

OLD COLONY BEACH CLUB ASSOCIATION  
Water Pollution Control Authority

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MAY 10, 2021

CALL TO ORDER: The meeting was called to order at 6:35 pm by Frank Noe, Chairman. This was a ZOOM meeting.

PRESENT: Frank Noe, Bob Asal, Don Brodeur, Joe Cancelliere, Steve Humes, Frank Nicotera, Nancy Zimmerman.

GUEST: Doug Whalen, Chairman, OCBCA.

APPROVAL OF THE 4.19.21 MINUTES: A motion was made by Frank Nicotera and 2<sup>nd</sup> by Steve Humes. No discussion, none opposed, motion passed.

TREASURER'S REPORT: Don Brodeur reports that as of April 19, 2021, the checking account balance was \$33,613.53. We had one deposit on 4.21.21 which was an Online Transfer from Tri-Beach Infrastructure Share Account in the amount of \$1,060.15. We had 2 disbursements as well. The first one was to Fuss & O'Neill in the amount of \$1,060.16 and the other one was to Robinson & Cole in the amount of \$517.66, leaving a balance as of May 10, 2021 of \$33,096.02.

Tri-Beach Infrastructure Share Account: the checking account balance as of April 19, 2021 was \$57,902.07. We had a deposit from the State of CT in the amount of \$1,060.15 and another one from Old Lyme Shores Beach Association in the amount of \$15,000.00.

We had one disbursement of \$1,060.15 to the WPCA, leaving a balance as of May 10, 2021 in the amount of \$72,902.07.

A motion was made to approve the Treasurer's report by Bob Asal and 2<sup>nd</sup> by Frank Nicotera. No discussion, none opposed, motion passed.

UPDATES: Amtrak: The process for approval is still in the preliminary stages of reviewing the documents that were sent by Fuss & O'Neill and will then go to the Engineering Department for final comments and review. We need this approval from Amtrak in order to proceed with construction.

PUMP STATION CLOSING: The closing has not been confirmed, but it is on the agenda for Thursday, May 13, 2021.

EASEMENTS: Frank asked Doug if 22 Hartung has been recorded, and he said that it was, per Brandon Sharkey, our attorney. We need this easement since our sewer force main goes through that area. Frank Marotta's easement has already been recorded and the Bioxide has also been recorded and the town easements have all been recorded. The only thing right now is for Attorney Brendan Sharkey to issue

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the pump station closing and then we should have all the easements and land acquisitions in place.

**WELL ABANDONMENT:** We did have 50 properties that have wells that are either in the 25' or the 75' radius of the sewer line and everyone has agreed to abandon them with the exception of 3 homeowners that want to keep their wells and one property owner who has not responded to their intent. They will need to hook up with a C900 pipe at an extra cost to the property owner and install the C900 pipe from manhole to manhole and then from the lateral to the connection to their home. Frank is aware that 13 homeowners have already abandoned their wells and has received a report from the vendor that is abandoning the wells.

Frank asked Don about 1 Brookside connecting to CT Water. Don said that CT Water gave him the approval to tap off of Gorton Avenue, which would save the homeowner money. CT Water may bring the line through the Gorton Avenue lot which would eliminate the need to extend the main another 40-60' up Brookside, which is expensive. Don will have a more definitive answer for us at our next meeting. We have one homeowner that has not responded to our e-mails regarding the abandonment of their well.

**SHARED INFRASTRUCTURE OUT TO BID:** We went out to bid on April 18, 2021. On May 1, there was a pre-bid meeting with Fuss & O'Neill and the potential contractors. There are now 9 contractors that have an interest in the project and they have been submitting their questions so that they can be added to an addendum, which is required to be in by May 12. On May 14, the final addendum will be issued to everyone and making sure that they have received the addendum with all the questions and then on May 19 there will be an open bid where all contractors who have an interest will put their bid in, which will be a closed bid at Fuss & O'Neill and the bids will be opened at that time in the presence of everyone. This is a state project and the award will go to the most qualified lowest bidder. We have to make sure that they all have received and signed off on the addendums because if they don't sign off on all of the questions in the addendum, they are automatically disqualified from bidding. Frank will ask Fuss & O'Neill for a ZOOM meeting so members of the WPCA can attend and participate.

**DEEP REVIEW AND COMMENTS:** Carlos from DEEP approved the construction drawings, but has to pass them along to his management for final approval. We are hoping for the final approval for our Old Colony Beach infrastructure so we can start to go out to bid in a short time.

**OTHER BUSINESS:** NONE

**NEXT MEETING:** The next meeting will be on Monday, June 7, 2021 at 6:30 pm at Frank Nicotera's home in Old Lyme.

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PUBLIC COMMENT: The homeowners at 82 Old Colony Beach voiced their concerns regarding the Benefit Assessment. They feel that they are being charged unfairly since they are being charged for 1 3/4 laterals instead of 1 lateral. Joe explained to them the methodology that was used to come up with the Benefit Assessment. They are not happy with the way the Benefit Assessment was calculated and are looking for an adjustment.

Steve Humes addressed the issues of assessing the Benefit Assessment. He explained that when the project is completely constructed and we know what the final costs are, we will schedule a public hearing in compliance with Connecticut General Statutes that require that a public hearing be held prior to assessing the benefit to the property owners. Once we know what the costs are, we will apply the methodology that we just went through and the individual dollar amounts will be identified for the property owners. We don't know when the public hearing will be scheduled, but it will be after the infrastructure is built and all costs are known, we will then come back to the members and identify all the costs at a public hearing and there will be a process in which an association property owner decides that they don't agree with the assessment and they want to take the appeal, the property owner will be allowed under the law to take that appeal. There will be a WPCA appeal board identified and a process established as to how to proceed your appeal. When the time comes, you will be invited to a WPCA hearing and you will have the opportunity to participate in the hearing, and if you are still unsatisfied with the decision that is made for the amount that you are assessed, you have the right to further the appeal and challenge the outcome.

ADJOURNMENT: A motion to adjourn was made by Steve Humes and 2<sup>nd</sup> by Don Brodeur. The meeting was adjourned at 7:25 pm.

Respectfully submitted,

Nancy Zimmerman, Secretary