

OLSBA - WPCA MEETING MINUTES

When: May 27, 2021

Where: Virtual Meeting via Zoom/Teleconference

The meeting was called to order at 7:33pm by Joe Halloran, WPCA Chairman.

WPCA members present: Joe Halloran, Al Roy, Dede DeRosa, Tom Annulli, John Cunningham, Bob Palazzo, Matt Merritt (ex-officio). Absent: none.

In addition, Approximately 21 OLS Residents were on the call.

Meeting Minutes

A motion was made by Tom Annulli to accept the minutes of the April 22, 2021 WPCA meeting. Al Roy seconded the motion and the minutes were unanimously approved.

Treasurer's Report

Tom Annulli reviewed the April balance sheet and income statement in detail and provided the committee with the most recent bank statements for review. All statements are attached to these meeting minutes.

Joe Halloran requested the Board to accept the Treasurer's Report/Statements. Dede DeRosa seconded the motion and the report was approved unanimously.

Before moving to the next agenda item, Joe Reported that Sue Mahoney (29 Billow Rd.) will be joining the WPCA Board to replace Patrick Burns. Joe will be bringing Sue's name to the next BOG Meeting to secure her formal appointment to the WPCA.

Shared Infrastructure - Pump Stations and Force Main Update

Joe reported the disappointing results of the Shared Infrastructure Bid Opening on 5/19/2021. While there were numerous contractors expressing interest in the project, only two companies submitted formal bids and both bids far exceeded the engineer's estimated cost (\$17M & \$18M vs. \$10M estimate). With neither bid being acceptable we are in the process of analyzing the submissions in detail, considering options, and developing next steps.

Immediate actions have involved gathering feedback from vendors who chose not to bid and evaluating the two bids by line item. Primary contributors to the high cost appear to involve:

- compressed timeframe for Rte. 156 work due to need to coordinate with DOT paving
- skyrocketing cost of construction material
- concern with increased lead time for acquisition of material
- excessive projections for some costs (such as, traffic control) that need explanation

Next steps may involve the following:

- separating the pump house and 156 force main work into two separate bids in order to attract more bidders (will required DEEP approval)
- looking for additional sources of government funding (federal/state/local)

There is no firm direction yet. We will be working with Old Colony, Miami Beach, Town of OL, and DEEP on next steps.

Matt Merritt asked about the timeframe for our IFO (Interim Funding Obligation) given this new delay with the project. Joe confirmed that we will need to extend the timeframe on the IFOs. We had already planned to do this since the Shared Infrastructure IFO expires July 31, 2021 and we knew that construction would not begin until later this year in a “best case” scenario.

Joe Halloran also reported that DEEP so far seems cooperative in terms of modifying timeframes and any re-bidding approach.

Al Roy commented that the bid documents outline the complexity of the project and that the Shared Infrastructure bid document and line-item comparison of the two bids received have been posted to the website for OLS Residents to review. Al also commented that other towns are in a similar situation with contractors unwilling to take risks right now and material costs being high and/or unavailable.

In order to proceed from the design phase to actual construction, we need to secure Clean Water Fund (CWF) approval from the State of CT. This can be done when we obtain an acceptable bid and obtain final approval from AMTRAK and DEEP Flood Management Control.

Joe also reported that additional work will be required with East Lyme, Waterford and New London in order to add the Town of Old Lyme into our Inter-municipal agreement. There is a Tri-Town Agreement with EL, Waterford and NL that is apparently expiring which has created an opening for these towns to potentially look for more money from each other and the Town of Old Lyme.

Old Lyme Shores Sewer Project

Bid Documents were sent to DEEP on 2/25/2021 and we are still awaiting approval to bid. Given the recent results of the Shared Infrastructure Bid, we obviously have concerns about the cost of work within the OLS boundaries.

We have received four of the six easements needed for road reconstruction. These easements are required in order to submit the official CWF application for OLS construction.

Wells - Department of Health (DPH)

As previously reported, we have been working with DPH to secure incentive funding for well owners to connect to the public year round water supply now provided by CT Water. While we understood that the availability of funding to connect to public water/abandon wells is a standard process, we were required to obtain approval not only from DPH but also from another state agency (PURA). PURA requested CT Water to not only co-sign our application but also to co-sign the actual loan, which they are unwilling to do. We have 30-40 well owners that are interested in connecting to CT Water. We are awaiting direction from DPH on next steps.

Website Update

Al Roy reported that work continues on the website with new items added regularly. Most recently information related to the Shared Infrastructure bid was added. In addition, John Cunningham and Al are also working on implementing new software for email distribution of WPCA related information.

Correspondence

An email was received from Jay Moynihan prior to the meeting:

5-23-21

Good Afternoon - I noted that the agenda for the next WPCA meeting (5-29-21) has listed matters involving the "Shared" Sewer Project (SSP) - with bid information to be presented...

I don't believe that the WPCA has much/any information/documentation regarding the SSP.

Given the importance of this component to the overall project cost and impact to OLS homeowners (EDUs), I would suggest that the WPCA consider and include on its web site information such as the following:

- a. The SSP "budget" (most recent, and prior presentations). In fact, what is the total projected budget at this time - and what is the projected cost of the project to OLS? (I believe that the number in the September, 2020 public presentation by the WPCA may have been based on OLS being 29.7% of the project at that time...)
- b. The SSP meeting agendas, meeting minutes and votes (past to current date...)
- c. Fuss & O'Neil invoices for the SSP - similar to what is now presented on the WPCA web site for the OLS portion of the sewer project
- d. The SSP bid solicitation document and the responses of the bidders

I also am inquiring:

- a. Could you explain, and include the explanation in writing, on the WPCA web site, information as to what entity (ies) oversees and makes decisions related to the SSP? How is OLS represented? Are the meetings "public"? (I have not seen any notices/agendas on the WPCA web site about such meetings - but I may have missed them...)
- b. Does the state Open Meeting Law and Freedom of Information Act apply to the deliberations/decisions made by the leadership of the SSP?
- c. In the SSP budget - is there a "reserve" or "contingency" amount? (i.e. to address project/construction increased/unbudgeted costs? If so, what is that amount?)

Thanks

Jay Moynihan
10 Billow Road

Joe Halloran responded that many of the questions in Jay's email should have been answered with our discussion of the Shared Infrastructure earlier in the meeting. The "Shared Infrastructure Project" is governed by the Cost Sharing Agreement that was put in place between OLS, Old Colony and Miami Beach and has been updated to include the Town of Old Lyme. This document governs the percentages paid by each beach entity for the "shared infrastructure", representation of each beach community and the decision making process, etc. This Cost Sharing Agreement is available on the OLS Website. Documents related to the Shared Infrastructure bid process have recently been posted. The OLS portion (21%) of the Shared Infrastructure project estimates have been included in all of our cost projections.

Resident Comments

Kathi Stickley commented that we could not realistically expect bids to be reduced enough to be in line with our estimated costs presented to the membership. This would likely cause costs to exceed our current bond threshold. Would a membership vote be required to raise the bond limit?

The Board acknowledges the need to be realistic about costs. Increasing our bond limit would require an Association vote.

Matt Merritt commented that many obstacles have been encountered on this project and probably many more to come. He thanked the members of the WPCA for their hard work on behalf of the Association.

Joe Halloran made a motion to adjourn the meeting. Al Roy seconded the motion.
Meeting adjourned at 8:30pm