

New Hartford Water Pollution Control Authority
TOWN OF NEW HARTFORD, CONNECTICUT
“REGULAR” MEETING
And
PSST (POST SALE TRANSITION TEAM) “SPECIAL” MEETING
SESSIONS CONFERENCE ROOM
Thursday, July 6, 2023, 7:00 PM

Present Chairman Denton Butler, also: Michael LeClaire, Polly Pobuda, Joe Toro, Wes Marsh, First Selectman Dan Jerram.

Absent David Douyard, Mary Beth Greenwood

Chairman Butler called to order the joint meeting of the WPCA and the PSST at 7 pm.

Joint Meeting with the WPCA and PSST

Member Discussion Concerning: Pine Meadow Petitioners

Larry Delbene, 440-446 Main St., Mark Warren, 64 Wickett St., Eric Bradley, 16 Wickett St., and Lois Young, 16 Wickett St.

Mr. Warren as the spokesman for the group said the Pine Meadow group decided after hearing what was going to happen to the line to go out and canvass Pine Meadow. The overwhelming majority wants voluntary hook-ups, and they don't care if the pipe goes through. For some people this might be good but for others it can cause a lot of stress. There are 12 retired people on Wickett St. along with 4 widows. This might be good for some people but for others it would be a financial burden.

Mr. Warren also presented a petition signed by some of the Pine Meadow residents. A copy is attached to these minutes.

Mr. Butler asked if Mr. Warren would read the statement on the petition (Mr. Jerram read it) ... *We, the undersigned, are all Pine Meadow residents and we oppose any action by the New Hartford Water Pollution Control Authority and the Town of New Hartford to mandate that our properties must connect to the planned sewer line extension. Any hookups must be voluntary. Land owners who choose not to connect must not be penalized with fees, taxes or any other negatives incentives.*

Mr. Butler said it is customary that a petition cites a problem, then it cites the solution as to how you would solve the problem.

Mr. Jerram said the sewer line is about 3 years away and there is money to help. Mr. Butler said that voters had approved to set aside money to be used to subsidies for water and sewer. There has been approval to be used to offset connection fees. We are waiting to hear a decision from PURA regarding the aspects of the sale that will dictate what we can do. Until they come back to us and say they approve the sale with these conditions it is premature of us to make any declarations.

Following Mr. Warren's declaration that he and others from Pine Meadow had met with attorney Robert Krzys concerning the petition, Chairman Butler indicated that he had consulted

with Mr. Krzys via telephone and Krzys said that he has no formal standing as counsel for the group and was simply offering the benefit of some of his experiences as a former member of the WPCA.

Mr. Warren also said that 95% of the people don't want to hook-up.

Mr. Delbene said when he moved here about 40 years ago and when he moved here, they were going to hook up to the sewer. He said he has been waiting 40 years and it still hasn't happened. It still is a few years down the road.

Mr. Jerram said this has been a 6- or 7-year deal. COVID slowed it down. The big take-away from the Pine Meadow meeting was a lot of people said that it's not that we have a problem now, but we just don't expect it to come when you are a senior on a fixed income.

Mr. Warren asked what happened to Cottage Street and the \$5 million. It was Cottage Street and Pine Meadow. It was \$5 million now it's \$3.5 million and the reason was we were going to pollute the river and the aquifer.

Mr. Butler said in prioritizing the sewer service areas we recognize the importance of prioritizing which should come first - Pine Meadow or Cottage Street. Pine Meadow provides some additional coverage to the aquifer that is needed based on lot sizes. Mr. Jerram said there was no statement made at the Pine Meadow meeting that both areas were going to be sewered.

Mr. Jerram said that DEEP is coming in August to inspect all the catch basins in what's called the urban area which is Pine Meadow - Route 44 corridor. By the MS4 (Municipal Separate Storm Sewer Systems) regulation they want every catch basin to be on our GIS mapping. They want to know where every outfall is and they want us to start sampling the water to make sure there isn't a drop of contaminants going into the Farmington River. We are a Tier 1 town. Both Torrington and Winsted are exempt. These are federal EPA regulations.

Mr. Warren completed his comments by saying we sell the water & sewer. Your done and you own nothing. You take the money, put a pipe in and call it a sewer company again. You mandate us to hook up. Because a municipal utility can mandate you and Aquarion can't. You have 3 pipes in the ground you don't own the sewer plant anymore or our water and pipes. How will you say that's a sewer company. Mr. Jerram said the pipes will be owned by the Town of New Hartford until they are completed. Mr. Butler said we are not reinventing the wheel. This has been done by water before. They will apply the rules that apply to water companies. We will be under a long-term lease with Aquarion and will have an operating agreement with them. They will be taking responsibility even though we have ownership. If anything happens to the line they will fix, repair and maintain it on an on-going basis.

Mr. Warren said if all these people say 3 years from now don't have the money, then what happens? Mr. Butler said the Connecticut General Statutes have dictated a procedure we must follow. If you are given an order to connect, it will specify a timeframe and the terms & conditions surrounding it. If you don't want to do this the process open to you is to go to the Superior Court in Litchfield. They will hear your appeal and the ruling of the court is final. Mr.

Warren said what if someone doesn't want to go to court. Mr. Butler said the statutes make a provision for us to go ahead and construct the sewer and bill him for all the costs. Mr. Jerram said that someone is circulating the idea that it will automatically be between \$5,000 - \$10,000. We don't know that this is the cost. The idea that Cottage Street was supposed to be part of this and now it isn't. That's not accurate. It was supposed to be a future development. It is still important. It doesn't have the wells. Wait for this group to give you guidance as to what the connection assistance will be and subsidies before rendering any judgement.

Mr. Bradley asked if the sewer and water line go up Route 44 past the Town Hall. He said you mandated that all new houses need to hook up to the sewer system. He wanted to know why the new house on Route 44 didn't hook up. Mr. Butler said they hooked up to the sewer system. The water is on the opposite side of Route 44. When they came and said they were buying that lot for a new home and they wanted to know where the water was. The group said that the potential buyers had a hardship case being that we have traversed Route 44 and know what the cost is to do this. There are unmapped storm sewers under Route 44. The water pipes were not as built. The State of Connecticut changed the law when you breach the highway. When you go across you will be compelled to 80 feet on either side of the cut and completely resurface the highway. If we had compelled them to go across Route 44, they would have spent more than \$100,000 to get water. That was deemed unreasonable by us and we wrote a letter to the Department of Health. They replied thank you for the common sense and they approved.

Mr. Butler thanked the Pine Meadow group for coming.

The next agenda item under the joint session is that the group wanted to move forward and go to a Board of Selectmen meeting and review the outcome of our Charter. Mr. Butler met informally with Ms. Hayward and Mr. Jerram and there was a plethora of items to review. Mr. Jerram indicated that the Board of Selectmen would be amenable to a meeting. I suggested that as soon as we have a decision from PURA we would schedule that meeting. I also mentioned a couple of items concerning how we might creatively approach offsetting some of the costs associated with Pine Meadow project. The first one was we have made numerous payments so that the Debt Service presentation that we made back when COVID started is now the benefactor of probably around \$1 million dollars of payments. Mr. Jerram said it is up to the Board of Selectmen and we could bring forward our thoughts on that. The other thing that when we disrupt the town streets could that come out of the town budget to resurface and do over. Mr. Jerram told him he had already considered making that part of his plan. No work being down on any of those streets until the sewer is complete. So, there are some offsetting things that will occur.

Mr. Jerram said they also discussed if there would be any ARPA money left over. Mr. Butler said he has received the quotation from CDM Smith and they have agreed to provide engineering services as detailed in the contract agreement at \$490,000. We are \$42,000 under the allocation by ARPA. There is a consideration for some supplemental funds that may be required depending on how we would like to assist people on the connection side.

Mr. Jerram said that in 2016 the engineering fees then were \$430,000. It hasn't gone up that much. Mr. Butler said we will be using the same surveyor as Tim Bobroske is using for the New Hartford Village complex.

Newsletter – Mr. Butler said there were a lot of comments about what the newsletter should contain. He doesn't think we will be too far off. The most important for the WPCA would be to close out the old business and get out of billing, receivables, collections and liens as quickly as possible. We need to tell people what is going to happen. Take away the issue of carrying forward any balances. We have been at a disadvantage because we don't accept credit cards. He has talked to the Tax Collector about how to start this. Mr. Butler is recommending that people can pay their outstanding balance on a credit card and we will write off the cost of using a card. Mr. Toro said you will probably collect 97% of the debt. He thinks it is a great idea. Mr. Butler said we have two very large receivables that owe nearly \$10,000. They have both agreed to payment plans. Their property has been liened. He will continue to pursue this and have further discussions with Tax Collector Karen Wieduwilt.

Closing Out the Business Operations of the WPCA

Ms. Pobuda said she would like to bring up the petition. Living there she realizes they are concerned and she thinks that the WPCA should recognize that there is a lot of concern on their part. And maybe put it in part of a newsletter the mis-information being spread around. Mr. Jerram said to be understanding of the financial burden they are referencing that it will be addressed through our subsidies. The Town of New Hartford and the WPCA work hard to put together a plan to help. It will be outlined after the final decision.

Mr. Butler said for the record we will choose to address the petition at a future point in time when we have more information and can be responsible in responding with facts.

Ms. Pobuda said on her street there is concern about having to pay to pump it up to the line. Many people feel it would be cheaper to hook up if it goes down Church Street then to pump to the line. Mr. Jerram said the P2 line has lines that enter into to Church Street. Ms. Pobuda wants to point out that the concern is not just the pump they have to pay for it's the piping and also the electricity to run the pump.

Motion by Mr. LeClaire to close the Post Sale Transition portion of the meeting. Second by Mr. Toro.

Unanimous

At this time the Post Sale Transition meeting ended and the WPCA meeting reconvened.

Approval of June 1, 2023 minutes

Motion by Ms. Pobuda to approve the June 1, 2023 minutes. Second by Mr. Toro

Aye: Mr. Butler, Ms. Pobuda, Mr. Toro & Mr. Marsh; Abstain: Mr. LeClaire

Motion passes

Financial Review – Year to date - Year Ending: 2023

Fiscal Year '24 Budget

Mr. Butler said from an auditor's standpoint if we don't put a budget in place, they will ask for one. He said that Ms. Greenwood has a one-page budget. He proposes that no changes be made to it. It will be a budget of record. If the board agrees he will bring it to a vote at the next meeting. The board agreed to this proposal.

Operations Reports

Water – AWC

Mr. Butler said he called the Torrington Water Company this morning looking for their report. They said they are working on it right now and it would be sent in an hour. It arrived 3 hours later. The report was sent separately to Ms. Hayward and Mr. Butler. Cheryl Watkins is the writer of the report.

Sewer – AWC

Mr. LeClaire asked what was the Pine Meadow Farms Association. Mr. Toro said this is a homeowner's association. The town does not plow their roads. The association has the responsibility of the hydrants. Mr. LeClaire was wondering why there was a work order out for them.

Mr. Butler said there is no easement of record. They are built individually. They don't own their property only their home.

All Other Business to come before the meeting

Motion by Ms. Pobuda to adjourn at 8:26 pm. Second by Mr. Marsh

Unanimous

Respectfully submitted, Penny Miller