

OLD COLONY BEACH CLUB ASSOCIATION  
Water Pollution Control Authority

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WPCA  
APRIL 19, 2021

CALL TO ORDER: The meeting was called to order by Frank Noe, Chairman, at 7:00 pm.

PRESENT: Frank Noe, Bob Asal, Joe Cancelliere, Frank Nicotera, Nancy Zimmerman. Steve Humes called in by phone. This was a ZOOM meeting.

ABSENT: Don Brodeur

APPROVAL OF THE MARCH 15, 2021 MINUTES: A motion was made by Steve Humes and 2<sup>nd</sup> by Bob Asal to accept the minutes. No discussion, none opposed, motion passed.

TREASURER'S REPORT: In the absence of Don, Frank Noe gave the treasurer's report. The checking account balance as of March 15, 2021 was \$13,621.52. We had 2 deposits from the Tri-Beach Share Account in the amount of \$8,043.07 and \$35,000.00, giving a balance of \$43,043.07. We had 3 disbursements in the amounts of \$8,043.05 to Fuss & O'Neill, \$8.01 to Nancy Zimmerman and \$15,000.00 to the Tri-Beach Share Account for a total of \$23,051.06, leaving a checking account balance as of April 19, 2021 of \$33,613.53.

Tri-Beach Infrastructure Share Account: The balance as of March 15, 2021 was \$74,272.07. We had 3 deposits of \$8,043.07 from the State of CT, \$15,000.00 from Miami Beach Association and \$15,000.00 for a transfer from WPCA for a total of \$38,043.07. We had 6 disbursements in the amounts of \$4,475.00 to Heller, Heller & McCoy, \$395.00 to Boyle Appraisal Group, \$500.00 to Robert Morra, \$8,043.07 to the WPCA, \$6,000.00 to O'Connell, Attmore & Miller, LLC, and \$35,000.00 transfer to WPCA. The checking account balance as of April 19, 2021 is \$57,902.07.

A motion was made by Steve Humes and 2<sup>nd</sup> by Frank Nicotera to accept the treasurer's report. No discussion, none opposed, motion passed.

UPDATES: AMTRAK: Frank Nicotera has been in contact with Rich Genevich, who contacted his people at Amtrak and we should be hearing back from them shortly. We need Amtrak's approval for 2 reasons. One being that we can't go to construction until we have that approval and also we can't award the contractor until that approval is in place as well. Frank Noe will contact Kurt Mailman from Fuss & O'Neill to see if he can reach out to Amtrak for an update on the approval. Steve Humes reached out to Brendan Sharkey, our attorney, to see if he can contact Amtrak for the approval. Brendan got back to Steve and said he would be

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happy to help us. He also said that he will help us to schedule the closing of the Pump Station.

**PUMP STATION CLOSING:** The April 20, 2021 closing did not happen. Frank Noe will reach out to Brendan to get the closing scheduled ASAP.

**FLOOD MANAGEMENT CERTIFICATE POSTED:** The certificate was issued and posted on April 7, 2021, and has a 30 day comment period to end on May 7, 2021. This is a condition that is required before we can award the contract.

**TOWN OF OLD LYME – NEW LONDON BUY-IN:** The beaches have been going back and forth with the town of Old Lyme and New London coming to an agreement on a buy-in. At this point, it is very close to being finalized. The town of Old Lyme will have 50,000 gallons of capacity for treatment.

**TOWN OF OLD LYME – EAST LYME BUY-IN:** We requested the 50,000 gallons of transmission and it is very close to being finalized. The attorney's are drawing up the agreement and it should be ready very shortly.

**SHARED INFRASTRUCTURE OUT TO BID:** This went out to bid April 19<sup>th</sup>. We advertised in the New London Day, Hartford Courant, The Dodge and the DAS website. We are hoping to get a good response since we want to award in June. Steve wanted to know why we couldn't advertise for the OCBCA infrastructure at the same time and hopefully get a contractor to give us a better price since there will be 2 projects, but we can't go out to bid at this point until DEEP has reviewed the plans and gives us comments and we get the formal approval from DEEP for us to go out to bid.

**BRUCE CHUDWICK ENGAGEMENT LETTER:** We will use him as Bond Council from Shipman & Goodwin. We have to go for the bond for the Clean Water Fund for the IFO, Initial Funding Obligation. His charge for this is going to be \$25,000.00. We will divide it up between the 3 beaches and then the town of Old Lyme's prorated share of 29.7% of that cost will be reimbursed by the town of Old Lyme.

The other one is the internal Clean Water Fund IFO for the Old Colony Beach's internal infrastructure and that will be \$15,000.00. All the 3 beaches have agreed to use him as the bond council.

After the initial IFO, we have to go for the PLO, which is the Permanent Loan Obligation, which is additional \$15,000 of attorney fees. The final loan amount (PLO) will be determined after the project is completed.

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We have to approve the Engagement Letter. We need a motion for the Engagement Letter for Frank Noe, Chairman of the WPCA, to sign. A motion was made by Steve Humes that we approve the Engagement Letter from Shipman & Goodwin and authorize the Chairman, Frank Noe, to sign. This motion was 2<sup>nd</sup> by Frank Nicotera. No discussion, none opposed, motion passed.

OTHER BUSINESS: None

NEXT MEETING: The next meeting will be on Monday, May 10, 2021 at 6:30 pm. This will be another ZOOM meeting.

PUBLIC COMMENT: None

MOTION TO ADJOURN: A motion to adjourn was made by Frank Nicotera and 2<sup>nd</sup> by Steve Humes. Meeting was adjourned at 8:04 pm.

Respectfully submitted,

Nancy Zimmerman, Secretary