

July 4, 2014

Old Colony Beach Club Association Water Pollution Control Authority

June 28, 2014 Meeting Minutes

**CALL MEETING TO ORDER:** The meeting was called to order at 8:50 am by Frank Noe, Chairman.

Present: Frank Noe, Bob Asal, Joe Cancelliere, Frank Nicotera, Nancy Zimmerman  
Absent: Don Brodeur, Harry Plaut

Agenda: OCBCA Board of Directors appointed Nancy Zimmerman to the WPCA. We need to nominate her as the secretary of the WPCA. Nominated by Frank Nicotera and 2<sup>nd</sup> by Bob Asal, no discussion. 4 are in favor and none opposed.

**Update to the town meeting held on June 25, 2014.**

E-mail to everyone about response from DEEP study of April, 2014 with comments showing that the Cherry Stone site would not handle the effluent from the associations and it was not cost effective. No estimates for land cost and operating costs were found. The site is too close to wells, so based on that, the town WPCA in May, 2014, decided they would not pursue the study to make it a community site outside of Cherry Stones. It was decided that they would not spend extra money to further the study. Vote was 5 to 3 in favor of pursuing the New London treatment plant and abandoning the community site. The meeting with the town was on June 25, and was comprised of 2 members of each association, which included Old Lyme Shores, Miami Beach, OCBCA and White Sands. At this time, WS has not created a WPCA. They are still under the jurisdiction of the town. The town is now going to partner with us and we will keep our own entities and WPCA. The town will now be involved with Sound

View, Hawks Nest and 156. At this time, nothing has been finalized and the town will take charge of negotiating with East Lyme, Waterford and New London. We will be involved, but we will have our own municipal agreement with these towns. The town will be the negotiators of the agreement with us having an input. Frank Noe stated that he feels that we, as municipalities, should be named in that agreement with East Lyme. We will see how the other members feel about that.

Next, we will interview an attorney by the name of Bruce Chudwick, from Shipman & Goodwin, and was recommended by Fuss & O'Neill. Bruce is an expert in inter-municipal agreements, but we need to do MOU's, Memoranda of Understanding, with all the parties. That will be done within the next 2 weeks. The town will have their attorney do an MOU and Fuss & O'Neill will do an MOU and then we will compare notes to see if it meets all the requirements that we are looking for. There will be a meeting with the town on August 5, 2014, to review all of the MOU's. We will also have at that meeting: the MOU and the facility plan that was approved in 2013. These two documents for OLS and OCBCA need to be revised by Fuss & O'Neill. The facility plan that was approved was the Waste Water Management Plan of OCBCA dated 10/25/11 and revised in January 2012 by RFP (first engineer's name?) amended by Fuss & O'Neill in July, 2012 and reviewed by the DEEP.

**2 engineering firms.** The town will use Woodard and Curran for their part and MB, OC, OLS will use Fuss & O'Neill. A flow chart from both firms for the project will be drawn up.

**Questions about the June 25, 2014 meeting was raised:** Will the town of OL handle 156 and all the contracts and will they directly pay EL, NL and Waterford? Frank Noe stated that he was not sure about the pay structure.

**Question about the service area was raised:** The original plan included 5 or 6 beach communities, however, now that the town is involved the service area may be expanded to north of 156 and possibly extending to Lyme Street.

The town is proposing that our cost is going to be a percentage of the approximately 45-50,000 gallons of the total capacity of the project.

**Question about the Fuss & O'Neill contract was raised:** An attorney should speak to the WPCA, and we should have a meeting with the other 3 associations and see how they feel. If all four WPCA's are in agreement, then go with Fuss & O'Neill. If the other beach associations won't come together with us, we will have a battle on this. We may be forced to join the town on this.

For Frank Noe to sign a contract with Fuss & O'Neill, we have to give \$17,000 in order to get MOU drafted. The contract has to be reviewed by our WPCA before we sign. A motion is needed if we are going to sign the contract with Fuss & O'Neill. Frank Nicotera made a motion not to sign the contract until we meet with the other associations. 2<sup>nd</sup> by Bob Asal. Discussion: no discussion. Motion is not to sign the contract. All in favor, 4 in favor, 0 nay.

**Checking account.** Don Brodeur will open a checking account.

**Other business:** none at this time.

Motion to adjourn by Frank Nicotera, 2<sup>nd</sup> by Bob Asal. All in favor, 4 in favor, 0 nay.

Meeting was adjourned at 10:30 am.

Next meeting to be determined by Frank Noe and he will send out an e-mail regarding the time/place of the meeting.

Respectfully submitted, Nancy Zimmerman, Secretary