

MINUTES OF THE MARCH 11, 2008
REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
GREATER NEW HAVEN
WATER POLLUTION CONTROL AUTHORITY

The Regular Meeting of the Greater New Haven Water Pollution Control Authority was held March 11, 2008, at 6:00 P.M. at the New Haven Water Pollution Control Facility, 345 East Shore Parkway, New Haven, CT in order to transact the following:

Chairman Mongillo called the meeting to order at 6:05 P.M.

Directors present: Director Cyr, Farina, Harned, Mongillo,
Perrone, Paolillo

Director Turner was absent

Also present: Dominick Di Gangi, Executive Director
Gabriel Varca, Director of Finance and Administration
Gary Zrelak, Director of Operations
Thomas Sgroi, Director of Engineering
Mario Ricozzi, CSO LTCP Manager of Design

Director Ginzberg arrived at 6:15 P.M.

Director DeSorbo arrived at 6:25 P.M.

1. *Public participation relating to agenda items.*

No Public Present.

2. *Approval of minutes of February 12, 2008 - Public Hearing on amendments to the Sewer Ordinance relating to the Cost of Service Study, the Annual Budget and Capital Improvement Plan approval process.*

Chairman Mongillo made the following motion:

RESOLVED: That the minutes of the February 12, 2008 Public Hearing on Amendments to the Sewer Ordinance relating to the Cost of Service Study, the Annual Budget and Capital Improvement Plan approval process are hereby adopted and approved in the form attached hereto as Exhibit 2, any such changes, revisions or additions thereto having been noted to and by the Secretary of the Authority.

Director Perrone seconded the motion.

Voice Vote: Unanimous

<u>AYES</u>	<u>NAYS</u>	<u>ABSTENTIONS</u>
Cyr		
DeSorbo		
Farina		
Ginzberg		
Harned		
Mongillo		
Perrone		
Paolillo		

3. Approval of minutes of February 12, 2008 - Regular Meeting.

Chairman Mongillo the following motion:

RESOLVED: That the minutes of the February 12, 2008 Regular Meeting of the Board of Directors of the Authority are hereby adopted and approved in the form attached hereto as Exhibit 3, any such changes, revisions or additions thereto having been noted to and by the Secretary of the Authority.

Director Harned seconded the motion.

Voice Vote: Unanimous

<u>AYES</u>	<u>NAYS</u>	<u>ABSTENTIONS</u>
Cyr		
DeSorbo		
Farina		
Ginzberg		
Harned		
Mongillo		
Perrone		
Paolillo		

4. Executive Director's Report.

- Status of Professional Service Agreements
- Status of On Call Engineering Service Agreements
- Status of Construction Contracts
- Status of Legal Representation

- Status – 260 East Street Property Acquisition
- 2007 Revenue Bonds, Series E – Meeting with Rating Agencies
- Reports
- Monthly Budget Report – October, 2007
- GIS/IT Monthly Progress Report
- Operations Performance Report
- Engineering Department – Project Status
- CSOLTCP – Project Status
- Citizens Advisory Committee
- Items of Interest
 - New Haven Register Editorial
 - “Deadbeats raise cost of sewer service”

5. *Presentation of the Fiscal Year 2009 Annual Capital Budget; annual update to the Five Year Capital Improvement Plan; and the impact on the FY 09 Annual Budget, projected expenditures, revenues, user rates and charges.*

Executive Director Di Gangi stated that Annual Capital Budget Workshops are scheduled to be held on Monday, March 24th through Thursday, March 27th at 5:00 P.M. each evening at the East Shore Water Pollution Control Facility. In order to plan appropriately, please contact Deborah Torre, Executive Assistant to the Director, at 203 466 5280 Extension 227, to schedule which workshop you will be attending. Directors who are unable to attend can contact the Executive Director to arrange an individual appointment to review the Annual Capital Budget. Presentations of the individual project details will be made at each of the workshops as well as at the public hearing.

6. *Schedule a public hearing to be held on Tuesday, April 8, 2008, at 5:30 P.M. (E.D.T.) at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven, Connecticut on the Fiscal Year 2009 Annual Capital Budget; the annual update to the Five Year Capital Improvement Plan; and the impact on the FY 09 Annual Budget, projected expenditures, revenues, user rates and charges.*

Director Perrone made the following motion:

WHEREAS, the Authority, pursuant to Sections 229-509(e) of the General Statutes of Connecticut, Revision of 1958, as amended, and Section 43 of the Sewer Ordinance, desires to hold a public hearing on Tuesday, April 8, 2008 at 5:30 P.M. (E.S.T.) at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven Connecticut to obtain public comment with regards to the Fiscal Year 2009 Annual Capital Budget; the annual update to the Five Year Capital Improvement Plan; and the impact on the FY 09 Annual Budget, projected expenditures, revenues, user rates and charges.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That the scheduling of a public hearing on Tuesday, April 8, 2008 at 5:30 P.M. at the East Shore Water Pollution Control Facility, 345 East Shore Parkway, New Haven Connecticut to obtain public comment with regards to the Fiscal Year 2009 Annual Capital Budget; the annual update to the Five Year Capital Improvement Plan; and the impact on the FY 09 Annual Budget, projected expenditures, revenues, user rates and charges.

Director DeSorbo seconded the motion.

Executive Director Di Gangi stated that a meeting notice will be published in the New Haven Register stating the date, time and location of the public hearing and that copies of the Annual Capital Budget are available at the Authority's offices as well as at the city/town clerks offices of the constituent municipalities.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

Cyr

DeSorbo

Farina

Ginzberg

Harned

Mongillo

Perrone

Paolillo

- 7. Consideration and approval of a resolution with respect to the authorization, issuance and sale of not exceeding \$80,000,000 Greater New***

***Haven Water Pollution Control Authority Regional Wastewater System
Revenue Refunding Bonds.***

Director Perrone made the following motion:

WHEREAS, on August 29, 2005, the Authority issued \$91,290,000 of Regional Wastewater System Revenue Bonds, 2005 Series A (the "2005 Bonds");

WHEREAS, in the event interest rates decrease in calendar year 2008 resulting in savings to the Authority of at least 3% the Board wishes to refund the 2005 Bonds, and the Board has determined that that such action is in the best interests of the Authority.

NOW THEREFORE, BE IT HEREBY

RESOLVED: That the Resolution with Respect to the Authorization, Issuance and Sale of Not Exceeding \$80,000,000 Greater New Haven Water Pollution Control Authority Regional Wastewater System Revenue Refunding Bonds, attached hereto as Exhibit 7, is hereby adopted, and the Executive Director is hereby authorized and empowered for and on behalf of the Authority to negotiate, execute and deliver any and all reasonable and necessary documents relating to the refunding of the 2005 Bonds.

Director Paolillo seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

Cyr

DeSorbo

Farina

Ginzberg

Harned

Mongillo

Perrone

Paolillo

- 8. Executive Session pursuant to Sections 1-200(6)(B) et seq. of the General Statutes of Connecticut for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation relating to***

the existing Agreement for Operation and Maintenance of the Wastewater System.

Director Farina made the following motion:

RESOLVED: That, approved by a two-thirds vote of the Board to go into Executive Session for the purpose of discussing strategy and negotiations with respect to pending claims or pending litigation relating to the existing Agreement for Operations and Maintenance of the Wastewater System, a proper purpose pursuant to Sections 1-200(6)(B) of the General Statutes of Connecticut.

Executive Session began at 6:45 P.M.

Executive Session ended at 7:15 P.M. and no vote were taken while in executive session.

Director DeSorbo seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

Cyr

DeSorbo

Farina

Ginzberg

Harned

Mongillo

Perrone

Paolillo

- 9. Consideration and approval of the Camp Dresser & McKee, Inc. First Amendment to Task Order CDM 9 to perform a radio frequency survey and to assume the responsibility for coordinating, collecting invoices, and paying for police details related to the design services, applications engineering and start up services for the four (4) Combined Sewer Overflows Monitoring Program located along the Boulevard Sewershed for an additional sum not to exceed of \$ 35,500.**

Director DeSorbo made the following motion:

RESOLVED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the Camp Dresser & McKee, Inc. First Amendment to Task Order CDM 9 to perform a radio frequency survey and to assume the responsibility for coordinating, collecting invoices, and paying for police details related to the design services, applications engineering and start up services for the four (4) Combined Sewer Overflows Monitoring Program located along the Boulevard Sewershed for an additional sum not to exceed of \$ 35,500, as set forth on Exhibit 9, attached thereto, is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof.

Director Paolillo seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

Cyr

DeSorbo

Farina

Ginzberg

Harned

Mongilo

Perrone

Paolillo

- 10. Consideration and approval of Lehman Brothers Inc. First Amendment for additional work as underwriter for the 2008 issuance of revenue bonds for an additional sum of \$38,000 increasing the sum not to exceed to \$188,000.**

Director Farina made the motion to approve Items 10 through 14 in accordance with the relevant resolution for each item.

RESOVLED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the Lehman Brothers Inc. First Amendment for additional work as underwriter for the 2008 issuance of revenue bonds for an additional sum of \$38,000 increasing the sum not to exceed to \$188,000 is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the

Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof.

Director Paolillo seconded the motion.

Voice Vote: Unanimous for Items 10 through 14

AYES

NAYS

ABSTENTIONS

Cyr
DeSorbo
Farina
Ginzberg
Harned
Mongillo
Paolillo

11. ***Consideration and approval of the Malcolm Pirnie, Inc. First Amendment to Task Order MPI 2 to provide additional professional services related to additional work for updating the Engineer's Feasibility Report dated August 24, 2005 for the 2008 issuance of revenue bonds for an additional sum of \$ 56,500 increasing the sum not to exceed to \$ 79,500.***

RESOVLED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the Malcolm Pirnie, Inc. First Amendment to Task Order MPI 2 to provide additional professional services related to additional work for updating the Engineer's Feasibility Report dated August 24, 2005 for the 2008 issuance of revenue bonds for an additional sum of \$ 56,500 increasing the sum not to exceed to \$ 79,500 is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof.

Voice Vote: Unanimous

12. ***Consideration and approval of Robinson & Cole, LLC as Bond Counsel for the 2008 issuance of revenue bonds for a sum not to exceed \$90,000.***

RESOVLED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the appointment of Robinson & Cole, LLC as Bond Counsel for the 2008 issuance of revenue bonds for a sum not to exceed \$90,000 is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof.

Voice Vote: Unanimous

13. *Consideration and approval of Lamont Financial Services Corporation as Financial Advisor for the 2008 issuance of revenue bonds for a sum not to exceed \$ 28,000.*

RESOVLED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the appointment of Lamont Financial Services Corporation as Financial Advisor for the 2008 issuance of revenue bonds for a sum not to exceed \$ 28,000 is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof

Voice Vote: Unanimous

14. *Consideration and approval of Sidley Austin as Underwriter's Counsel for the 2008 issuance of revenue bonds for a sum not to exceed \$48,000.*

RESOVLED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the appointment of Sidley Austin as Underwriter's Counsel for the 2008 issuance of revenue bonds for a sum not to exceed \$48,000 is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof

Voice Vote: Unanimous

- 15. Consideration and approval of an Amendment to Christopher Williams Architects Agreement dated October 30, 2006 for additional professional architectural services regarding the Proposed Garage Addition and Renovation at the East Shore Water Pollution Control Facility for an additional sum of \$ 4,000 increasing the sum not to exceed to \$ 29,650.**

Director Farina made the following motion:

RESOLVED: That, pursuant to Section 5.1 of the Bylaws and the Purchasing Policy, the Amendment to Christopher Williams Architects Agreement dated October 30, 2006 for additional professional architectural services regarding the Proposed Garage Addition and Renovation at the East Shore Water Pollution Control Facility for an additional sum of \$ 4,000 increasing the sum not to exceed to \$ 29,650, as set forth on Exhibit 15, attached thereto, is hereby approved, and that the Executive Director of the Authority be and hereby is authorized and empowered, for and on behalf of the Authority, to negotiate, execute and deliver any and all reasonable and necessary documents in furtherance thereof.

Director Paolillo seconded the motion.

Voice Vote: Unanimous

AYES

NAYS

ABSTENTIONS

Cyr

DeSorbo

Farina

Ginzberg

Harned

Mongillo

Perrone

Paolillo

- 16. Consideration and approval, as necessary, of any other new business of the GNHWPCA.**

17. Call to Public.

No Public Present

18. Adjournment.

There being no further business, a motion to adjourn was made by Director Paolillo, seconded by Director Harned, and the motion passed unanimously. The meeting adjourned at 7:35 P.M.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Deborah L. Torre".

Deborah L. Torre
Secretary/Authority