

Old Lyme Shores WPCA

Minutes

April 14, 2026

DRAFT

Quorum – The meeting was called to order at 7:10pm. A quorum was present with Jay Moynihan (James), Bob Pallazzo, Marty Merritt, and Dennis Colombie all present. Jack Reynolds connected at 7:19. Also present was Kurt Mailman from Fuss & O’Neill, Attorney Norbert Church, and Dinis Baltazar and Luis Santos from Baltazar Construction

Key takeaways

- Fuss & O'Neill presented two construction service amendments: Amendment 8 for Old Lime Shores internal project (\$293K addition, \$740K total) and Amendment 6 for shared infrastructure
- Baltazar Construction introduced themselves as the general contractor with extensive experience in utility work and rock excavation
- Construction timeline delayed to potentially July-August 2026 start due to Clean Water Fund application processing (3-4 months)
- State meeting scheduled for April 21st (12:30-3:30 PM) at DEEP Ferry Road location to discuss financial requirements and audit procedures
- James announced intention to step down as WPCA chairman effective June 30th but will remain on the board
- Audit requirements will likely be triggered in fiscal year 2027, estimated cost \$40-50K for full financial statement audit with compliance testing

Discussed topics

Fuss & O'Neill Construction Service Amendments Overview

Kurt from Fuss & O'Neill presented the construction administration and resident project representative (RPR) services for both shared and internal projects.

- **Details**

- Kurt: Explained the project structure with separate project managers for each association - Mike Nelson assigned to Old Lime Shores internal project with 20+ years experience
- Kurt: Construction administration includes pre-construction conferences, plan interpretation, submittal reviews, change order management, RFIs, payment requisitions, and record drawings with GPS coordinates
- Kurt: RPR services includes inspection, full-time field observation (required by DEEP), quantity measurements, monthly pay requisitions, and MWBE/certified payroll compliance (3% and 5% respectively)
- Kurt: Mike Nelson budgeted for approximately 5 hours per week office time, with resident rep on site daily during construction
- James: Questioned the role distinction between project manager and owner's representative
- Kurt: Clarified that CA and RPR teams together serve as the owner's representative during construction
- **Conclusion**
 - Mike Nelson will serve as project manager for Old Lime Shores internal project
 - Full-time resident representative will be provided through ECI subcontractor
 - Monthly construction meetings at trailer plus potential WPCA meeting attendance by project manager

Change Order Process and WPCA Oversight

Discussion focused on how change orders would be managed and communicated to the WPCA.

- **Details**
 - James: Expressed concern about being surprised by change orders and requested clear process with no surprises
 - Kurt: Explained work change directives for immediate needs and proposed change orders for negotiated items
 - Kurt: Any change order over \$100,000 requires DEEP approval in addition to owner approval. ?? (MM - I don't recall hearing this?)
 - James: Emphasized need for well-defined process before construction begins to avoid delays while ensuring WPCA awareness
 - Kurt: Confirmed owner must sign off on all change orders
- **Conclusion**
 - WPCA will establish internal change order notification and approval process before construction

- Owner signature required on all change orders
- Communication protocol to be developed to balance project speed with WPCA oversight

Project Monitoring and Reporting

Discussion of how WPCA would track construction progress and receive updates.

- **Details**
 - James: Asked about frequency of progress reports and how to track project timeline
 - Kurt: Inspector records compiled weekly with annotated photos and detailed daily logs
 - Kurt: Progress tracked by linear feet of pipe installed versus total, plus monthly schedule updates at construction meetings
 - Kurt: Mentioned that quantities are measured and agreed upon on a daily basis between Resident Representative and Baltazar
 - Kurt: Contractor provides schedule at project start with monthly updates on completed versus planned work
 - James: Requested clarity on project manager attendance at WPCA meetings
 - Kurt: Confirmed time allocated in contract for WPCA support, could include monthly meeting attendance
- **Conclusion**
 - Weekly inspector reports with photos and construction logs
 - Monthly construction meetings at trailer
 - Project manager may attend monthly WPCA meetings using allocated support hours

Archaeological Sensitivity and Protocols

Bob raised concerns about archaeological discoveries during excavation based on previous Connecticut Water experience.

- **Details**
 - Bob: Asked about Mike Nelson's archaeological expertise and ability to recognize artifacts beyond stone structures
 - Bob: Referenced previous incident where stone structure was photographed but not reported during Connecticut Water main installation

- Kurt: Stated resident rep will read archaeological report and understand site sensitivity but won't be an archaeologist
- Kurt: Suggested having AHS (archaeological consultant) at pre-construction meeting to discuss protocols and be on-call
- James: Confirmed Connecticut Water had no records of archaeological findings when contacted
- **Conclusion**
 - AHS to attend pre-construction meeting to brief team on archaeological protocols
 - Resident rep will be trained on sensitivity but not expected to have archaeological expertise
 - On-call archaeological support to be arranged

Owner's Representative Discussion

Jack Reynolds proposed hiring an independent owner's representative based on his experience with school construction projects.

- **Details**
 - Jack: Shared experience with \$50K owner's rep on school projects who saved significant money
 - Jack: Argued WPCA leadership lacks technical sewer expertise and time commitment is unsustainable for volunteers
 - Jack: Proposed interviewing candidates, particularly during critical July-August construction period
 - Jack: Suggested owner's rep would handle conflicts between engineer and contractor, reducing burden on chairman and president
 - Kurt: Noted it's uncommon to have separate owner's rep when DEEP requires full-time observation under Clean Water Fund
 - Church: Emphasized that Fuss & O'Neill, Balthazar, and DEEP are experienced professionals following established protocols
- **Conclusion**
 - No immediate decision made on hiring independent owner's rep
 - Jack offered to arrange interview with potential candidate
 - Discussion to continue as construction approaches

Baltazar Construction Company Introduction

Dinis Baltazar from Baltazar introduced the company and their approach to the project.

- **Details**

- Dinis: Family business since 1992 specializing in heavy highway utility work - sewer, water, drain, and road reconstruction
- Dinis: Will have two superintendents, crew foremen, and two project managers (80% office, 20% field)
- Dinis: Extensive Connecticut experience including MDC (\$35M project), Mass Water Resource Authority, Springfield Water and Sewer, Hartford Hospital
- Dinis: Own blasting company, dewatering equipment, and drill rigs for self-sufficient operations
- Dinis: Familiar with Clean Water Fund paperwork and processes
- Luis: Introduced as one of primary superintendents, already familiar with project from preliminary work
- Dinis: Only subcontractors needed are directional drilling (Directional Technologies) and final full-width paving
- Luis Santos will be on the project as the superintendant. He is responsible to make sure the project is done per plan and specs and to make sure the owner is happy with the project. If there are issues, he submits them up to Baltazar Management.

- **Conclusion**

- Balthazar has relevant experience and self-sufficient capabilities
- Luis will serve as one of two superintendents
- Company ready to proceed once contract executed with notice to proceed

Construction Timeline and Submittal Process

Discussion of realistic start dates and pre-construction requirements.

- **Details**

- MM: Asked about 3-4 month CWF application processing putting start date at July-August
- Dinis: Originally expected March start, then April, then June - currently on standby
- Dinis: After contract execution, 1-2 months needed for submittal review and material ordering before construction can begin
- Dinis: Requested ability to submit materials now to Fuss & O'Neill for review to save at least one month
- Dinis: Cannot do anything until executed contract with signed notice to proceed

- Dennis: Requested construction in Old Lyme Shores be delayed until after August if possible
- Dinis: Confirmed flexibility to work different associations at different times to keep crews busy
- **Conclusion**
 - Realistic construction start likely September 2026 or later
 - Early submittal review could accelerate timeline by one month
 - Baltazar willing to adjust sequencing to accommodate beach season concerns

Permitting Responsibilities

Clarification of who handles various permits for the project.

- **Details**
 - MM: Asked if contractor responsible for tracking all permits
 - Dinis: Contractor typically handles street excavation permits and SWIPP, but major permits handled by consultant and engineer
 - Dinis: Not familiar with specific permits like Amtrak crossing
 - James: Questioned status of bioxide facility permit approval
- **Conclusion**
 - Major permits are Fuss & O'Neill responsibility
 - Need to follow up permitting process with Fuss & O'Neill
 - Contractor handles routine construction permits
 - Bioxide facility and Amtrak permits require verification before construction

Rock Excavation Quantities

Dennis questioned adequacy of rock quantity estimates in the bid.

- **Details**
 - Dennis: Expressed that he was pleased that Baltazar was selected for the project and he believes they will do a good job on the project.
 - Dennis: Questioned the estimation of cubic yards of rock in internal project and asked Dinis about their certainty of the estimates.
 - Dinis: Acknowledged rock quantities are difficult to predict - some jobs with expected rock have none, others with no expected rock are loaded
 - Dinis: Believes quantities based on borings are fairly reflective but unknowns exist between boring locations

- Dinis: Company has 20-30 years experience drilling, hammering, and blasting rock with own blasting company
- **Conclusion**
 - Rock quantities remain uncertain until excavation
 - Balthazar experienced in rock excavation with own equipment
 - Potential for change orders if rock quantities significantly exceed estimates

Directional Drilling Explanation

Marty requested clarification on directional drilling technology.

- **Details**
 - James: Asked about subs being used on the project
 - Dinis: They don't normally need subs for projects like this, but may use them on Directional Drilling and Paving.
 - MM: Asked for explanation of directional drilling for non-technical audience
 - Dinis: Explained it's like large-scale mole boring that installs pipe underground without disturbing pavement
 - Dinis: Drill rig bores across distance (500-1,000 feet) and pulls pipe back through
 - Dinis: Used extensively on shoreline project (Hartoon and pond areas) due to peat conditions
 - Dinis: It is unlikely that directional drilling will be required for the OLS internal portion of the project.
 - Bob: Confirmed likely used for Route 156 state highway crossing
- **Conclusion**
 - Directional drilling avoids road excavation in sensitive areas
 - Particularly useful in peat conditions on shoreline project
 - No directional drilling planned for Old Lyme Shores internal project

State Meeting on Financial Requirements

Jerry Vande Werken confirmed upcoming state meeting details.

- **Details**
 - James: Mentioned understanding of April 21st meeting focused on financial requirements and state obligations
 - James: Noted positive interaction with state official who acknowledged Old Lyme Shores is not traditional municipality

- Jerry: Confirmed meeting April 21st from 12:30-3:30 PM at DEEP Ferry Road location
- James: Meeting will address audit requirements and financial management for handling millions in project funds
- **Conclusion**
 - State meeting confirmed for April 21st, 12:30-3:30 PM at DEEP Ferry Road
 - Focus on financial management and audit requirements
 - All interested parties invited to attend

Audit Requirements and Costs

Rob provided detailed explanation of anticipated audit requirements.

- **Details**
 - MM: Asked if audit definitely required
 - Church Noted "audit" has different meanings, will seek clarity from state on specific requirements
 - Rob: Explained either state or federal single audit required - full financial statement audit plus compliance testing
 - Rob: Triggered once \$500K in state funds spent (federal threshold is \$1M)
 - Rob: Audit firm will issue opinion on financial statements and separate opinion on compliance with fund usage
 - Rob: Estimated cost \$40-50K using reputable local/regional firm, not Big 4
 - Rob: Likely required for fiscal year 2027 if construction starts September 2026
 - Rob: Can provide firm options and back office support options when needed
- **Conclusion**
 - Full financial statement audit with compliance testing likely required
 - Cost estimated at \$40-50K for fiscal year 2027
 - Rob has firms identified for both audit and back office support

Fiscal Year 2027 Budget Planning

James outlined budget development timeline and considerations.

- **Details**
 - James: Sent draft FY2027 budget to members including evaluation of current systems
 - James: Budget includes chart of accounts development, payment processes, back office services, and future auditing

- James: Requested members review and provide input for next meeting
- James: Noted association will need to consider these items in addition to WPCA
- Rob: Confirmed timeline works for his review and input
- **Conclusion**
 - Draft FY2027 budget distributed for member review
 - Next meeting will finalize budget recommendations
 - Budget addresses financial management infrastructure needs

Payment and Reimbursement Process

Kurt explained the monthly payment requisition and reimbursement cycle.

- **Details**
 - James: Asked about process for contractor payment and Clean Water Fund reimbursement
 - Kurt: Pay period cut-off third week of month, then week to reconcile quantities between contractor and resident rep
 - Kurt: Reimbursement package includes contractor pay requisition plus all invoices (legal, admin, engineering)
 - Kurt: Package must be received by DEEP by first Tuesday of month
 - Kurt: Payment deposited to association EFT account 15-17 calendar days later
 - Kurt: First payment at 45 days, then generally 30 days thereafter
- **Conclusion**
 - Monthly payment cycle with first Tuesday deadline for DEEP submission
 - 15-17 day turnaround for EFT deposit
 - Fuss & O'Neill (Cindy Bissett) prepares reimbursement packages

Chairman Transition Announcement

James announced intention to step down as WPCA chairman effective June 30th.

- **Details**
 - James: Believes in rotating chairmanships and avoiding same person continuing indefinitely
 - James: Originally agreed to serve through May 2025 vote, then continued through bidding, award, and challenges
 - James: Project requires deep understanding of complex layers which is time-intensive for volunteers
 - James: Expressed concern about sustainability of volunteer effort required

- James: Cited recent toxic environment and lack of positive energy from those he needs to work with
- James: Will remain on WPCA board and continue contributing to project
- James: Suggested June 30th timing aligns with fiscal year end and after Board of Governors fills two WPCA vacancies
- MM: Expressed this as enormous, not good news and confirmed James staying on WPCA board
- **Conclusion**
 - James stepping down as chairman effective June 30, 2026
 - Will remain as WPCA board member
 - Board to elect new officers after June annual meeting and vacancy appointments

Meeting Minutes Approval Process

Discussion of how to handle meeting minutes given late distribution.

- **Details**
 - James: Asked MM about status of meeting minutes
 - MM: Apologized for sending minutes 2-3 hours before meeting
 - James: Suggested posting as draft on website for community review, then vote at next meeting
- **Conclusion**
 - Minutes posted as draft on website
 - Members and community can review before next meeting
 - Formal approval vote at next WPCA meeting

Treasurers Report

With Chris Shelton not present at the meeting, there was no treasurers report presented at the meeting

Legal Counsel Perspective on Project Oversight

Norb Church provided perspective on professional oversight and community relations.

- **Details**
 - Church: Emphasized this is not first time "wheel has been invented" - DEEP, Fuss & O'Neill, and Balthazar do this routinely

- Church Assured board these professionals know their jobs and have WPCA covered
- Church: Advised not to get too focused on nitty-gritty details - professionals will handle permits and requirements
- Church: Recommended "chocolate chip cookie committee" to provide daily cookies to construction crews
- Church: Emphasized importance of community thanking workers in front of their houses
- MM: Jokingly noted minutes will reflect Norb said there will be no issues
- **Conclusion**
 - Legal counsel emphasized trust in professional team's experience
 - Recommended community engagement and appreciation for construction workers
 - Balanced volunteer oversight concerns with professional expertise

Challenges

- Construction timeline uncertainty due to 3-4 month Clean Water Fund application processing delay
- Potential rock excavation quantities may exceed 1,000 cubic yard estimate, leading to change orders
- Biocide facility permit status requires verification with Eric Knapp before construction
- Amtrak permit needs confirmation as 100% secured
- Archaeological sensitivity requires protocols and on-call expert support during excavation
- Volunteer leadership sustainability concerns given time commitment required for complex project
- Need to establish clear change order communication process balancing speed with WPCA oversight
- Difference in opinions and work styles cited by chairman affecting effectiveness
- July-August construction timing conflicts with peak beach season usage and safety concerns

Action items

- **Kurt/Fuss & O'Neill**
 - Verify biocide facility special permit status with Eric Knapp
 - Confirm Amtrak permit is 100% secured

- Arrange for AHS archaeological consultant to attend pre-construction meeting
- Sign contracts with ECI for resident representative services once amendments approved
- Identify specific resident representative person once start date established
- **Balthazar Construction**
 - Prepare submittals for early review by Fuss & O'Neill to accelerate timeline
 - Await executed contract with notice to proceed before any work
 - Consider sequencing to delay Old Lyme Shores work until after August if possible
- **WPCA Members**
 - Review draft fiscal year 2027 budget and provide input before next meeting
 - Develop internal change order notification and approval process before construction
 - Consider interviewing potential independent owner's representative candidate
 - Prepare for chairman election at June 30th meeting after Board of Governors fills vacancies
- **MM (Marty)**
 - Provide meeting minutes to James for posting as draft on website
- **Rob**
 - Review draft FY2027 budget and provide input
 - Prepare audit firm options when needed for fiscal year 2027
 - Prepare back office support options when requested
- **James**
 - Continue developing draft construction management and general operating policies
 - Coordinate with Norb on hearing requirements before construction
 - Distribute state meeting invitation to members once received (April 21st)
- **Board of Governors**
 - Vote on Fuss & O'Neill Amendments 6 and 8 at meeting (scheduled for day after this meeting)