

**TOWN OF EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

Minutes of Meeting of November 17, 2021

Members Present: Paul Anderson, Jim Richards and Steve Smith

Others Present: WPCA Superintendent E. Arthur Enderle III, Chief Operator Edward Alibozek, WPCA Attorney Michael Lanza and Recording Secretary Laura Michael

The on-site meeting was restricted to vaccinated commissioners and staff. The public may participate via the remote video conferencing platform Zoom.

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the WPCA Admin Building, 192 South Water St, East Windsor, CT

I. Pledge of Allegiance

The Pledge of Allegiance was recited.

II. Added Agenda Items

Motion: To add discussion of letter dated November 8, 2021 to Pippin and Sons from Mr. Enderle to New Business.
Richards/Smith
Passed unanimously

III. Acceptance of Minutes of October 27, 2021

Motion: To accept the minutes of October 27, 2021 as submitted.
Richards/Smith
Passed unanimously

IV. Communications

Mr. Anderson had four items of communication. The 1st was a public notice from the East Windsor Zoning Board of Appeals. The 12 variances for South and Phelps Roads were approved with conditions. The 2nd was a public notice from the Town of Suffield WPCA. They will be holding a public hearing on November 9th to consider a Sewer/Drainlayers Contractor License application for a fee of \$75 per year. The 3rd was a notice from the Town of South Windsor. They are proposing a miscellaneous industrial wastewater fee. The 4th was a notice from the Town of Somers. More volunteers are needed for the WPCA.

V. Visitors

There were no scheduled visitors.

VI. Public Participation

Mr. Anderson asked if anyone was on Zoom; there was no response.

VII. Receipt of Applications

There were no new applications.

VIII. Approval of Applications

There were no applications to be approved.

IX. Legal

Covid-19 Vaccination Requirement

Motion: To rescind the September 29, 2021 motion for implementation of Covid-19 vaccine requirement for all employees at the EWWPCA with a December 1, 2021 deadline.

Anderson/Richards

Discussion: Mr. Anderson feels that the constitutionality of a mandate is in question. There are a lot of concerns around the country. He is against terminating employees. There is a policy in place and the facility is functioning. Mr. Smith stated that businesses can put a mandate in place. He asked about:

1. The poll
2. A workable plan
3. Contact with the Union

Mr. Richards asked if there was contact with the union. Mr. Anderson reported that he attempted to contact the union but didn't speak with anyone. Mr. Richards asked if the State has terminated employees. Mr. Smith replied yes. Mr. Richards would like to keep in place the December 1st mandate with no teeth. He would like to let some time go by and see what happens in the real world. Mr. Smith feels this a legal question. He asked Attorney Lanza for an opinion. Attorney Lanza replied that he doesn't have information. After last month's meeting, he researched the virus. It seems a vaccinated person can get the virus and can shed the virus. An unvaccinated person may get sicker. Mr. Richards stated that management needs to have a policy in place; he is not comfortable having someone lose their job. He is in favor of keeping the December 1st mandate; get everyone vaccinated. Attorney Lanza asked if unvaccinated people are more of a risk. Mr. Smith replied yes, according to the CDC. The CDC is the authority. Mr. Smith asked again for answers to the poll and if there is a workable plan. Mr. Anderson said that no poll was taken and there was a workable plan in place. Mr. Anderson pointed out that the only staff who have been out because of Covid have been vaccinated people. Mr. Enderle provided copies of his Covid-19 Protocol. Mr. Anderson has a concern with a deadline of December 1st. It is nonsense because on December 2nd you can't enforce it. There is no such thing as a deadline without a consequence. There is no value as it stands. Mr. Richards wants to keep the deadline so that if 6 months from now an attorney decides to sue everyone who hasn't done their best, we can say we've done our best.

In favor: Anderson

Opposed: Smith, Richards

Motion carries

Motion: To consider the tabled motion to set consequences for not complying with the September implementation of Covid-19 vaccine requirement.

Anderson/Richards

Discussion: Mr. Anderson stated that employees are needed to run the facility. Sewage needs to be treated. They are failing as an authority if they don't ensure this. Mr. Richards thinks Mr. Enderle put together a positive protocol. The union should be protecting jobs. They can come back later and set consequences. He will vote no. He will be looking to the State and Supreme Court. He wanted to put a consequence in place but he doesn't want anyone to lose their job.

In favor: Smith

Opposed: Richards, Anderson

Motion failed

Motion: To suspend the regular meeting.

Richards/Smith

Passed unanimously

X. Public Hearing

Motion: To open the public hearing for Muska, 12 Church St through Bass, 148R North Rd.

Smith/Richards

Passed unanimously

Mr. Anderson read the public hearing notice published in the *Journal Inquirer* on November 5, 2021.

There was no one on Zoom for Muska, 12 Church St. Mr. Enderle explained this will be a new single family on a subdivided lot and none of the FCC has been paid.

There was no one on Zoom for Newberry Group LLC, 124 Newberry Rd. Mr. Enderle explained this is Scott Cota's new building and none of the FCC has been paid.

There was no one on Zoom for Bass, 148R North Rd. Mr. Enderle explained this is the rear building, they are installing a manhole for future connection; the FCC has been paid in full.

Motion: To adjourn the public hearing for Muska, 12 Church St through Bass, 148R North Rd.
Smith/Richards
Passed unanimously

XI. Public Hearing

Motion: To open the public hearing for Laird Building LLC, 3 Shoham Rd – Three Year Review.
Smith/Richards
Passed unanimously

Mr. Anderson read the public hearing notice published in the *Journal Inquirer* on November 5, 2021.

There was no one on Zoom for Laird Building LLC, 3 Shoham Rd. Mr. Enderle explained that this is an existing building. They originally paid 1 FCC. They've used more than 50,000 gallons of water per year and owe an addition EDU.

Motion: To adjourn the public hearing for Laird Building LLC, 3 Shoham Rd.
Richards/Smith
Passed unanimously

XII. Action on Facility Connection Charge

Motion: To impose the Facility Connection Charge for Muska, 12 Church St through Bass, 148R North Rd as published.
Richards/Smith
Passed unanimously

XIII. Action on Three Year Review

Motion: To impose the Facility Connection Charge for Laird Building LLC, 3 Shoham Rd as published.
Smith/Richards
Passed unanimously

XIV. Unfinished Business

IT Status

Mr. Enderle reported that a lot has been done lately. Mr. Alibozek was here last Thursday, which was a holiday, working with our integrator. Mr. Alibozek reported that it is great to have controls on the SCADA in the control room as well as at the pump stations. We are in good shape. This was installed at Mill St, Scantic Rd, Newberry Rd and Mill Pond. This has been accomplished step by step. In the past, they could see what was happening at the pump station but couldn't make changes. They have set parameters not just the ability of on/off. The final Windows 7 computer has been upgraded to Windows 10. Mr. Alibozek explained he has been looking into multi factor authentication. He has discussed this with Whalley and Entre and participated in a webinar with Eset. All of these require a server. Duo, a company that big corporations use, requires authentication on start up and will be providing a trial.

Mr. Alibozek reported that the lighting program is almost complete. The EPA is funding a cybersecurity assessment that Mr. Alibozek will be participating in.

Paving Contracts

Mr. Enderle reported that they are making progress.

Benefit Assessment Policy

This was not discussed.

XV. New Business

Mr. Enderle explained that the 12 variances for South Rd/Phelps Rd were approved. The Town was supposed to have a contractor in place on November 1st for the pipe relining. This hasn't begun yet, should start by the end of the year. When the work is performed, Mr. Enderle will inspect it. He asked the Board to make a motion to give him the authority to accept the South Rd sewers so they don't hold up the Town.

Motion: To give the Superintendent the authority to accept the South Road sewers into the sewer system contingent on his approval of work done.

Richards/Smith

Discussion: Mr. Enderle explained that he will get the one-year warranty put into writing.

Passed unanimously

Letter to Pippin and Sons

Mr. Richards said the letter was well written. He received a call from Peter Pippin over the weekend regarding the letter sent by Mr. Enderle. Mr. Richards asked to discuss this because there were things he couldn't answer. He explained that Peter Pippin was upset. Mr. Enderle explained that the facility accepts septage waste from haulers. Until recently, Pippin hasn't been coming here. When the haulers dump, they clean up when they are done. The picture shows what Pippin left. When septage haulers come and dump, what is dumped works its way through the system. The effluent wet well needs to be cleaned every three months. The letter and the picture were sent because what was dumped wasn't septic waste. The haulers when they come to dump call on their way in and again on their way out. Peter Pippin sticks a post it note on the door. Several have been addressed 37 Woolam Rd. That is the Pippin's address. Mr. Richards asked if there is a written policy. Mr. Enderle replied there isn't a written policy. Mr. Enderle explained that Skip's put in a muffin monster and only the two septage haulers who have been coming to dump regularly use it. Pippin dumps directly into the septage receiving area. Attorney Lanza asked how much that piece of equipment costs. Mr. Enderle replied over \$200,000. Mr. Enderle will put together a written policy.

Bill Sheet Review

Mr. Anderson reported we are 42% of the way through the year and 39% of the money has been spent. We are on track with where we need to be.

Superintendent's Report

Mr. Enderle reported it has been a busy three weeks since the last meeting. Mr. Alibozek has done a lot with the computers. The new staff have completed a project in the activated sludge area. We have the right people for completing projects. Mr. Alibozek explained they spend more time planning than it takes to complete the project. They have excellent planning and they meet as a group before beginning the projects. Things are going well; they have skills and the right tools. Mr. Enderle said things are going very well. He thanked Mr. Alibozek and Mr. Bednarz.

Mr. Enderle reported that the Town would like the sewer GIS layers made available to them. Mr. Anderson suggested bringing this up with the cybersecurity people. The water company doesn't give their data out. Mr. Enderle explained the Town has AppGeo. We have Ed, Mr. Alibozek. We have a sewer service area map. The white areas inside the SSA and the gray areas are the outside of the SSA. Areas within the white, are properties where sewer could go but just because a property is in the white area doesn't mean there is sewer available. Giving our sewer layers to the Town isn't that simple. For example, on Wagner Ln there was a large tract of land with sewer next to it but the problem is, how full is the pipe. The plant has capacity but you need to get the sewage to the plant. The pipes might not take the excess flow. Mr. Enderle has asked the Town to have people contact us. We answer people's questions immediately. Mr. Alibozek explained the Board can tell them what to do and they will do it. Mr. Smith said no to giving out the sewer layers. It was the consensus for the data to remain with the WPCA.

Transfers

No transfers were made.

XVI. Adjournment

Motion: To adjourn the meeting at 8:30 p.m.
Smith/Richards
Passed unanimously

Respectfully submitted,



Laura Michael
Recording Secretary