

**New Hartford Water Pollution Control Authority
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Thursday, December 4, 2014 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Vice Chairman Ken Krohner, Denton Butler, Steve Hanright, Mary Beth Greenwood, Robert Fulton, Michael LeClaire(7:17PM), First Selectman Dan Jerram.

ABSENT: Bill Michaud.

Vice Chairman Ken Krohner 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. Meeting minutes: November 6, 2014 Minutes

Ms. Mary Beth Greenwood clarified that on page 5 of the November 6, 2014 Minutes, under *10(a) Orders to Connect*, it should have read that she distributed a list of properties that could potentially be already connected.

MOTION: Mr. Denton Butler, Mr. Steve Hanright second, **to approve the November 6, 2014 minutes as amended; unanimously approved.**

2. Opportunity for public comment

In response to a request made, Mr. Krohner agreed to allow for public comment as the meeting progresses.

3. System operations

a. Sewer operations monthly report – The Water Planet Company

Mr. Jason Hoffman, Manager of Operations of The Water Planet Company, addressed the Water Pollution Control Authority (hereinafter referred to as the WPCA). Mr. Hoffman reported a quiet month, and noted that the company met all of the permit conditions for November 2014. He reported the average daily flow has dropped off a bit, now at 30,500 gallons with a total flow for the month of 916,000 gallons. Mr. Hoffman noted that his company moved out 12,000 gallons of sludge for final disposal. He also reported that they did not take any sludge out as they were trying to hold certain amount of pounds in the system to accommodate nitrification. He further noted that they just have too much and that there is not enough water coming into the system. He commented to the WPA that they are going to do it slowly as the colder months come, as they don't want to lose nitrification. Mr. Hoffman explained that nitrify and bacteria grow very, very slowly so in turn, they have to as well.

Additionally, Mr. Hoffman reported that they we checked on the progress of 564 Main Street on November 12, 2014 and then again on November 21, 2014. He noted that they are not really sure what's going on there. He reported that the owner had called them for a blockage. They then dug up the yard, did a partial repair but are still having issues. Mr. Hoffman commented that he imagines the homeowners are taking care of this. Mr. Hoffman stated that he had spoken with Ms. Christine Hayward, Administrative Assistant to the First Selectman, advising her that the Water Company would keep an eye on it, but as of November 21, 2014, the hole is

open and the pipe is exposed. Mr. Denton Butler inquired whether the hole Mr. Hoffman referred to is located on the property owner's property. Mr. Hoffman confirmed, indicating it is about eighty (80') feet from the main.

Mr. Hoffman also reported that the Water Company provided a tour for one of the WPCA's equipment manufacturers, Nova, on December 14, 2014.

Mr. Dan Jerram inquired that at 30,500 gallons per day, would it be beneficial to the town to supplement with our own water to aid processing. Mr. Hoffman responded that the Water Planet Company can process it, but does need to remove some of the pounds of solids out of the system. He explained that normally they run around 1400-1600 in the winter and all the calculations keep telling him that he needs to be down to around 900-1000. He added that he has to get rid of it because by only increasing water usage without some supplementary food, it's not going to do anything. Mr. Butler asked if it was a reasonable supposition, given what Mr. Hoffman has seen in recorded amounts of inflow, that it's likely that the WPCA could have breaks in the line or that liquids are going out. Mr. Hoffman responded by saying that it was reasonable because with a smaller system like this, someone would see it. He further noted that maybe it will show up during the winter time when there is six inches of snow on the ground and someone, a homeowner for instance, notices a bare patch. If they then note that is where the sewer line is, then it is a good possibility that it could be going somewhere else. Mr. Hoffman further reported that the Water Planet Company had assumed it was because the system was tightening up as they were fixing a lot of things. Mr. Butler noted that nothing had been touched in about seventeen (17) months. Mr. Jerram inquired about the Main Street collapse in August. Mr. Butler noted that there was nothing Mr. Hoffman saw in August.

Ms. Daria Hart of 598 Main Street inquired whether a break in the system would still be able to be seen in the winter. Mr. Hoffman responded that if the soil is sandy, the only way it is if you "cameraed" the system, actually go from manhole to manhole and look at everything. Mr. Butler reported that he and Mr. Jerram are attempting to reestablish that meeting with Berkshire Industrial Services, LLC to make an inspection on the Jones Mountain line and determine what needs to be done to gain access to have that "cameraed". Ms. Hart inquired when the flows are down that low, whether even just pulling the manhole covers would allow one to see if certain lines have just stopped. Mr. Hoffman opined that one would not be able to readily make a determination this way because most of the manholes appear only wet and typically, do not have running water. He further explained that on the outskirts of town, in an area with only three or four houses on a piece of pipe, at a given time with those people are at work, you would not see anything.

Mr. Hoffman further commented that in every year since the Water Planet Company has started operating New Hartford's system, it has dropped dramatically year after year. However, he noted this year as being the worst. He explained that when the Water Planet Company started, New Hartford was up around 130,000 or 140,000 gallons a day. Mr. Roy Litchfield of 38 Gibson Lane remarked that once the Brook Street infiltration was remedied, the daily flow as down to 80,000 or 90,000. Mr. Hoffman commented that the system is old so the assumption it is not tight is a good one to make and that there is likely something besides conservation to attribute to the drop. Mr. Krohner opined that the only way to find out what is going on in the main line on Jones Mountain and if there was a leak there. Mr. Hoffman explained that if there is a leak there, the WPCA needs to camera the pipes. He reminded the group of what occurred along Main Street in the summer though when the group couldn't get the camera up through the pipe as in one portion, they couldn't go more than five (5) feet.

Mr. Krohner likened the idea of the sewage filtering through the soil, acting just like a septic system. Mr. Jerram inquired about the possibility of a blockage somewhere. He asked Mr. Hoffman whether the flow is a flat line or whether it is erratic. Mr. Hoffman responded that it's a straight line and pretty steady all the time. Mr. Litchfield asked whether Mr. Hoffman has a flow meter in the pump station. Mr. Hoffman indicated he did not.

Mr. Jerram then proposed the notion of the fire department running water throughout the lines to see if anything is going on and whether that would help. Mr. Hoffman responded that it would definitely flush out the line and wouldn't hurt. Ms. Hart inquired about the possibility of doing a dye test depending on which line is being reviewed. She recalled from her time spent as Chairman of the WPCA, that at times when they didn't know what was going on, they would run dyes through the system, utilizing someone standing to see if the dyes were coming in. Mr. Hoffman explained that if ten man holes away, 1500 gallons from a fire truck are distributed, one would see the water whooshing by. However, in that same scenario, according to Mr. Hoffman, if there's a leak in the ground, chances are you're not going to see it unless it's under pavement, it gets cold, starts to freeze and then lifts or cracks. It will find the easiest means to escape, according to Mr. Hoffman. Ms. Hart countered that you would at least know it wouldn't show up where you expected it. Mr. Hoffman responded that the only way you would know that is if you put in a steady 10,000 gallons and then try to watch it. Mr. Jerram inquired whether putting a hose from the furthest hydrant as a means of testing would work. Mr. Hoffman responded that the only way he could possibly tell is if he took a level depth of the wet well and then somebody phone to say 5,000 gallons have just been dropped and he would do the math backwards to see how long and how fast it takes to fill that wet well. Discussion followed as to whether this would be very accurate and how to go about getting the best results.

Mr. Butler opined that the issue would not be resolved at this meeting. He noted that the an inspection on the Jones Mountain line and determining whether the town has in its wherewithal the ability to clear it so that it can be accessed for video camera work . He concluded that if the town can't do it, the WPCA will be faced with the issue with how to do it and how it will cost to put the video down to inspect the line. He noted that the last time any work was done on the Farmington trunk line was about three years ago, and that every man hole after being visually inspected didn't look like it was in bad shape. Mr. Litchfield asked whether PVC pipe was found. Mr. Butler confirmed there was some of that clay tile pipe that was taken out of there and replaced with PVC but opined the culprit in all likelihood is the area that has never been identified, videoed or researched to determine what is happening there. Mr. Hoffman suggested that another spot that would be a likely suspect is from the manhole on Main Street over to the Route 219 pump station. He noted that the stretch that goes along the edge of the river would be the second spot he would suggest researching and reviewing.

b. Water operations monthly report – Torrington Water Company

Mr. Steven Cerruto, Vice President of Operations, of the Torrington Water Company then presented a water operations monthly report. Mr. Cerruto noted that both pump stations produced a total of 2,838,300 gallons for a daily average of 94,610 gallons per day. He noted that consumption is pretty consistent since the Torrington Water Company started so nothing has gone up or down and remains stable. During November, 2014, the Black Bridge Well produced a total of 1,498,500 gallons for an average of 49,950 per day while Pine Meadow produced a total of 1,339,800 gallons for an average of 44,600 gallons per day, according to Mr. Cerruto. He also noted that the Torrington Water Company met all the criteria for the state health department.

Mr. Cerruto reported that in October, the health department came out and did an inspection of the system. Mr. Cerutto reported that although he was at a board meeting today, before leaving, he reviewed his emails and saw a report had been sent to him, a copy of which was also sent to Mr. Jerram. Mr. Cerutto noted that while he didn't read it in depth yet and had only looked over it quickly, nothing jumps out that was new. While there were no deficiencies, there is a violation which had also been noted in the last sanitarian survey, according to Mr. Cerruto. He explained that the violation centers on securing easements and that the report included suggestions on compliance and action items. Mr. Cerruto requested that during the next week something be set up to address the violation because by January 3, 2015, the department wants to know what the town plans on doing. Mr. Jerram indicated that he is aware that they need to be sent a letter. Mr. Butler commented that when the Department of Health conducted its audit ten years ago, it referenced that New Hartford was deficient in not providing easements to property owners that sit adjacent to the town wells. Mr. Butler reminded the WPCA that they were being requested to comply by doing certain things to protect the aquifer. He clarified that from the period of the last audit to this audit, there are no easements of record for those property owners. Mr. Jerram clarified that the easements are from owners of the adjacent properties to the wells and not vice versa. The easements would allow the town to control all of the area that surrounds the aquifer, Mr. Jerram explained. Mr. Michael LeClaire noted that the health department likely realizes that the subject homeowners are not going to readily give those rights to their properties. Mr. Jerram noted that the violation itself reflect that in that it reads, "if feasible to do that." Mr. Jerram noted that it is certainly a desirable element for the town to attain control of the area to prevent future pollution to the wells but at some level the Department of Health (DPH) must recognizes that it isn't necessarily feasible.

Mr. Butler noted that the rest of the group did not have the benefit of the report. He asked whether there is an allowance for the WPCA to send what he characterized as a "good neighbor notification", detailing to the subject properties requests for observance of certain guidelines and whether that would satisfy the DPH. Mr. Cerruto opined that it would suffice because during the inspection, it was even suggested to send a best management practice guide to the owners. In it, a request should be made about what should do, to notify the town of what they plan on doing, like what type of pesticides they plan on using, fertilizers and things like that. Mr. Cerruto commented that if these letters were sent out once a year, it would likely satisfy the current violation. Mr. Butler requested a copy of the letter and volunteered to craft the best management practice guide. Mr. Butler indicated that he would provide Mr. Jerram and Chairman Bill Michaud a copy. Mr. Jerram commented that beyond the violation, the report also made a few recommendations for the Torrington Water Company to review on how they operate. He further noted for the record that the DPH was quick to applaud the Torrington Water Company for its quick transition, its operation system, its correcting major operational malfunctions and removing all overgrown vegetation from the tank sites up in the industrial park

Mr. Cerruto spoke about taking bacteria physical samples at the source and that the Torrington Water Company has been doing that since they start so are ahead of the game as next year it is a requirement. Another item that the Torrington Water Company has been doing is the collection of iron and manganese samples before and after, just to make sure their filters are working, according to Mr. Cerruto. Cleaning the backwash tank was just done which is recommended to do every two years so the Torrington Water Company is doing a lot of what the DPH recently recommended, according to Mr. Cerruto. Ms. Hart inquired why not strengthen the request to the homeowners, through something with New Hartford's Planning and Zoning Commission, as they have governing authorities through the Aquifer Protection Act. Ms. Hart further questioned whether anyone has looked into this. Mr. Cerruto commented that while it is possible to take this approach, he isn't sure that it should be done through the

Planning and Zoning Commission as the houses are already there. Ms. Hart opined that because the rules are already written, the Aquifer Protection Act, that at least down in Pine Meadow, where there is a gas station and possibly a car wash, the WPCA should read these and find out what the rules are that are already on the books. Ms. Greenwood inquired as to whether this act is at the local level or the state level. Ms. Hart responded that she did not know. Mr. Jerram commented that he could check with Mr. Steve Sadlowski, in the Land Use Office, to see if there's anything applicable.

Mr. Litchfield inquired whether Mr. Cerruto can tell how many gallons a day go into using sewers. He further explained that 80,000 gallons per day are being used. Mr. Cerruto corrected that it averages about 100,000 gallons per day. Mr. Litchfield asked if Mr. Cerruto was able to generate a report on the average use of only the sewer users. He explained that if only the sewer users are only taking in 40,000 gallons per day, it would be closer to the number that Mr. Hoffman is working with. Mr. Cerruto explained that they read the meters on a quarterly basis. Mr. Litchfield acknowledged that and noted that the number would have to be divided.

Mr. Butler explained that the water customer records are annotated by whether a customer is sewer or water and that all Mr. Cerruto would have to do is run an exception report and take the water-only people off. He further explained that if you had a meter count for the sewer ones and it came up that it was 41,000 gallons you would have your answer. Mr. Cerruto explained that in the billing, there is a sewer bill and a water bill but people are watering their lawns and the like, he indicated it would throw off the number. Mr. Butler commented that now would be an ideal time. Mr. Cerruto doubted the ability to do a ready every day. Mr. Litchfield explained that it is not being suggested to that and instead to merely take the quarterly bill and find out what the usage is in the quarter for all the sewer users and divided it by the ninety (90) days in the cycle, thus providing a rough figure. He further explained that if the wastewater plant should be receiving 50,000 or 60,000 gallons per day, based on this simple calculation, and they're only getting 30,000 gallons per day, then it is telling them, they have a leak.

Mr. Mike LeClaire explained that typically water doesn't get leaked out into the ground. He further commented that Simsbury is still down 500,000 gallons per day on a 2.2 million flow. He remarked that it is the lowest he has ever seen it in a long time. Mr. LeClaire commented that the ground is just dry that water is not getting in, and whereas typical inflow and infiltration in New England is 20%. Mr. LeClaire remarked that he guessed it to be down in the 5% range or maybe less and that it has just been so dry for the last year and a half to two years. Mr. Cerruto agreed noting that it's unusual to have a drop like that and that a sewer system usually has infiltration unless there is a broken pipe. Mr. LeClaire added that water might be lost into a stream but isn't typically lost into the ground out a pipe because there's less head pressure in the pipe than outside so the water would just keep flowing.

Mr. Cerruto requested that if the WPCA opts to do any testing like what was mentioned, such as the use of hydrants, to kindly inform the Torrington Water Company. He also reported that if hydrants are used, there are three (3") inch hydrant meters that can be used.

c. Tower Generator contract

Ms. Greenwood inquired whether this was the same price the WPCA had last year. Mr. Krohner indicated that he was not sure but that they are typically very competitive and are located right in Canton. Mr. Steve Hanright inquired whether it included both Pine Meadow and Black Bridge again. Mr. Krohner indicated that it did.

MOTION: Mr. Butler, Mr. Fulton second, **to approve the contracts for Tower Generator backup service; unanimously approved.**

4. Correspondence

Mr. Krohner noted that correspondence had been received from the New Hartford Town Hall on November 24, 2014 indicating a new owner of property at 443 Main Street is interested in accessing the status of the property connection to the sewer system. Mr. Krohner noted that The Water Planet and member Mike LeClaire were copied on that correspondence. Mr. LeClaire noted that he has never seen it but that it was not a problem to dye test them or whatever was necessary to do. Mr. Butler noted that the land owner had approached the WPCA because he could not identify or find a septic system on the premises. He's going to significantly renovate the property where the Mobil Station is and plans to change the whole configuration, according to Mr. Butler. He opined that the area needs to be dye tested as soon as possible to give him an answer. Further, the WPCA would also need to start billing him if he is connected, Mr. Butler continued. Mr. Butler noted that as the property ahead of the subject piece is connected, as well as the property on the other side of the subject piece is connected, and as he can't find a septic system on his property, logic stands to reason that he too is likely connected. Mr. LeClaire explained that the owner should be able to look at his breakers though because he would have an ejector pump because it goes up the hill. Mr. Butler explained that perhaps the owner may not know which lid to pull up to look.

Mr. Krohner reported that a correspondence had been delivered to the New Hartford Planning and Zoning Commission on November 24, 2014, explaining the status of the WPCA input for the Plan of Conservation and Development (hereinafter referred to as the POCD). Mr. Krohner reported that Mr. Michaud had attended the Planning and Zoning Commission workshop on revising the POCD on December 1, 2014 and had agreed to submit input by the end of the year.

5. Discussion of potential sale of public water system assets

Mr. Butler explained that there is considerable history regarding a potential sale of the public water system assets in New Hartford. He began explaining that in 2009, the building oversight committee met with the WPCA and said, at that time, that construction of the wastewater treatment plant was beginning, it would be good to have a parallel effort to investigate adding capacity to the collection system. He noted that it's only important in the context that when the plant came on line in May, because no action had been taken on that, the building oversight committee that at the time consisted of Roy Litchfield, Ken Krohner, Denton Butler, and Michael Bizanni (sp) attended a Board of Selectman's meeting. At that time, it was decided that a special task force should be created to evaluate the future of New Hartford's Clean and Wastewater Operations. Mr. Butler explained that the observations that were made was that it appeared that there were three things that should be looked at: 1.) maintaining the status quo of the operation, 2.) undertaking town ownership in the assumption of operational management which was different than a third party operational management of the status quo option and 3.) the possible lease or sale of the asset if it is that there was a market for it. He further explained that the Board of Selectman voted to create a task force that consisted of the WPCA (Chairman Bob Krycz and member Mr. Hanright), two members from the Building Oversight Committee (Roy Litchfield and Mr. Butler), two former first selectman (Kate Rieger and Bill Baxter) while Mr. Jerram chaired the committee as the current first selectman.

Mr. Butler explained that they held four meetings and very specifically analyzed each of these particular areas of approaching the ongoing sustenance the clean and waste water operations. The maintaining of the status quo was of some concern because the WPCA had not been profitable in seven of its previous ten years, according to Mr. Butler. The three years that it had

been profitable were a result of taking in grants, Mr. Butler explained. He noted that the thoughts of the committee were that without knowing what the future of the third party maintenance was going to be, it was entirely possible that those costs could outstrip the town's ability to pay based on the revenue stream being received unless significant adds to the system of both sewer and water, principally sewer, occurred. Analysis of town ownership was then undertaken next according to Mr. Butler. 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 a year. Taking it on as a commitment of a municipal enterprise seemed not feasible at all, according to Mr. Butler. He explained that led to a discussion about the possible sale with the understanding: do the assets have value to the outside world? And if they do, would it be prudent for the task force to consider that?

Mr. Butler reported that the task force adopted the following resolutions unanimously: The Clean and Wastewater Task Force recommends that the Board of Selectman pursue to its natural conclusion the option of a sale of clean and wastewater assets under conditions favorable to the Town of New Hartford and the sewer and water rate payers. He noted that this first resolution was written in such a way so it would be very clear what the objective would be should the town entertain that a sale be executed. Further, in another unanimous resolution, or rather in a motion, Mr. Butler reported, there was a subcommittee of the task force, three people, Mr. Jerram, Bill Baxter, and Mr. Butler, elected to create a list of prospective interested parties and to begin a process of determining what level of interest might exist.

Mr. Butler explained that without getting into the specifics of those particular companies, that subcommittee of the task force began to make calls and begin to talk to people in the following general categories: companies that are in the business of buying out public wastewater facilities, people who are in the water business and some candidates who were thought might be interested in getting in this business given their relationship in building, maintaining, and/or installing plants and collection systems.

Mr. Butler commented that it was fairly evident in the three calls made to companies that were in the business of buying out municipal wastewater activities, that they love the idea that New Hartford had a state of the art plant but the fact that it had so few customers resulted in no level of interest. The calls made to water companies at that time showed there was a potential for an appetite to look into those sales, according to Mr. Butler. At the time that the subcommittee could formulate a solid position approved by the selling authorities, it was agreed that the subcommittee would reach back out to them and said company would qualify their interest.

Mr. Butler clarified that the subcommittee wanted to understand what the implications of this were as far as regulators are concerned so they called DEP. He explained that DEP wished to stay informed of any action taken in this regard. Further, the DEP explained that it would not change anything in their regulatory environment or their relationship with the town if someone else owned the asset, according to Mr. Butler. Whoever owns the asset and whoever ran it would be responsible for compliance to DEP standards, Mr. Butler explained. Mr. Butler noted for the record that he has all the names of the contact people and the telephone numbers so that the WPCA, taskforce, and/or subcommittee could backtrack on this at anytime needed.

Mr. Butler also reported that the subcommittee had also reached out to the Office of Policy and Management (OPM), who would have no active role according to their research into the issue and anything to say about the sale. Also contacted, according to Mr. Butler, was the Connecticut Attorney General's office. The person that was spoken to there now heads up the Department of Public Utility Control (DPUC), now Public Utilities Regulatory Authority (PURA),

and said that the Attorney General's Office had no statutory construct of any control issues in a sale that the public utilities regulatory authority did. PURA was contacted and said that their involvement would be limited to the following: there are no PURA regulatory requirements to be satisfied should New Hartford pursue a total in house management and operational control of a clean or wastewater system. A purchasing company could make an application to treat New Hartford as what is known as a Distant Operation, according to Mr. Butler. He explained that it would provide potential rate relief in that any company that took on those assets would be obligated under PURA regulations to offer rates favorable under their current regulatory scheme. Mr. Butler reported that the average value of a worth of a customer is in the area of \$500 per customer. He explained that he puts a footnote after that figure by saying that sometimes that was not a cash value. He explained that it might be a lifetime scenario, where there was an assumption of debt, and where it is that there are outstanding notes. He noted that New Hartford has outstanding notes, and that the value of a customer at \$500 a piece was accorded at the new owners assuming the notes. Mr. Butler noted that PURA had indicated that they regulate only one private wastewater operation.

Finally, Mr. Butler reported that the other department that was contacted was the Department of Public Health. The finding was that there was no formal action required prior to a formal agreement being established between parties if New Hartford were to sell or lease its assets, according to Mr. Butler. He noted that when an agreement is in place, a take-over proceeding document is open with PURA that triggers health department involvement and at that time, a review of compliance issues and standing is evaluated. He noted that the USDA was not contacted with regard to any implications that sale of such assets would have in terms of the current loan agreement.

Mr. Butler wished to make clear that the task force used the best available information in procuring all of the financial analysis that were done. Mr. LeClaire was involved in terms of operators' salaries and benefits so that the group would have an understanding and arrive at what the costs would be if it was taken on, according to Mr. Butler. He noted though that at the time this research was completed they did not have some of the information that the WPCA now has available in terms of some issues associated with the status of the water and sewer operations. He noted, for example, the failure this summer on Main Street that cost approximately \$52,000 to fix. He cautioned that from the review of the alternative that was set up that it may be subject to failure of an unknown amount at some future time. Mr. Butler commented that the WPCA strongly suspects there are issues associated with all aspects of the waste water side. However he noted that even on the clean water side, the WPCA has an assessment made by Torrington Water Company for a blow out valve that needs to be replaced, in the sum of approximately \$4,000; inspection tests of Black Bridge and Pine Meadow wells at approximately \$2,000 each; an additional upcoming expense, that after 14 years of service at those facilities, it is estimated that there is a refresh the facilities cost of \$50,000 per well; an estimate for a meter change out program at \$33,000 a year for the next five years, for more than \$150,000; a tank inspection due on the water system which is roughly \$3,600; a number of items of equipment on loan from the Torrington Water Company where it is that the test and sampling equipment failed and they basically had extras or rehabbed equipment that they installed which they're not billing for but roughly another \$7,000 in costs associated with that; a recommendation for a survey for the integrity of the water distribution system which is another \$5,000; the hydrant inspection, a yet to be determined number, but at the very least, eight of the twenty-eight hydrants turned out to be either in need of repairs or non-functional; and then finally, the fact that 52% of New Hartford's water distribution system was installed before 1895, with cast iron pipe and the fact that cast iron pipe has under the best of circumstances a useful life of 120 years. Mr. Butler noted the estimated replacement cost associated for that pipe at a

blended rate of \$175 a linear foot for 31,000 feet would equate to about \$5.425M. Mr. Butler concluded by providing one last consideration, with an indeterminate cost, that as line extensions are added, a possibility exists that regardless of the area, water pipes will be disturbed and given the age of said water pipes, will likely have to be replaced.

Mr. Fulton noted that in reviewing the 2005 POCD, he noted the section that stated, "...due to the age of the water pipes and resulting flow concerns, the Town may need to include water pipe replacement in the Capital Improvements Budget, before any serious problems arise." Mr. Fulton commented that even back then, they were already thinking about this. He noted that in nine years, nothing has been replaced nor was there ever an agenda item to replace those pipes. Mr. Fulton concluded stating he was unsure about selling the water asset. He inquired as to whether rights to the aquifers would be sold or what exactly gets sold.

Mr. Butler replied that it is his assumption that it might not be as clear cut as a house sale where on a given day, you have a transaction and the old owner walks away and the new owner walks in and everyone washes their hands because it's a total transaction. He opined that he would imagine it as a conditional sale, with a defined role for the town and as well as one the new owner would play. Mr. Butler articulated that should the asset be sold, it can't be sold to somebody to who is not going to be governed, regulated or heavily over sighted. He noted that if a private owner or a public water company bought the asset, it would be under the purview of PURA and the DPH.

Mr. Jerram opined that the entirety of the intent of the discussion was to address the fact that New Hartford does have some of the highest rates in the state and at that time, the group was not really focusing on the clean water side but instead on the waste water side. He noted that in reviewing the Water Planet Company's administration contracts, at \$17,500 a month or \$200K a year, the Torrington Water Company is less than half of that. The water side of the system has been more profitable and hasn't had the maintenance flare ups that have been experienced with the wastewater treatment plant, according to Mr. Jerram. He agreed that when it was researched, no likely takers were found for all the reasons Mr. Butler mentioned and the one taker that the group did look at that might have been a possibility was entirely not financially feasible for a number of different reasons. Mr. Jerram commented that having a conversation like this, should not be perceived as having someone beating down the door to make an offer but instead a statement that if there was someone out there that came before the town and rate payers could see a reduction in rates, and those rates were protected by PURA, why wouldn't the town want to see if it was in its best interest to consider the action.

Ms. Greenwood inquired as to the status of the motion or the conclusion of the task force. Mr. Jerram explained that it was left in the hands of the subcommittee members to see if there were people out there willing, as the group we did a lot of research and talked with several people but essentially the wastewater side was too small and thus not enough value in the system and there had no offers received per se. Ms. Greenwood questioned as to whether this idea was to be pursued actively, it would have to come before the Board of Selectman, the WPCA, and the public.

Mr. Butler confirmed that it would need a recommendation from the Planning and Zoning Commission. He explained that the sale of a public asset cannot be made without that review. Ms. Greenwood clarified that the notion is still very much a research idea and that the reason she questioned it appeared from a document written by Mr. Butler seemed as though it was a decided fact.

Mr. Jerram responded that it would be a town decision but that it would initially have to come from a recommendation. A "buy-in" would be sought from all the boards and commissions, according to Mr. Jerram. Ms. Greenwood inquired as to how long in the process has that "buy-in" gone. Ms. Greenwood noted that it has gotten through the subcommittee who has obviously done a lot of work. Mr. Jerram explained that the group is still informally in the process of saying if there's someone out there that wants to pursue it with New Hartford, he would make it known that they would like to listen. He explained that there would be no reason not to listen, especially if someone came to them and pitched the idea of doing better for the town. Mr. Jerram noted though that it is a complicated decision and that there are legalities that would have to be researched. He concurred with the analogy that Mr. Butler used in that selling a public asset is not like selling a house. Ms. Greenwood referred back to the question posed by Mr. Fulton, asking what exactly would be sold. Mr. LeClaire opined that it would involve selling everything. Mr. Butler opined that the town would own the water and would be selling the asset. Mr. LeClaire commented it would mean selling the wells while Mr. Butler commented that it would also mean selling the pipes in the ground, too. Mr. Jerram explained that the question is a technically complicated one and not one that could be answered without town counsel present.

Mr. Butler reiterated that it was clear from his conversation with PURA that the town of New Hartford would not be allowed to sell it to anybody who wouldn't come under the purview of their regulation and that this is an important part to understand. Mr. LeClaire opined that it was unlikely that New Hartford would find someone who would want to buy it because of the condition of the pipes.

Ms. Hart commented that when she was Chair of the WPCA, companies like Connecticut Water Company would put in their annual report that they saw 25-30 years out, water would be as valuable as gold. She remarked that they were bought up small companies. She opined that this was their profit and part of their plan. Ms. Hart noted that Mr. Butler had stated that they are under the regulatory control of PURA, but regulatory control is subject to companies putting in their best foot forward saying we need to do x,y, and z. Ms. Hart commented that the rates in New Hartford are really high and that occurs while the system is maintained as a not-for-profit entity. Ms. Hart stated that she wonders what will happen if the asset is then sold to a company that is for profit. Ms. Hart reported that from conversations with officials at Connecticut Water Company, major projects are out in areas such as East Hartford and Bloomfield. She noted that as a small line, it is her opinion that they are not going to guarantee replacing New Hartford's pipes but do have a tendency to spread the load of the costs from those larger areas. Another point Ms. Hart expressed is that with all the conversation about the state of the art plant New Hartford has, it is basically the sewer users and some of the water users that are paying for the plant. Ms. Hart opined that since the users are paying for the plant, they should have a larger input and say in the future of it. Additionally, Ms. Hart wondered why New Hartford would be selling, or considering selling, before the potential for sale has been maximized. She opined that it was no different than selling a house in this regard. If a house is run down, repairs and renovations are done to maximize the return before selling, according to Ms. Hart. Finally, Ms. Hart asked why there had not been more input sought by the users.

Mr. Butler addressed some of the economic points delineated by Ms. Hart as to whether it is prudent to always address deficiencies as a means of maximizing return and whether it is indeed a return on additional investment. Ms. Hart acknowledged the possibility of the validity of Mr. Butler's point but maintained that since the cost is born by the water and sewer users, she opined that a fundamental step would be to at least get a gauge or an assessment from the very people who are bearing those costs. She noted as lack in Mr. Butler's report anything to

indicate that feedback was obtained from the water and sewer users, such as a survey, or a questionnaire in with the bill.

Mr. Jerram explained that there's no data to put out. He explained that it seemed rather unnecessary to ask whether people were happy with the status quo, of paying some of the highest rates in the state. He explained that the whole thought process of some of the people that were on the task force was to say why not think outside of the box. The task force was interested in trying to provide an alternative to put forth to the people that maybe there is a larger institution out there that might be able to run it so that the people who are the hard working people on the lines might see some savings. He explained further that you can't go to those people with that type of situation until you actually have data. Mr. Jerram commented that until you actually have a company that says rates under their plan would be \$4.00 per 1000 gallons, or something like that, there is no data to present. Mr. Jerram commented that maybe the hardworking people on the Route 44 corridor could see some savings if thinking outside of the box and challenging the status quo proved fruitful.

Ms. Hart commented that it is not her suggestion to not challenge the status quo, or not to think outside the box. She also noted that she is not saying, "Don't sell it". She remarked that if the town comes to a situation where it is optimal for the sewer users and the water users to sell the plant, giving them the information somewhere down the line, there will be quite a bit of resistance encountered. Ms. Hart suggested that if the lines of communication are clearer and more open, then the very people who had trouble with the wastewater treatment plant will feel like it has been open and transparent.

Mr. Jerram commented that he completely disagreed with Ms. Hart as all of the task force meetings were represented by a third WPCA members at the time and all of the meetings were open public meetings. He explained that the reason that he was even present at this meeting is because he was copied on emails and saw this on the agenda. He noted that it was an open discussion when there's really been no movement with a pending offer. Mr. Jerram said he understood that some of the people that were questioning weren't on the WPCA at that time. Ms. Greenwood remarked that this issue came up as the WPCA was requested to put input into the POCD and that the draft document that was prepared to hand in to the Planning and Zoning Commission contained the assumption on the last page that said that the water assets will be sold within twenty-four months. Mr. Jerram commented that he could see how that could obviously startle someone but believes the entirety of the concept was well intended. Further, he noted that he did not think it was to say that a sale is imminent but instead to say that if someone was there with an offer that could be made to offer the town a better alternative, it would be considered.

6. Subcommittee processes

a. Establishing due dates

Mr. Butler explained that this item is on the Agenda because he had spoken to the chairman with regards to getting some assumption of due dates that the assignments would be completed by various members of the commission. He noted that the commission sometimes has a penchant for taking assignments and keeping them open.

b. Monthly reports

Mr. Butler explained that under Item B, of Agenda Item 6, Meaningful Monthly Reports, the commission has no financial data about the performance of the WPCA regarding revenues or expenditures. He noted that the form that is typically received is virtually unreadable. Mr. Butler recalled that the consensus had been in January, to assume his proposed format. He recalled

that they were to get it every month so that they could see it and everybody would have access to it.

Mr. Butler reported that he would go work with Ms. Lila Tuxbury, New Hartford's Assistant Bookkeeper, under Mr. Jerram's auspices to get this information. He noted that he believes the information is available but that the WPCA is just not getting it.

MOTION: Mr. Fulton, Mr. LeClaire second, **to adopt the WPCA monthly flash report as made back in January to use in our meetings for a quick, concise picture of what is going on; unanimously approved.**

7. Ongoing business

a. Fire hydrant condition assessment, improvements, and planning

Mr. Butler reported that he did appear before the New Hartford Fire District and that the New Hartford Fire District very graciously agreed to participate on a financial basis. He noted that he has reached out to the Torrington Water Company who will conduct the assessment of the fire hydrants. He further noted that the report will be shared with both the WPCA as well as the New Hartford Fire District. Mr. Butler noted that the parties were intent on making sure that there is a legal understanding in place, that the fire company by virtue of its generous effort was not assuming any responsibility for the system or the performance of the hydrants by donating the money. Additionally, while the New Hartford Fire District is donating money for the study and the WPCA was not ceding any ownership of property or responsibility to the New Hartford Fire District, according to Mr. Butler. He also noted that the town attorney has been asked to draw up a simple agreement. The hope was that the attorney would be able to do that this week, according to Mr. Butler. He agreed to prod the attorney to get it done. The Torrington Water Company will be approaching the work as manpower and weather permits but understands that the WPCA would like to have it done as soon as possible, according to Mr. Butler.

b. Analysis of sewer extension alternatives

Mr. Butler noted that the subcommittee charged with the analysis of the sewer extension alternatives, Mr. Litchfield, Mr. Toro and himself, were all present this evening. He noted that they have held four meetings on line extensions, have had at least three field visits, and have physically taken all the area under review. The subcommittee has called in some outside experts for some over-the-shoulder counseling with regard to what they have been doing and how they have been approaching it, according to Mr. Butler. Additionally, they have sent out to six engineering firms the statement of work associated with the issues outstanding regarding extension out to six engineering firms, according to Mr. Butler. He reminded the WPCA that they reviewed the statement of work and that it did get amended somewhat after he and Mr. Michaud concluded their back and forth. He noted that the submittals will take the six tasks as defined in the statement of work and provide budgetary figures so that they can go before the Board of Selectman and the Board of Finance after gaining the approval of the WPCA. Phases have been identified as well as recommendations of what should be done. Mr. Butler reported that this subcommittee will return with a complete report and an overview of the recommendations to the January 8, 2015 meeting.

c. Orders to connect

Ms. Greenwood reported that she and former Assessor Beth Paul think that they have finished filling in the map. She noted that they were trying to identify existing users, users who were sent their notices that they will be ordered to connect, and properties that Wright Pierce had said should be taken off of the list and then see where the gaps are. Ms. Greenwood note that

there are some gaps but that she is going to hopefully get together with some people who know more about the lines than she does to see if those gaps should be filled in somehow. Once that is done, they should have a final list, according to Ms. Greenwood. She noted that this was the first step toward getting closer to working on the deferrals and then the orders to connect. Ms. Greenwood explained that so long as the group knows it was sent to all the right people, then they will know that they can then address the deferrals. There was one other discrepancy that she found when she was going over her notes in that as she counted the number of letters that were sent out, with three that were never picked up, she got new addresses for the owners so she can resend those if the group wants, according to Ms. Greenwood. She explained that there were three people that never got their notification from the original list so by the January 8, 2015 meeting, she is planning on having those maps finalized, will have gotten together with Mr. Butler, Mr. Litchfield, Mr. LeClaire, or somebody who can tell her how the lines match up to people who aren't fitting into any category right now.

Mr. Toro, explaining that he has asked the question before, asked what the reasons are for deferrals and whether the WPCA is still using that criteria. Ms. Greenwood explained that the criteria was voted on and accepted by the WPCA as part of the process. Mr. Butler questioned whether a review by the current, soon- to- change WPCA, is warranted. He also shared an observation regarding the three people Ms. Greenwood mentioned never got any notices. Mr. Butler opined that Ms. Greenwood ought to not bother sending these people anything now since it is not really a Notice to Connect. He opined that because it is a notice of a future act, it may serve to confuse them. Mr. Krohner clarified whether Mr. Butler is looking to amend the deferrals. Mr. Butler replied that he believes there should be a discussion of them. He explained that he can't remember what the reasons for them were. Mr. Toro concurred, noting that the current WPCA doesn't know what those deferrals were and that he thinks if members heard it again, especially some of the new members, they might want to change them. Mr. Krohner inquired as to where the list of deferrals was and who had the list of deferrals. Ms. Greenwood opined that this should be an agenda item for the January 8, 2015 meeting. Mr. LeClaire noted that there must have been logic to it as it took a long time to come up with a lot of different things that comprised the list of deferrals. Mr. Butler explained that he is not trying to offend the previous group but that he just happened to read further into the state statutes with regards to the authority which the WPCA has with respect to orders to connect. He explained that he is confused by what it is that was adopted versus what the group has the authority to do.

d. Revolving loan fund

Mr. Fulton reported that Mr. Jerram had noted that the revolving loan fund would move along as everything thaws out. Mr. Jerram explained that a realistic estimate any type of revolving loan fund is going to need town approval with the next town meeting scheduled for April, 2015. He noted this as realistic considering the legal work that has to get done in addition to the Board of Finance approval and the Board of Selectman approval. Mr. Fulton, inquired, as to whether there is there anything that he should be doing in the interim. Mr. Toro questioned whether when a letter for an order to connect is sent out, some type of information regarding this revolving loan potential be included. Mr. Krohner suggested that when the Orders to Connect get sent out in February, mention could be made about the revolving loan but that the WPCA is waiting until the April town meeting to see what the Board of Finance and Board of Selectman will suggest on a revolving fund. Mr. Jerram explained that it will have to get done long before the April meeting in order to allow for noticing time. He noted that it will have to be through the Board of Selectman by February, into the Board of Finance by early March and then the noticing would begin posting. Mr. Fulton asked whether it would be worth it to start sending out something to people with Orders to Connect to gauge interest in a town revolving loan fund. Mr. Butler questioned what would be done if the town votes no. Mr. Jerram pointed out that the loan

won't be free and would be attached via a lien. Mr. LeClaire explained that it might be the only way some of these people can afford to connect. Mr. Krohner would point out that at least if the property is sold, it would be paid for as part of the sale.

e. Back-billing and lien processes

Mr. Butler reported that along with Ms. Hayward and Ms. Greenwood, he met with the town attorney and provided a list of questions to the town attorney that we need answers. Outstanding issues concerning those people who were connected to the system but hadn't paid a bill, lien procedures and processes that would be acceptable in meeting state statutory requirements and be acceptable to the WPCA need to be resolved, according to Mr. Butler. This meeting was held on November 27, 2014 and Mr. Butler, reported that regrettably they still do not have a response from the attorney. Mr. Butler asked Mr. Jerram whether he had a chance to nudge the attorney on providing a response. Mr. Jerram indicated that he had not but would do so in the next morning.

8. Set meeting dates for 2015

MOTION: Mr. Butler, Mr. LeClaire second, **to approve the following scheduled meeting calendar for 2015:**

Thursday, January 8, 2015 at 7:00PM at Town Hall
Thursday, February 5, 2015 at 7:00PM at Town Hall
Thursday, March 5, 2015 at 7:00PM at Town Hall
Thursday, April 2, 2015 at 7:00PM at Town Hall
Thursday, May 7, 2015 at 7:00PM at Town Hall
Thursday, June 4, 2015 at 7:00PM at Town Hall
Thursday, July 9, 2015 at 7:00PM at Town Hall
Thursday, August 6, 2015 at 7:00PM at Town Hall
Thursday, September 3, 2015 at 7:00PM at Town Hall
Thursday, October 1, 2015 at 7:00PM at Town Hall
Thursday, November 5, 2015 at 7:00PM at Town Hall
Thursday, December 3, 2015 at 7:00PM at Town Hall; unanimously approved.

9. Other business

Mr. Krohner noted that approval for snow removal needed to be approved. It was noted that the contract covers the WPCA and the wells. Mr. Krohner noted that his son has been shoveling the hydrants for the past couple of years and for the sake of transparency wanted to be forthright and clear with this fact. Consensus of the commission members was that they appreciated this while Mr. Jerram also acknowledged the efforts of Mr. Krohner at transparency.

MOTION: Mr. Butler, Mr. LeClaire second, **to extend the snow removal contract to ME CARROLL AND SONS for 2014-2015 snow season; unanimously approved.**

Mr. Butler noted that on the subject of vacancies, he was informed that Mr. Hanright would not be standing for reappointment and that his term is up at the end of the month. Additionally, Mr. LeClaire's term is up at the end of the month but he is willing to continue to serve, according to Mr. Butler. He commented that he would like to thank them both for their service. Mr. Butler also reported that it is also his understanding that Mr. Michaud will be submitting his resignation. Having worked with Roy Litchfield over the years, from school building committees to the building oversight committee to the volunteer work he is currently doing on the line extension project and working with Joe Toro who has had the diligence to come and attend these meetings as well as his assistance on the line extension project, Mr. Butler reported that it would be his recommendation to the WPCA that they inform the Board of Selectman that they heartily

endorse these two candidates and seek their vote of confidence in selecting them. Mr. Butler clarified that this would be one non member, Mr. Litchfield, replacing Mr. Michaud's non member status and one member, Mr. Toro, replacing Mr. Hanright's member status. He noted that this would help the board to keep current and with people who have a background and a willingness to serve. Mr. Butler opined that he didn't think the board could find two more readily available or qualified people to assist them.

MOTION: Mr. Butler, Mr. Krohner second, **to recommend to the Board of Selectman that the appointment of Joe Toro and Roy Litchfield as replacements for vacancies created and to "re-up" Mike LeClaire; Mr. Butler, Mr. Krohner, Mr. LeClaire, Mr. Fulton, Mr. Hanright voted in favor; Ms. Greenwood abstained.**

Mr. Jerram explained that he does not anything from Mr. Michaud in writing and his term does not expire technically for another year and that an un-vacated seat cannot be filled. Ms. Greenwood explained for this reason she abstained.

Mr. Jerram reported that he phoned and spoke to the CEO of MDC last week regarding the \$183 monthly charge the WPCA receives. He noted that the CEO is reviewing the bill and that therefore the last check has not been sent out. Mr. LeClaire explained that he believed it has something to do with the town's right to use the water. Mr. Jerram noted that there is no written agreement. Ms. Greenwood recalled that the last time there had been discussion on this that Mr. Michaud had some type of legal opinion on this matter from a few years ago. Mr. Butler recalled that Mr. Michaud was going to seek one. Mr. Jerram explained that he will have to see if anything comes of it but it would be beneficial if the town is able to save some money from it somehow.

MOTION: Mr. Butler, Mr. LeClaire second, **to adjourn at 8:59PM; unanimously approved.**

Respectfully submitted,

**Pamela Colombie
Commission Clerk**