

**WATER POLLUTION CONTROL AUTHORITY  
SPECIAL MEETING MINUTES  
THURSDAY, MARCH 14, 2013 – 7:00PM  
NEW HARTFORD TOWN HALL – 530 MAIN STREET**

**PRESENT:** Chairman Robert Krzys, Steve Hanright, Kenneth Krohner, Michael LeClaire, Bill Michaud, Joe Nerney, David Rosengren; First Selectman Dan Jerram.

**ABSENT:** Jason Hofmann, The Water Planet; Alan Goettel, United Water.

**1. CALL TO ORDER:**

Chairman Robert Krzys called the meeting to order at 7:00PM. All regular members present were seated for the meeting. Mr. Michaud arrived to the meeting at 7:15PM, and Mr. Rosengren arrived to the meeting at 7:34PM. The proceedings were recorded digitally and copies are available at Town Hall.

**2. APPROVAL OF MINUTES:**

**A. February 7, 2013 regular meeting.**

**MOTION** Mr. Krohner, second Mr. Nerney, to accept the minutes of the February 7, 2013 regular meeting as written; unanimously approved.

**3. OPPORTUNITY FOR PUBLIC COMMENT:**

Kenneth Crooke of 55 Church Street addressed the Board to ask for an update on the status of the orders to connect, benefit assessments, and the specifications for lateral connections. Mr. Krzys explained that Mr. LeClaire had suggested using specifications similar to that used in the Town of Simsbury. Jason Hofmann of The Water Planet and Mr. LeClaire were to review and comment on the appropriateness of these specifications for New Hartford; that had not happened to date but would shortly. Mr. LeClaire stated that he had spoken with Mr. Crooke's contractor regarding Mr. Crooke's concerns. Mr. Krzys then gave Mr. Crooke a copy of the Simsbury specifications, which he said were likely to be very similar to that adopted by this Board. Mr. LeClaire offered his assistance to Mr. Crooke in the interim until the specifications were officially adopted.

**4. UPDATE AND STATUS OF USDA CHANGE ORDER; REQUEST TO USDA FOR DEFERRAL OF PRINCIPAL PAYMENTS FOR YEARS 3 AND 4 OF PLANT UPGRADE LOAN; DOMESTIC SEPTAGE RECEIVING PROCEDURE; SALE OF SYSTEM.**

First Selectman Dan Jerram addressed the Board regarding the status of the change order request and the deferral request. He explained that he had spoken with Mike Rendulic from USDA on March 6<sup>th</sup>, and at that time no decision had yet been made. Mr. Jerram stated that he had stressed the need to have an answer to these questions in light of Fiscal Year 2013-2014 budget planning, and he said he would contact Mr. Rendulic again the next day. Mr. Krzys stated that he too had contacted Mr. Rendulic the day previous and left a message on his voice mail reiterating the Town's need for answers to these outstanding questions.

Mr. Jerram then explained that parties potentially interested in purchasing the Town's sewer and water system were going to be coming to inspect the infrastructure the next day. He stressed that this was a very preliminary stage and did not necessarily mean the system would be sold.

**5. CONTRACT FOR DOMESTIC SEWAGE.**

Mr. Jerram informed the Board that he had reached a tentative agreement with Russ's Septic Service for a 3-year deal whereby Russ's would pay \$105,000 per year to dump an average of 10,000 gallons per day of domestic sewage at the wastewater treatment plant. He noted that this would increase the Board's revenue 17% and would help cover debt service payments and operational expenses. Mr. Jerram also noted that this would be easier to manage than invoicing and billing multiple companies. He said that the deal had been reviewed and approved by the Town's legal counsel with the addition of a clause stating that only domestic sewage as defined by the Department of Energy and Environmental

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Protection could be dumped at the treatment plant. The contract also had a renegotiation clause whereby either party could terminate the agreement after four months. Russ's would make monthly payments of \$15,000 between May and November. He then gave a copy of the proposed agreement to Board members for their review, noting that Mr. Krzys and Jason Hofmann from The Water Planet had been involved throughout the negotiations. Mr. Jerram explained that this agreement would add \$105,000 to the Board's current revenue of approximately \$600,000. He said that Russ's Septic Service had been in business for three generations, was based here in New Hartford, and was a very reputable company. Mr. Jerram noted that the Town was also provided with a copy of Russ's insurance policy.

Mr. LeClaire asked whether this was an exclusive agreement or if the Town was able to contract with other haulers. Mr. Jerram stated that he had made it clear to Russ Neher that the Town was looking to have agreements with other haulers over the long term; this was the reason the renegotiation clause was included. However, he stated that the Town agreed not to charge any other hauler less than they charged Russ's Septic Service. He explained that the agreed rate equaled out to approximately \$75 per thousand gallons in the peak months, but also allowed Russ's the ability to dump septage in the winter. Mr. Krohner questioned whether the treatment plant would keep record of the number of trucks coming in and how much septage was dumped. Mr. Jerram stated that they had not set up a specific arrangement; however, Mr. Hofmann was working on a way to keep track of the total amount received. He explained that Russ's had the capability to dump 3 truckloads per day. Mr. Krohner then asked if the Town would set up a more official record-keeping system if they contracted with additional haulers. Mr. Jerram responded affirmatively, noting that it was prudent to ensure the treatment plant could safely stay in compliance with its permit with this additional septage before arranging any other contracts; however, once the system was up and running satisfactorily, it was conceivable that they would set up a similar arrangement with another hauler perhaps by the end of the summer.

Mr. Jerram said that the arrangement was based on an average of 200,000 gallons per month with the understanding that October and November were peak periods. He explained that perhaps Russ's would dump less in slower periods and more in the fall, and thereby average out at 200,000 gallons per month. Mr. Michaud asked Mr. Krzys his opinion about this proposal. Mr. Krzys noted that this would eliminate several potential difficulties with tracking, billing, and invoicing. He said that Mr. Hofmann, because he knew Russ's Septic Service and their good reputation, was willing to consider allowing him to dump septage in the originally constructed receiving location without having to pump material to the head of the plant. Mr. Krzys noted that it would take a little time to get everything stabilized; however, Mr. Hofmann had operated the plant within permit compliance for a while and Russ's was a reputable company. He expressed his support for this agreement. Mr. Michaud then also expressed his support for this agreement and thanked Mr. Jerram for arranging it. Mr. LeClaire also concurred, noting that summer was the ideal time to undertake this.

**MOTION** Mr. Krohner, second Mr. Nerney, to approve the Domestic Sewage Proposal Agreement with Russ's Septic Service as presented to the Water Pollution Control Authority by First Selectman Dan Jerram; unanimously approved.

Mr. Krzys then signed the original copy of the agreement, which Mr. Jerram said that he would copy and forward to Russ's Septic Service.

### 6. OPERATOR REPORT – THE WATER PLANET:

Mr. Krzys noted that Jason Hofmann could not be present at this meeting as it was a reschedule of the regular meeting planned for March 7<sup>th</sup>. He reviewed with the Board Mr. Hofmann's report dated March 13, 2013. Mr. Hofmann stated that the plant was in compliance and average February flow was nearly 60,000 gallons. He also stated that 19,500 gallons of sludge had been removed for disposal in February. Mr. Krzys noted that 16 hours of overtime were required on February 10<sup>th</sup> due to the snow storm, and there were also \$267.97 in expenses.

**7. OPERATOR REPORT – UNITED WATER:**

Mr. Krzys noted that Alan Goettel would no longer be with United Water effective April 1<sup>st</sup>. He informed the Board that he had contacted United Water's area manager, Jason O'Brien, to ask him to come and meet with the Board to discuss their contractual relationship in light of the fact that the current contract expired on December 6, 2013. He also expressed a desire to meet whoever would be the new operators hired to replace Mr. Goettel. Mr. Krzys noted that United Water would be reading meters within the next two weeks and then issuing quarterly bills.

**8. STATUS OF MAIN STREET SEWER PROJECT – UPDATE:**

Denton Butler and Roy Litchfield of the Building Oversight Committee (BOC) addressed the Board to provide an update on the status of repairs to the sewer line along Main Street. Mr. Butler reminded the Board that the Town had applied for and received a grant for repairs to both Brook Street and Main Street sewer lines. He said that the Brook Street work was immediately completed, and the cost was nearly \$60,000 less than projected. He explained that the Town had then requested permission to add that \$60,000 in savings to the \$150,000 available for the Main Street repair, and had gotten approval to do so. The BOC then obtained a survey of the Main Street line. At this point, the Town was informed by the State's new Attorney General that they were placing all grants on hold; after 4 months, the Town received a new approval for this work. The BOC then did dye testing and proceed to submit proposals to the Department of Transportation, as the line was located under Route 44 and areas of potential line re-routing were within their jurisdiction. After waiting 3 months, the BOC heard back from the DOT that they did not wish to approve the BOC's alternative re-routing proposals. Mr. Butler said that, by this point the STEAP grant was nearly due to expire so they applied for and received an extension to August 2013. He noted that the cost of the entire Main Street repair far exceeded the money available, so they issued a request for bids based on baseline work with possible additions. The Town received one response from Hemlock Construction, but the Town waited four months to hear back from the State as the State lost the bid approval document. The issue was finally resolved, and the Board of Selectmen issued their approval at their meeting the previous night for an amount not to exceed \$173,660. Mr. Butler explained that the bid was for \$155,400; however, the additional funds would be used for engineering expenses, surveying, and testing. If there were any additional funds left over, they would be used for the possible additional work.

Mr. Butler explained that the baseline work included work from manhole 25, digging a trench across Route 44 to manhole 29 on the Gagliardi property. They would excavate from manhole 27 to 28 and completely replace the line in this section as it had caved in. The line would then be moved from under the street to under the sidewalk area, and the sidewalk would be replaced. The project also included two smaller repairs along Prospect Street.

Mr. Krzys requested the BOC let the Board know if there were any properties along the area of proposed work that had been included in the list of orders to connect. Mr. Butler said that there were two: the property at 551 Main Street and the property where the Post Office was located.

**9. ORDERS TO CONNECT; STATUS UPDATE.**

Mr. Krzys informed the Board that he had updated the letter to abutting property owners to advise them of the process by which they could request a deferral. He said that it would be mailed out by the upcoming Monday. Mr. Krzys said that Murtha Cullina would be sending out the letter and information regarding the deferral request process. The deadline for requests would be prior to the May 2<sup>nd</sup> WPCA meeting. Hearings would be conducted at that meeting, and orders to connect for all properties not receiving a deferral would go out shortly thereafter. Those being ordered to connect would have 90 days to do so, which meant that they would be required to connect by early August.

A member of the audience, Jerry Eckland, questioned how residents could be ordered to connect when the specifications had not yet been finalized. Mr. Krzys noted that the required connection date would not be until August, and the Board would be finalizing the specifications shortly.

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Mary Ann Gunning, Church Street, next addressed the Board to question what would occur if a property owner chose not to connect despite the order to do so. Mr. Krzys explained that the Board would have the authority to enforce the order to connect, and could obtain a court order to enter a property to perform the work. Ms. Gunning then questioned what would happen to a property owner whose connection required a grinder pump in the event of a prolonged power outage. Mr. LeClaire explained that grinder pumps typically have capacity for 2 days' worth of sewage; if the property owner was careful with their water usage, they could potentially go up to 5 days before there was an issue. He noted that usage varied by the amount of people in the household. Ms. Gunning then asked about obstructions in the sewer lines, noting that the sewer line along the railroad bed had likely not been inspected or maintained in years. Mr. LeClaire stated that any backup along the line would come out of the manhole, not into an individual's lateral. He stated that he was planning to take a walk along the sewer line that followed the old railroad bed.

Pia Ciccone, resident, then addressed the Board to ask what safeguards existed to ensure septage did not back up into a resident's house. Mr. LeClaire explained that sewer lines had backflow prevention equipment. He said that once septage enters the sewer line, it would not be able to go back to the house; the only potential issue in the event of a power outage would be the septage in the grinder pump and from the house during the period of the outage.

Mr. Eckland again addressed the Board to inquire if there were any plans to fully inspect the line prior to the mandatory connections. Mr. LeClaire stated that such an inspection was not likely before the orders to connect were issued. Mr. Michaud noted that the Town had done some work along this line to remove trees. Mr. Eckland and other residents in the audience questioned the impact to this line of adding so many additional sewer users. Denton Butler of the Building Oversight Committee stated that the sewer lines had been built as if everyone along the line were connected; they had to capacity to handle the proposed additional connections. Mr. LeClaire concurred, noting that the line was likely now running half full at peak flow. Mr. Litchfield from the BOC also concurred, stating that prior to the repair along Brook Street this line carried approximately 200,000 gallons per day, now it was down to 60,000. He said that while the line could use some work, it could clearly handle up to 200,000 gallons per day.

### **10. BUDGET INFORMATION.**

Mr. Krzys stated that the Board's account balance was approximately \$110,000 as of March 4, 2013. He noted that the next billing cycle was approaching and meters would be read within the next 10 days. Mr. Krzys reviewed the upcoming debt service repayments for which the Board was responsible.

### **11. BENEFIT ASSESSMENT STATUS REVIEW; STEAP APPLICATION; DEEP SET-ASIDE FOR COTTAGE STREET.**

Mr. Krzys reminded the Board that they had not yet scheduled a public hearing regarding the benefit assessment program. Now that the Board had a septage receiving agreement in place, they might wish to wait on finalizing this issue. He also said that the STEAP grant application had still not been acted on by the State; it was estimated that decisions would be made by late spring. Mr. Krzys noted that the \$1.2 million in funds from the DEEP for the Cottage Street extension were available until August 2013. He explained that the Board would need to make some decisions regarding these issues within the next month or so.

### **12. FIRE HYDRANTS – KEN KROHNER:**

Mr. Krohner explained that nearly all of the fire hydrants in Town had been painted; however, they had not been flagged. He said that during the winter, when they went to dig them out from under the snow, they could not find them all. Mr. Krohner requested authorization from the Board to purchase flags for all fire hydrants and finish any outstanding painting. He stated that there was a total of 66 fire hydrants, of which approximately 30 needed flagging and 10 needed to be painted. Mr. Butler suggested that Mr. Krohner check with the fire department regarding color code designations for different pressure grades and dead hydrants. Mr. Krzys said that Fire Chief Mark Worsman would likely have a list.

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**MOTION** Mr. Nerney, second Mr. Rosengren to authorize Ken Krohner to contract for painting and flagging of Town fire hydrants at a maximum expenditure of \$1000; unanimously approved.

**13. ANY OTHER BUSINESS PROPER TO COME BEFORE THE BOARD:**

**A. Roy Litchfield – Promise to Nonusers for Septage Receiving.**

Mr. Litchfield questioned when the Board planned to act on the Town's promise to nonusers regarding a rebate for septage hauled to the Town's wastewater treatment plant. Mr. Krzys explained that the Board had already agreed to defer action on this issue. He explained that that offer had been made at the time that the smaller, less expensive treatment plant had been planned. Mr. LeClaire stated that the Board had agreed that they were not in a financial position to pay for the rebate at the present time, and the Town was unable to assist with tax rebates; therefore, they had agreed to defer this issue indefinitely.

**14. ADJOURNMENT:**

**MOTION** Mr. LeClaire, second Mr. Krohner, to adjourn at 8:20PM; unanimously approved.

**Respectfully submitted,**

**Stacey M. Sefcik  
Commission Clerk**