

**Old Lyme Shores WPCA**  
**Minutes**  
**December 16, 2025**

1. **Quorum** – The meeting was called to order at 7:03 pm. A quorum was present with Jay Moynihan (JM), Bob Pallazzo (BP), Chris Shelton (CS), Marty Merritt (MM), Roger Zito (RZ) and Dennis Colombie (DC) all present. Also present was Paul Yellen (PY). Jerry Vande Werken from the BOG was also asked to attend. Jack Reynolds was not in attendance.
  
2. **Minutes** – The minutes from September 9<sup>th</sup>, 2025 were presented. There being no discussion, DC moved to accept the minutes as drafted, seconded by CS. **All members voted in favor of approving the minutes as drafted.**
  
3. **Treasurers Report** – There was nothing to note for a Treasury Report for this meeting.
  
4. **Cost Sharing Agreement (CSA)** – Jerry Vende Werken (JV) was invited to report to the committee on the current status of the CSA. JV noted the following: (it was noted that there were issues with JV's audio, and he re-joined the meeting at 8:04 to continue his presentation)
  - a. JV and the beaches have been working extensively to update the CSA from the 2016 and the 2020 CSA that has been written.
  - b. There was extensive work on the definitions and the CSA arrangements on EDU's,
  - c. It was noted that Old Colony has been chosen as the beach to administer the payments and the processes with the State
  - d. It was also noted that the Agreement proposes setting up a Construction Committee to overview the construction of the shared system, and to discuss and make certain approvals
  - e. It was noted that the CSA and the Constrcution Committee would be subject to and would operate under FOI Rules
  - f. At the end of construction, all four parties would own the Shared System.
  - g. It is also contemplated that an entirely new entity could be created to own and operate the System.
  - h. It was noted that there would be need for a 3<sup>rd</sup> party to operate and overlook the shared system moving forward.
  - i. Other items discussed were the potential for the construction committee to remain as the operating committee until this committee is appointed, there were discussions on how to bill – based on EDU's or flow, and it is contemplated that it will be based on EDU's to begin with, until flow can accurately be

measured, and then shared billing would be based on flow, and each beach could determine how to bill their residents.

- j. There is a significant penalty clause for opting out of the Shared Agreement
- k. There are issues with the Town and Old Colony on a few EDU's and this is being resolved between them.

## **5. Project Update**

### **a. Shared System**

- i. JM noted that the BOG and Old Colony voted to move forward with the Shared Project
- ii. We are waiting for the Miami Beach meeting on Saturday to understand if they are moving forward.
- iii. Baltazar has said they will extend bids past December 15. We are waiting to hear from Raymaaker.

### **b. Internal**

- i. F&O has done their due diligence on Baltazar and determined that they are a responsible bidder and can be awarded the contract on the internal and the Shared System
- ii. The Total of the bids is \$11,436,115 including the Internal, Stormwater and bid alternate 4
- iii. It is anticipated that the Board will act on these bid amounts
- iv. It was noted that the Stormwater bid is over the amount set aside for the Stormwater project in our Bond Authorization, and that this should be reviewed.
- v. JM to follow up with F&O and ask them to provide us with an update on the Stormwater project.

### **c. Native American Archaeology –**

- i. this was discussed by BP and he referenced the 50 page report prepared by F&O and that OLS beach was the only area that was identified as a potential area with issues.
- ii. It was noted that if any areas are discovered, this would need to be reviewed by the State.
- iii. BP mentioned that this was brought to his attention by a representative from CT water.
- iv. JM will follow up with Kurt Mailman of F&O on this.

### **d. State Statute 7-249 –**

- i. JM has discussed with PY and they are going to ask Norb Church to look into this.
- ii. JM mentioned that the Betterment Assessment is based upon an appraiser, valuing the group of homes, of what the betterment is to the group of homes from the appraiser, for instance \$45,000.

- iii. That appraised value increase is used as the betterment assessment to homeowners to compare the costs they paid, to this betterment assessment.
- iv. A homeowner can challenge this amount if they wish by taking the association to court.
- v. However, it was believed that this can not be done until the end of the project when the costs are more fully known, and the homeowner is assessed.
- e. Project Management
  - i. JM mentioned that the WPCA should be prepared to take over the project from a construction and management standpoint
- f. WPCA 2026 meeting schedule
  - i. JM noted that this schedule has been submitted and is currently on the OLS website
- g. Stormwater financing
  - i. MM noted that this financing is currently not in process and that it may not be easy to identify who could finance this project
  - ii. MM noted that it could also be costly to finance the project. It was estimated that a 6% cost to finance could be obtained, but in fact, it is possible it could be higher.
  - iii. BP mentioned that the contractor would most likely do the sewer first and then the Stormwater

#### 6. Member Comments

- a. Mark Bernacki asked Jerry to define how flow would be measured under the CSA
- b. Mark Bernacki asked JM who was responsible for the project, the WPCA or the BOG. He noted that the BOG seemed to be doing the work of the WPCA. However the WPCA was identified and set up as the entity to oversee the project.
- c. PY – noted that the vote in the Town of Old Lyme results has just come out, and that the Town voted not to move forward with the sewer project.

The meeting was adjourned at 8:29pm