

**New Hartford Water Pollution Control Authority
TOWN OF NEW HARTFORD, CONNECTICUT
SPECIAL MEETING MINUTES
Thursday, February 5, 2015 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Chairman Denton Butler, Joe Toro, Mary Beth Greenwood, Robert Fulton, Michael LeClaire (7:20PM), First Selectman Dan Jerram (7:42PM).

ALSO PRESENT: Roy Litchfield, Line Extension Analysis Subcommittee member

ABSENT: Bill Michaud, Ken Krohner.

Chairman Denton Butler called the meeting to order at 7:00PM. All regular members present were seated for the meeting. The proceedings were recorded digitally and copies are available at Town Hall.

1. Review and Approval of Minutes

MOTION: Mr. Joe Toro, Mr. Rob Fulton second, **to approve the January 22, 2015 Minutes; unanimously approved.**

MOTION: Ms. Mary Beth Greenwood, Mr. Toro second, **to approve the January 8, 2015 Minutes; unanimously approved.**

MOTION: Ms. Greenwood, Mr. Toro second, **to approve the December 4, 2014 Minutes with the following corrections:**

- **Page 4, in end of second paragraph, it should read, “Mr. Butler agreed to draft a response letter to DPH. Mr. Jerram indicated he would prepare the best practice management guide.”**
- **Page 6, Item 5, seventh line, should read, “...building oversight committee that at the time consisted of Roy Litchfield, Ken Krohner, Denton Butler, and Michael Dezzani attended a Board of Selectman’s meeting.”**
- **Page 7, sixth line, should read, “He noted that the assumption of town ownership based on providing our own operators and the necessary first year investments of equipment were going to raise costs by over \$300,000.”**
- **Page 14, under Item e, should read that the meeting with the town attorney on back billing and lien process occurred on November 24, 2014; unanimously approved.**

2. Opportunity for Public Comment

No business was discussed.

3. Monthly Operations Reports: The Water Planet – Sewer, Torrington Water – Water, Monthly Financial Flash Report

Mr. Butler reported that he has sent notices to Mr. Jason Hoffman, Manager of Operations at The Water Planet Company, and Mr. Steve Cerruto, Vice President of Operations at the Torrington Water Company, that they no longer need to appear at the meetings of the WPCA, unless otherwise requested. They have been directed to submit their reports by close of business on Tuesday to the New Hartford Town Clerk, where they will be available for review by the public, according to Mr. Butler. Board members reviewed a hard copy of January’s reports. Ms. Greenwood inquired about what the effect was when the Water Planet was without phone service for four (4) days. Mr. Butler offered speculation because he noted that he was unsure whether it meant that means that just the voice line was unavailable or whether this resulted in no data line either. Further discussion followed as to how a lack of data lines would affect the alarm panels. Mr. Butler indicated to the board that he was uncertain whether it was just voice, or both voice and data that were out. Additionally, Ms. Greenwood inquired about the result of the volume test that Mr. Hoffman was going to undertake. Mr. Butler reported that no testing has occurred.

Mr. Butler confirmed that board members had received and had the opportunity to review the Monthly Flash Report. He noted that they are still working through getting the Flash Report to share everything that it was designed to share. Mr. Butler noted that for the time being the account register will be added as an attachment and used for the invoice detail. He noted that an account balance had begun at \$55,000, invoices paid of \$7,600, and received \$60,703 resulting in an ending balance of \$39,500±. Under encumbered fund detail, Mr. Butler noted an outstanding balance of invoices received with authorized approval of \$3,337. He further reported that the quarterly payment of \$3,250 (modified town loan payment) was paid on January 29, 2015 to the Town. Under Modified Debt Service, Mr. Butler noted that he thinks it is the balance due for this year against the special payment plan. He noted that the contracted services for the current month, or the routine recurring charges, for Torrington Water Company is \$7,083.33 per month. Additionally, he noted that the invoices containing the non-routine charges are typically reviewed by the chairman and that he has done so. He noted that he and Mr. Toro have a meeting next week with the Torrington Water Company to address some questions Mr. Butler had regarding these. Mr. Butler noted that the standard monthly payment to The Water Planet is \$14,796.25 and that for the month of January, there was \$3,470.00 in non-routine charges. The summary of the current billing to date was contained in the last page of the Flash Report, Mr. Butler pointed out.

Ms. Greenwood made inquiry about the debt service payment to the town and whether there was a payment due in January, and if so, whether it has been paid. Mr. Butler did not think it was paid; he said he thought it was reserved.

Mr. Butler noted for the board, prior to his election as chairman of the WPCA and not one of his own initiatives, the First Selectman has respectfully declined to sign the checks to the MDC. Mr. Butler noted that Mr. Jerram approached MDC about the issue of their availability to provide a service which had the equipment missing. It is being reviewed at the level of the CEO of the MDC, Scott Jellison and Mr. Jerram, according to Mr. Butler. As of yesterday, there was no report but Mr. Butler explained that he had directed the town's assistant bookkeeper, Ms. Lila Tuxbury, to not make the assumption that this will be forgiven so she should show it as a reserve.

Mr. Toro made inquiry about the column for the 91 days and beyond in accounts receivable, where it said Collections/Lien, with a figure of \$33,709. He questioned whether the WPCA has liens against that. Mr. Butler responded no, that there are no liens in effect against outstanding balances that go beyond 91 days because of the outstanding request to legal counsel. He explained that the WPCA is awaiting legal opinion as to what the legal status and proceeding should be.

4. Correspondence

Only one correspondence was received and was received on February 5, 2015, according to Mr. Butler. He noted that he has elected to not treat it as WPCA business at this meeting. Instead, Mr. Butler reported that he has instructed the Administrative Assistant to the First Selectman to respond to the party by telling them to please read the rules and regulations of the WPCA.

5. Report of Sub-Committees

a. Line Extension & Repairs – Update (Butler/Toro)

Mr. Butler reported that the subcommittee has prepared what he termed as a "road show update" which in effect condensed their analysis handbook into seven pages. He explained that this is the product the committee will be taking as they review with groups and attempt to gain feedback on what it is that the subcommittee is examining. Mr. Butler read for the board the objectives of this subcommittee which in effect are: to build awareness for the potential of sewer system collection extensions and repairs, to gain feedback from users and non-users alike, and build and improve confidence in those charged with responsibility for water and sewer services and their ability to develop a workable plan for the future. Mr. Butler also identified

that what the presentation is NOT about is determining who or how we pay for expansions or repairs and it is NOT about saying what the rates will be because this is an unknown without further study.

Mr. Butler reported on the progress of the QBS (Quality Base Selection) process. He recommended that for the immediate future the WPCA should meet every two weeks. For the February 19, 2015 meeting, Mr. Butler recommended having a workshop where all can learn what the QBS is all about. Additionally, he noted that he thinks all WPCA members should be part of the QBS process. Mr. Roy Litchfield, Line Extension Analysis Subcommittee member, offered to take back all the copies of the report issued by the subcommittee and update them with the changes. This will serve to make sure that all members have the same updated information, according to Mr. Butler.

Mr. Butler reported that the clearing of the 1150 feet of the right of way is not likely to occur until the spring.

b. Orders To Connect – Abutters & Non-Compliant (Greenwood/Toro)

Ms. Greenwood noted that there is no response from the meeting with the town attorney that occurred on November 24, 2014 and there is no date of anticipated response. Discussion followed about available options to obtain a legal opinion on the questions that need answering.

As Mr. Jerram arrived at the meeting, Mr. Butler explained to him that the board had requested that he, as chairman, send a correspondence to the town attorney, Chip Roraback, detailing their frustration at not having received the written legal opinion from him to date. Mr. Jerram confirmed that he would write a letter to the attorney tomorrow and copy Mr. Butler on it.

c. FOG Program (LeClaire/Greenwood)

Ms. Greenwood reported that the subcommittee has a first draft ready. She noted that a regulation would be needed to put this into effect.

Mr. Butler explained, that with regards to all the subcommittees, he has designated at a minimum two members for each so that if one is unable to make a meeting, the other can update the full WPCA. He would also like to see each subcommittee bring to each meeting a checklist of actions needing to be undertaken so that the entire WPCA understands what is necessary to occur to help complete the different goals of each subcommittee.

d. Fire Hydrant Assessment (Krohner/Butler)

Mr. Butler noted that he is planning to ask Mr. Ken Krohner handle this subcommittee.

e. Sewer Service Map (Michaud/Butler)

Mr. Butler noted that he is planning to ask Mr. Bill Michaud to continue his work with this area. Mr. LeClaire also agreed to serve on this subcommittee.

f. Revolving Loan fund (Fulton/Michaud)

Mr. Butler noted that the checklist becomes very important here as he could foresee a situation where everything else moves ahead and this is why he believes that the revolving loan fund needs to continue to be a priority and continue to review what makes sense.

g. Back Billing & Lien Process (Fulton/Greenwood)

Mr. Butler noted that he had worked on this but was hoping that Mr. Fulton could also work on this.

h. Updated Rules, Regulations & Procedures – (Butler, Toro, Litchfield)

Mr. Butler explained that this subcommittee would like to submit a very comprehensive package that is going to allow them to process potential hookups with an application procedure. Mr. Butler noted that the committee is

fully utilizing the internet's availability of other town's rules, regulations and procedures as examples of what may or may not work in New Hartford.

6. A Regulation Regulating – Discussion

Mr. Butler referenced the governing document that exists currently is obsolete and out of date and fails to even use the terms that are used today. He noted that much of the work that would need to be undertaken to bring the regulation current is being undertaken by updating the rules, regulations and procedures work by Mr. Toro, Mr. Litchfield, and himself.

In response to a question posed by Ms. Greenwood as to how this affects the FOG program, Mr. Butler requested that she identify in her checklist what the Rules, Regulations, & Procedures Subcommittee needs to have in place in order to implement that.

7. Ongoing business

Meeting Schedule

Mr. Butler is seeking to meet every two weeks. WPCA members agreed. Mr. Butler noted the next meeting will be February 19, 2015 at 7PM.

Business Practices

Mr. Butler asked if board members were familiar with the practice of pass through budget allocation. No WPCA members recalled the approval of this process and were unsure what it was. Mr. Butler explained that it had been defined as: Water Planet suggested that advance payments be made of expenses over and above the contract committed amount, of \$2,000 per month, and that there would be a process by which it would be adjusted quarterly to make the parties whole. In other words, if the WPCA had overpaid, the Water Planet would give back a credit and if the WPCA had underpaid, then they would have to issue an additional check.

Mr. Butler opined that he does not like the practice and makes for complicated accounting but made it clear that he is not suggesting any improprieties on the part of The Water Planet.

With the consensus of the full WPCA, Mr. Butler noted that he would call the Water Planet, comment to them that this board after learning of the practice has a concern, and ask him to further explain what transpired and how it came about.

Mr. Butler reported that he and Mr. Toro have an upcoming meeting with The Torrington Water Company. One item to be discussed, according to Mr. Butler, is the statement on bills that makes an allocation for debt service for water and an allocation for debt service for sewer. He noted that these allocations have not been being made, they have not been accounted for and there is no record that supports that the monies that are being collected for this are going for the intended purpose. Mr. Butler explains that a second account for this purpose needs to be created.

8. Any Other Business

Ms. Maria Moore of 104 Town Hill Road inquired as to whether there exists a defined threshold, dollar wise, at a point in which competitive bids are sought to hire subcontractors for various work needing to be hired out. Mr. Butler agreed that on an ongoing basis there ought to be a practice along these lines established.

MOTION: Mr. LeClaire, Mr. Toro second, **to adjourn at 8:23PM; unanimously approved.**

Respectfully submitted,

Pam Colombie
Recording Clerk