

**New Hartford Water Pollution Control Authority
TOWN OF NEW HARTFORD, CONNECTICUT
SPECIAL MEETING MINUTES
Wednesday, October 16, 2019 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Chairman Denton Butler, David Douyard, Mary Beth Greenwood, Michael LeClaire, Wes Marsh, Polly Pobuda, Joe Toro, and First Selectman Dan Jerram.

ABSENT: None.

Mr. Butler called the meeting to order at 7:03PM.

1. AET UPDATE - DISCUSSION/ACTION:

Professional Engineer Mike Crawford of Aquarion Water Company joined the Board for an update regarding the Town's Asset Evaluation Team's work with the wastewater plant and clean water assets.

MOTION: Mr. Toro, Mr. Douyard second, to endorse the sale of New Hartford's drinking water and wastewater assets to Aquarion Water Company, in the amount of \$8M. Further, the WPCA recommends that the Board of Selectmen adopt the guidelines developed by the AET to reinvest all sale proceeds not utilized to retire sewer and water debt for a specific Plan of implementation to include: (1) the expansion of sewers in Pine Meadow to protect New Hartford's drinking water aquifer; (2) designation of funds for engineering design; (3) construction; (4) rate subsidization; and (5) supporting sewer connections. All of the above actions are subject to approval at referendum, Grant forgiveness by the USDA Rural Development and regulatory approvals; Motion passed with Mr. Butler, Mr. Douyard, Mr. LeClaire, Mr. Marsh, Ms. Pobuda, and Mr. Toro voting aye while Ms. Greenwood opposed.

Discussion ensued. Ms. Greenwood noted that she recognized the need to sell but shared her reservations regarding not having all of the specific details of the transaction. Mr. Jerram assured the Board that the WPCA will be involved the actual scope of the agreement regarding the benefit assessments, returning the proceeds to the system, as well as connection assistance and/or forgiveness. He indicated that the WPCA will continue in a role as ombudsmen and will continue to serve a vital role from a regulatory perspective in terms of orderly connections to the sewer system.

Mr. Crawford reviewed the rates that Aquarion Water Company (AWC) will impose and how those are regulated and reviewed by PURA.

Ms. Greenwood questioned the potential options/expenditures the Town would encounter if the sale of assets was not completed. Mr. Butler noted that the three utilities that had submitted purchase proposals had all provided outlines for current and future capital expenditures for maintenance and expansion of the systems.

Ms. Greenwood explained that she supported the motion conceptually but reiterated her concerns with the lack of specifics. Mr. Butler noted that specific details for the sale continue to be subject to many variables.

Mr. Crawford reported that AWC and the Town will undertake the filing of a joint application to PURA for approval of the sale.

Ms. Pobuda shared her concerns with identifying the physical assets being transferred and questioned the ownership of water rights such as wells. Mr. Crawford noted the Diversion Permit from the State of Connecticut Department of Energy and Environmental Protection would be transferred not the water rights per se.

2. CUSTOMER ABATEMENT PRACTICE/POLICY:

The WPCA reviewed a proposed written practice regarding the abatement of usage charges in extraordinary situations for customers.

Mr. Butler relayed a situation at 51 Holcomb Hill Road wherein the homeowner had been away, and his garden hose failed in the early part of his absence. No action was taken on this request for relief and it was decided to table the matter until more information could be gathered.

MOTION: Ms. Pobuda, Mr. Toro second, in finding that the New Hartford WPCA supports responsible water practices to prevent drinking water loss through miss-use or abuse of customer owned and maintained water pipes, valves and appliances and finding that such losses may occur as a result of running toilets that do not turn-off, hoses left attached to water sources that have not been shut-off, freezing due to improperly maintained temperatures, avoidance of maintenance to water heaters and water treatment systems or through improper digging/construction practices, or any other means not referenced herein.

THEREFORE,

- (1) There shall be no abatement of the water meter service charge, in whole or in part, by any reason of miss-use or abuse unless the service was previously discontinued by customer request;
- (2) No abatement shall be made for leaks or for water wasted by improperly connected or damaged service pipes, heaters or fixtures belonging to the Customer;
- (3) If the New Hartford WPCA or its authorized agent should make the discovery of a customer leak, the customer shall be subject to the cost of a service charge call in an amount not to exceed that charged for turning-on or turning-off service;
- (4) Whether the customer becomes aware of a hidden leak via the WPCA or its Agent or receipt of a bill based on an actual reading, the customer may request a an adjustment.

In the case of such an undetectable leak, a one-time adjustment may be made under the following conditions:

- A. To qualify for a leak adjustment the water billed must be three (3) times the average water consumption for the similar quarterly billing periods, as determined by the WPCA;
- B. The leak adjustment will be calculated to adjust the customer's bill by fifty percent (50%) of the excess over the average level of consumption for the same billing periods, but only if the Customer promptly and properly repairs such leak when detected and provides proof of the fix to the WPCA; and
- C. The WPCA may also agree to flexible payment arrangements for the remaining 50% of the excess over the average level of normal consumption under terms defined by the WPCA;

unanimously approved.

3. FOG REGULATION UPDATE:

Mr. Butler reported that guidance was being sought from CDM Smith regarding the FOG regulations.

MOTION: Ms. Pobuda, Mr. LeClaire second, to adjourn at 8:35PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**