



PUBLIC UTILITIES COMMISSION

Bethel Municipal Center, 1 School Street
Bethel, Connecticut 06801 Telephone: (203)794-8501

MINUTES OF REGULAR MEETING

Monday, November 3, 2008

4:00 p.m.

Bethel Municipal Center – Meeting Room “B”

RECEIVED

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TOWN OF BETHEL
TOWN CLERK

Present: First Selectman Burke, Selectman Szatkowski, Commissioner Michael Gribbin, Commissioner Billy Michael. Also in attendance Len Assard, Heitkamp Consultant; Andrew Morosky, Town Engineer; William Hagan, Town Attorney; Kelly Curtis, Utilities Supervisor.

Call to Order: First Selectman Burke called the regular meeting to order at 4:05pm

Absent: Selectman Cleary

Correspondence: State of Connecticut Letter – Model Water Use Restriction Ordinance: Len Assard of Heitkamp indicated this letter is intended to guide municipalities if or when an ordinance is ever needed.

Application of United Water of DPUC: Informative discussion regarding the sale of Bethel Consolidated. Commissioner Gribbin suggested the commission to get the financials for this purchase. Selectman Burke suggested to add for further discussion to New Business.

Housatonic Water Utility Coordinating Committee: Informative discussion only.

Public Input: None

Minutes:

Meeting Minutes from Special Meeting October 7, 2008: Selectman Szatkowski made a motion, which was seconded by First Selectman Burke, to approve the minutes as presented.

Commissioner Michael indicated he wanted Commissioner Gribbin's remarks regarding the request to have Comptroller Barry Curina present at the Public Utility Commission meetings and also to have better financial reporting, this request was stated back in August.

Both First Selectman Burke and Selectman Szatkowski both amended their motion to reflect Commissioner Michael's comments. Vote, All in Favor, Motion Carries

Old Business:

Proposed Sewer Regulation: Attorney Sienkiewicz corresponded by email with Mr. Morosky and indicated a draft of the regulations would be available soon but that writing regulations for amending the sewer allocations was complex.

Interlocal Agreement: Contracts will be signed after Danbury's Common Council approves the Agreement.

Water Main Extension- Grassy Plain Street: Consultant Len Assard of Heitkamp indicated the Town Counsel, William Hagan, has revised the language to the draft letter. All 7 residents need to be on board for this extension to carry forward. Letters to the residents will go out soon.

Financial Report: Reports so noted.

Engineering/Utility Consultant Reports:

First Selectman Burke moved the Supervisor's Report portion to accommodate Mr. Curtis' schedule.

Supervisor Report:

October 10th Fire Department investigated an odor of gasoline in the culvert under School Street, water was noticed coming from an old storm pipe discharging into the culvert (area of Post Office at Library Place). Water tested positive for Chlorine. Camera was used to view about 40 feet into the pipe, but the condition of the pipe as well as the sediment caused little to no findings. Leak Survey was performed from Chestnut Street to High Street into South Street nothing was found. Two months prior a survey was completed with no findings as well. The main was shut down at Library Place to see if the leak was stopped but there was no change. The leak appears to be about 16 gallons per minute which is about the same as an average service leak. The water was tested also for hydrocarbons, which came back clear. The pipe was plugged at the culvert in hopes that the water will show itself at the point of the leak, no results to date.

The water usage system-wide has not increased but has actually decreased.

Nashville Road, seven (7) services that are still attached to the old 4-inch main, two (2) services have been switched over to the 12-inch main and the remainder will be done over the next two weeks.

263 Greenwood Avenue waiting for verification of disconnect to service. We are currently waiting to hear from the contractor.

Murphy's Brook Pump Station will be painted this week due to vandalism. Weather permitting.

All generators have been serviced for the winter season. All three (3) pumps are now working at Paul Street.

Grants:

Water Storage Tank:

Selectman Paul Szatkowski made a motion, which was seconded by Commissioner Michael Gribbin to authorize Wright-Pierce to finalize their report regarding the hydraulic model and water storage tank design dated September 2008, send the report to the State of Connecticut Department of Public Health and begin

preliminary design of a 750,000 gallon water storage tank located at the Eureka Water Treatment Plant in Danbury. Vote, All in Favor, Motion Carries.

Stony Hill Sewer Project:

Contract 2: Ken Kemp, Representative of URS was present and updated the status of the Pump Station on Payne Road which will be completed and running by Christmas. The station is 80% complete as of the end of October 2008.

Contract 3: The Procurement Committee opened bids on October 6th for the Stony Hill Sewer Contract 3. After careful consideration of the bids received and following consultation with the law firm of Pullman and Comley, the apparent low bidder, Baltazar Contractors, Inc., was disqualified for submitting a non-responsive bid. Baltazar did not include a Contractor's Qualification Statement with their bid; something each of the other eight bidders submitted prior to the bid opening. In addition, Baltazar's bid form contained several unbalanced items that, had the quantities shown on the plans remained unchanged, would have resulted in Baltazar costing the Town more than the second bidder.

The second low bidder, Ludlow Construction Company has done a very good job on Contract 2 and they generally provide good quality in all aspects of their work. Both URS and the Town Engineer wrote memos recommending awarding the work to Ludlow.

First Selectman Burke made a motion, which was seconded by Commissioner Gribbin to accept the recommendation of the Town Engineer and the Procurement Committee to approve the bid of Ludlow Construction Company in the amount of \$4,239,982.75 and recommend to the Board of Selectmen that the town enter into an Agreement for the construction of the sewers in the area to be served by Contract 3. Vote, All in Favor, Motion Carries.

Easements for Contract 2 and 3:

Attorney Hagan has completed easements for Contract 2.

First Selectman Burke suggested taking Contract 2 easements off the next month's agenda.

Attorney Hagan has completed ten (10) easements, nine (9) waiting for verification with a total of nineteen (19) easements for Contract 3.

First Selectman Burke made a motion which was seconded by Selectman Paul Szatkowski to have the Docket No. 08-10-08 Application of United Water Connecticut to Acquire Bethel Consolidated Company be placed on New Business. Vote: Chairman Burke, Commissioners Szatkowski and Gribbin in Favor; Commissioner William Michael abstained. Motion Carries.

New Business:

Chelsea Heights: Benjamin Doto indicated his client's need to have adequate water for fire protection purposes, the planned improvements to the Bethel system need to be in place by the time the units in Phase I and II are occupied. In the event improvements to the Bethel system do not occur, or do not occur as scheduled, G&N Chelsea needs a contingency plan for fire protection. The tank reserve area will be adjacent to and at a similar

elevation to the existing City of Danbury water tanks. This is a reserve area that will only be used if necessary. No additional work is proposed at this time, this is only a contingency.

First Selectman Burke made a motion which was seconded by Selectman Paul Szatkowski to approve the Contingency Plan submitted by G&N Chelsea for a Fire Suppression Tank Reserve Area. Commissioner Michaels Abstained, Vote, All in Favor, Motion Carries.

153 Grassy Plain Street - Decision on allocation for this development is pending finalization of new allocation table by Tighe & Bond. Add to old Business for next meeting

Application of United Water of DPUC: Discussion arose as to whether Bethel should obtain the correspondence and financials of this application and should the commission look further into the whether it is an opportunity for the PUC that may not happen again.

Commissioner Gribbin made a motion which was seconded by Selectman Szatkowski to have the Town Attorney, William Hagan, request that the PUC become an intervener in the docket for United Water's proposed purchase of Bethel Consolidated Water. Vote, All in Favor, Motion Carries.

Adjourn:

As there was no further business on today's agenda, First Selectman Burke made a motion, which was seconded by Commissioner Michael, to adjourn the meeting at 5:50p.m. Vote, All in Favor, Motion Carries.

Respectfully submitted,



Tracy Rogalski
Recording Secretary