFC, A SIGNED AGREEMENT OF INTENT FOR RENTING THE SPACE OR A PRELIMINARY RENTAL AGREEMENT FOR THE SPACE, AND DOCUMENTATION THAT HE HAS PRESENTED TO THE PLANNING AND ZONING BOARD AN OUTLINE OF THIS MOVE. THE $99/DAY FINE IS IN PLACE IF KFC DOES NOT CONCUR TO MEET THESE REQUIREMENTS. FINES WILL ACCRUE FROM JANUARY 1, 2009 UP THROUGH THE 45 DAY WINDOW AND ON.”

Motion passed unanimously (one abstention for Joseph Calsetta due to a conflict of interests).

FINANCIAL REPORTS:


The terminology “Bond Interest” was changed to “CD Interest” on the CD Investments Report per Gary Laurito’s recommendation.
d. **Attorney Chadwick’s Quarterly Update**: The WPCA did not receive a quarterly update from Attorney Chadwick. The Update will be presented at the next WPCA meeting.

**CORRESPONDENCE:**

a. **Potential Federal Economic Stimulus Funding**: Gary Kuczarski received correspondence from the State that there may be potential Federal Economic Stimulus Funding for projects that are shovel ready. One project WPCA was potentially looking at was an overhaul of the Dexter Pump Station. A few years ago, WPCA tried to get the Dexter Pump Station on DEP’s priority list with no design. Currently, Dexter is ranked last on the list. The Federal money would still go into the State’s revolving fund for projects. The State would just generate a separate priority list for projects that are shovel ready. Typically, these programs are funded as 20% grant and 80% loan. It would be the same for this program; there would just be a separate priority list for shovel ready projects. The Dexter Pump Station would be 100% funded by loan. The design for the overhaul would cost about $110,000. That Pump Station is critical. It would take a lot of time to create a design for the overhaul. Construction and administration cost would be additional to the design. The WPCA will not get anything from the stimulus package because the WPCA is not shovel ready. The WPCA would first need to pay for the cost of the design. It is just something to keep in mind for the future. The Authority requested having something that they can look at in regards to overhauling the Dexter Pump Station in stages before the next budget process.

b. **Middle school visit**: Two teachers from the middle school toured the plant. They would like to have their 6th grade classes (roughly 130 students), who are studying water pollution control and water quality, tour the plant during the week of February 9, 2009. They are looking to bring the children in groups of 15. The students would not be able to go into restricted areas of the plant. The teachers would hand out gloves to each of the students as they come off the bus.

**OLD BUSINESS:**

a. **25 Canal Bank**: Heather Kane informed the Authority as to why the Connecticut Water Company (CWC) does not bill the owner of 25 Canal Bank. She spoke with Carol at the Northern Region of the Connecticut Water Company. The three meters at 25 Canal Bank were damaged (melted) in the fire. The CWC turned off the water at the curb. The CWC does not charge the owner when the meter is damaged due to fire. The Authority will still bill 25 Canal Bank for sewage.

b. **Bank of America check re-deposits**: Heather Kane spoke with Eric at Bank of America (BOA) to change BOA from trying to deposit a check three times to having BOA try to deposit the check only twice – the initial time and one redeposit - per the Authority’s request. Eric said it would be possible but that it would take some time. Heather spoke with Eric earlier today and was told he needed to follow up on the authorization for the change since it is changing a bank-wide standard.

**NEW BUSINESS:**

a. **Financial software conversion update**: The conversion was originally to take place on January 1, 2009 but then it was changed to February 1, 2009. Barbara Bertrand recently informed Heather Kane that the conversion is on hold due to the fact that the Finance Department is very busy since Cathy Cabral, the Assistant Finance Director, has left. Barbara mentioned that the timing of the conversion may depend on when a replacement can be found for Cathy. Steven N. Wawruck, Jr. said for the record that the conversion is not dependent on getting a replacement for Cathy and that he will speak with Barbara in regards to this.

b. **Nitrate Study Update**: Gary Kuczarski informed the Authority that the WPCF has one probe in place as a demo. The WPCA did a study with no chemical and then a study with chemical addition. The probe is pacing the nitrified recycle. Unfortunately in December, something came into the plant that disrupted the nitrification which is tough to get back in the winter. So right now, the WPCF is in partial nitrification and trying to get it back to full nitrification. The WPCF is trying to do one more stage of the study before the probe is taken back on the 23rd. They have already given WPCF an extension as the initial agreement was for only 30-60 days. The WPCF has had the probe since October. So they have been good to allow the WPCF to leave it in place. Gary Kuczarski informed the Authority that he was told not to make any commitments to purchasing this particular probe until after January 28th for there may be some grant or DEP money allotted for purchases of these probes. Possibly in the area of 50% funding. The probes are about
$12,000 a piece. Gary Kuczarski may go on the meeting on the 28th though the WPCF’s report will not be ready on the 28th.

c. **CAPITAL TRANSFER**: A spreadsheet was handed out to the Authority at the meeting regarding funds for capital projects. Some capital projects that have been completed still have some unused funds designated for these projects. These funds need to be transferred back into undesigned capital STIF. Gary Laurito made a motion: **“TO TRANSFER THE FUNDS INTO THE UNDESIGNATED CAPITAL STIF”** – Seconded by Jeffrey Ives (passed unanimously).

At 8:02 p.m., there being no other business to discuss, Joseph Calsetta made a motion: **“TO ADJOURN THE MEETING”** -- Seconded by Jeffrey Ives (passed unanimously).

Respectfully submitted,

Heather Kane
Recording Secretary