

**New Hartford Water Pollution Control Authority  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Thursday, February 7, 2019 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, Connecticut**

**PRESENT:** Chairman Denton Butler, Mary Beth Greenwood, Michael LeClaire, Wes Marsh, Polly Pobuda, and Joe Toro.

**ABSENT:** David Douyard.

Chairman Denton Butler called the meeting to order at 7:00PM.

**1. APPLICATION REVIEW – DUNKIN DONUTS:**

Joe Naples of Dunkin Donuts, accompanied by Attorney Tim Furey, Professional Engineer Ken Hrica and site contractor Mark Cannavo, appeared before this board regarding his proposal for a new restaurant at 507 Main Street. Mr. Butler explained that Mr. Naples has submitted an application to connect to the sewer line for his new restaurant and wanted to review some of the field conversations that have occurred. The board reviewed drawings prepared by Hrica Associates, LLC entitled, "Site Plan Prepared for Franklin Park Realty, LLC 507 Main Street New Hartford, Connecticut", dated June 24, 2016, revised July 26, 2016, September 2, 2016 and January 21, 2019.

Attorney Furey explained that many years ago the previous owner of 495 Main Street had installed a connector to the Town's main line as depicted in gray on the drawings. He noted that the pipe in that area is existing and was connected to the sewer main by Mr. Cannavo. Attorney Furey indicated that the proposal includes connecting the property across Town Hill Road to the existing pipe. He noted that his client is agreeable to retaining Berkshire Engineering to verify the integrity of the existing pipe.

Mr. Hrica explained that his design includes a connection from the proposed Dunkin Donuts building including an external 1000-gallon grease trap on the outside of the building. He noted that only kitchen waste will flow into that. A tee has been designed to come out of that for the kitchen waste that will connect to a six (6") inch line for all the other sanitary waste coming out of the building, according to Mr. Hrica. He explained that will flow from the building to underneath Route 219 and connect to where the sewer lateral has been installed already. Mr. Hrica reported that Mr. Cannavo has indicated that a six (6") inch PVC sewer lateral has been installed. Based off the provided As-Built drawings reflecting the lateral at approximately eight (8') feet in the ground, Mr. Hrica has designed at a 6% slope running from the grease trap to the new connection which he characterized as a decent slope for a sewer line. Mr. Hrica noted that his calculations reflect the depth at five (5') feet on the north side of Route 219 which is plenty of cover with a 6% slope, without having to include a bend or change in grade. He also noted that the proposal includes running a water main in that same trench.

Mr. Cannavo confirmed that he had installed the connection to the main thirty-three years ago. Mr. Butler noted that a copy of the As Built has been received. Mr. Cannavo explained that the work, running the sewer to the grease trap, was completed at the request of the former business at this location, Soaps and Suds. He noted that the former owner of the gas station, Tim Griffin, had requested the main to be tapped and a lateral installed at his location. Mr. Cannavo

indicated that Mr. Griffin had done all the permitting. Mr. Toro questioned whether a line is currently going across Route 219. Mr. Cannavo indicated that it is only to the edge of the road and was there should Mr. Griffin's septic system have failed. Mr. Cannavo recalled the approval for the As-Built was received from the inspector at the time, Charlie Blow.

Attorney Furey reminded this Board that an easement has already been negotiated with the Town, but it is pending acceptance through a Town Meeting. He noted that this has been reviewed and approved by the Town's legal counsel.

Mr. Butler indicated that this board would like to have their own engineers, CDM Smith, review the design and the results of the physical inspection. Mr. Butler also cautioned that a recent repair for a water main break revealed the location of that line in the downtown area to be fifteen (15') feet down. Mr. Cannavo did not recall the line to be that deep back when he had completed the work for Soaps and Suds.

Mr. Butler reminded the applicant that laterals are not shared in town and if there is not a separate lateral, one will need to be installed.

Mr. Marsh questioned whether a fifteen (15') foot wide easement is adequate. Mr. Cannavo opined that it was. Attorney Furey reminded the board that the pipe is existing.

Mr. Toro questioned where the pipe is installed relative to the very large tree that is on the site. Mr. Cannavo noted that root intrusion might seek a live sewer main as it seeks moisture but that the physical inspection will reveal whether that is a problem. He noted that what was installed was a retained gasketed pipe which is unlike the old clay pipes in terms of root intrusion.

Mr. Toro questioned who was covering the costs for the physical inspection of the pipe. Mr. Naples indicated that his company was.

Ms. Pobuda questioned whether the State has approved the proposal. Attorney Furey noted that an encroachment permit will be required from the Department of Transportation. He noted that the site plan was already shared with them and that they are aware that Route 219 will need to be crossed for this work.

Mr. LeClaire questioned again the width of the easement. Attorney Furey indicated that what he has seen in other communities has been a width of twenty feet but has never seen a requirement for thirty feet.

Mr. Butler reminded the applicant that this Board had shared their preference for access to the utility be gained across Route 44, so that it could be dovetailed with a plan that makes sense for the future of the users in New Hartford. He questioned the difference with crossing Route 44 versus crossing Route 219. Mr. Cannavo indicated that to cross Route 44 would require a twelve-foot cut in a twelve-foot driveway. He explained that there was no room to work at that location. He noted that the excavation would require trucking off site, all of the excavated materials just to install the line. Attorney Furey explained that the cost for that proposal is prohibitive. Alternatively, Attorney Furey indicated that if the physical inspection reveals what they believe is likely, there is no work to be done by accessing through the Route 219 site.

Mr. Butler questioned whether the applicant would be amenable to installing a manhole with a knockout, so that it would be available should additional businesses need that access. Mr. Cannavo questioned whether the elevations would even make that possible. Mr. Butler

indicated an easement on the corner of the site would be necessary. Attorney Furey noted that this could compromise the value of a large portion of the site. An alternative location for the manhole, within the State's right of way, was noted as a more acceptable spot, provided the State was agreeable to it.

**MOTION:** Mr. LeClaire, Ms. Pobuda second, to approve the application subject to an engineering review by CDM Smith approving the technical aspects of the plan, after the integrity of the pipe has been substantiated after cameraing it; unanimously approved.

**MOTION:** Mr. Marsh, Mr. Toro second, to modify the agenda to discuss *Other Updates & Business to Come Before the WPCA* ahead of the review of the *Minutes* to speak with Pat Casey of Bridge Street Libations and Temptations; unanimously approved.

## **2. OTHER BUSINESS TO COME BEFORE THE WPCA:**

### **A. Discussion with Pat Casey of Bridge Street Libations and Temptations.**

Pat Casey, owner of Bridge Street Libations and Temptations, appeared before the Board regarding a sewer backup that occurred at his restaurant at 2 Bridge Street on December 28, 2018. He explained that he was seeking some relief for the cleanup within the restaurant, resulting from the backup. Mr. Casey explained that after Russ' Septic had pumped out the manhole, the clog was revealed to be a dirt and stone clog. Discussing the manhole, Mr. Butler confirmed that it is comprised over time of a conglomeration of different sources including corrugated pipe, plastic pipe, and concrete pipe. Mr. Casey explained that there was minimal flow in the restaurant as they had arrived at the site and began pumping it out at once. He noted that overflow remains on the floor but explained it did not reach any of the food or liquor. Mr. Casey explained that the area has been cordoned off.

Mr. Butler questioned what basis Mr. Casey had for considering the backup a responsibility of the WPCA. Mr. Casey explained that it was the line that caused the backup as verified by the technician from Russ' as well as the technician from Aquarian. Mr. Butler questioned whether Mr. Casey had a backflow preventer on his line. Mr. Casey indicated that he did not.

Mr. Butler indicated that he has not pursued discussion with neither technician but noted that there were considerable deposits of fats, oils, and grease. It was determined that those can emanate from only three locations in that area, Mr. Casey's restaurant, Pizza Pete's and Passiflora. He questioned exactly what Mr. Casey was proposing in terms of aid from the WPCA. Mr. Casey indicated that he would like WPCA to contract with Servpro or a similar entity to provide the clean-up for the effluent from the floor of the basement. Mr. Butler questioned the last time that the grease trap for the restaurant was inspected and serviced. Mr. Casey noted that the grease trap was inspected when the restaurant opened but is cleaned on a daily basis. Mr. LeClaire questioned whether the grease trap is a small one that is located in the basement. Mr. Casey confirmed, noting that it is a metal tank interceptor.

Mr. Butler requested a chance to meet with the wastewater treatment plant operators and to also have a discussion with Russ' Septic Service.

## **3. MINUTES – JANUARY 3, 2019 REGULAR MEETING:**

No business discussed.

## **4. MONTHLY FINANCIAL REVIEW:**

The Board reviewed the monthly financial statements sent to them previously via email. Mr. Butler noted that the January portion of the register was inadvertently omitted from the

submittals. The aged payables were noted as being very current. Mr. Butler reported \$22555 in outstanding receivables. Mr. Butler pointed out the significant increase incurred from Eversource.

**5. OPERATIONS REPORTS – SEWER & WATER:**

**A. Activities Surrounding Budgeted Repairs.**

Mr. Butler reported that another SBR pump failed approximately four days after this board's last meeting. He noted that it was not repairable so a new one has been ordered.

**MOTION:** Mr. LeClaire, Mr. Toro second, to approve an emergency expenditure not to exceed \$13K for a new SBR pump; unanimously approved.

Mr. Butler advised that the board ought to review at their March regular meeting whether some payments should be made up at that time relative to debt service.

**B. Sewer and Water.**

The Board reviewed an operations report previously emailed to them from the Torrington Water Company and one from Aquarian.

The Board reviewed the *2017-2018 Budget Planning Review – Wastewater* and *2017-2018 Budget Planning Review – Clean Water*. Mr. Butler reported on which items were purchased and/or completed that were included in the Non-Routine Charges, the Demand Maintenance, the Planned Maintenance, and the Dictate Maintenance.

**6. AET PROGRESS REPORT:**

Mr. Butler reported that Congressman John Larson's office has been contacted regarding the WPCA's concerns over getting guidance from the USDA with respect to receiving a disposition on the loan repayment. He noted that a meeting was held with a liaison from Congressman Larson's office who is going to try to receive an acknowledgement on the guidance this board is seeking.

**7. OTHER UPDATES & OPERATIONS REPORTS:**

**A. FOI Hearing Concerning AET.**

Mr. Toro provided an update on the Freedom of Information Hearing relative to the complaint filed regarding the Asset Evaluation Team (AET). Mr. Toro agreed with the response provided at the hearing by First Selectman Dan Jerram who reported that the Request for Proposal was a public document as were the bid amounts and the names of the parties that had submitted them. Mr. Toro relayed that the complainants had questions regarding the specifics regarding the arrangement with Aquarian but concurred with Mr. Jerram's explanation that the AET is in a holding pattern with the USDA. Mr. Toro opined that the complainants had not established their case.

**MOTION:** Mr. Marsh, Ms. Pobuda second, to adjourn at 8:40PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Clerk**