

**New Hartford Water Pollution Control Authority  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING  
Thursday, July 10, 2014 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, CT  
MINUTES**

**PRESENT:** Chairman Bill Michaud, Robert Fulton, Mary Beth Greenwood, Michael LeClaire; Jason Hofmann, The Water Planet; and Steve Cerruto, Torrington Water Company.

**ABSENT:** Steve Hanright, Ken Krohner, Denton Butler.

Chairman Bill Michaud 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**

No action was taken.

**2. Opportunity for public comment**

Mr. Troy LaMere of Shady Brook Road spoke on behalf of Mr. Thomas Wall, 11 Church Street. Mr. Wall was present for the meeting, sitting beside Mr. LaMere as he spoke. In the past three years or more, according to Mr. LaMere, Mr. Wall has come to either the selectmen or the commission to express his concern over the dangers of the overgrowth on the sewer lines between his property and the town's property. Back in November, Mr. LaMere reported that he had spoke to Bob Krycz, former chairman of the Water Pollution Control Authority (hereinafter referred to as WPCA) about the issue and he responded that he would look into it. Mr. LaMere continued that a few months later he had also spoken to Denton Butler and was told that the WPCA was looking into it. Mr. Wall then addressed the WPCA himself. He reiterated his concerns regarding the growth on the sewer line and detailed the numerous correspondences he has sent to selectmen and the former chair of the WPCA.

Mr. Michaud acknowledged that he recalls Mr. Wall appearing before the commission previously. He recalled that Connecticut Water was dispatched to the residence to review and that the town performed some significant clearing. Michael LeClaire reported that he has spoken to Mr. Jerram about the town doing this again. Mr. LeClaire surveyed it last fall/winter and found many of the man holes. Mr. LeClaire thought perhaps the WPCA may want to consider hiring a private contractor to cut the growth down. He acknowledge that there were indeed some sizeable trees and the depth of the line up there on the railroad bed is only about five feet deep so root intrusion is a concern. Mr. Hall wondered if there is a sewer map he could review. Mr. LeClaire concluded with Mr. Hall that he would again reach out to Mr. Jerram to coordinate with the roadman crew to possibly do the work. Mr. Michaud reported that he can get a sewer map and knows how to get in touch with Mr. LaMere.

Mr. Joe Toro, 565 Main Street, requested that the WPCA reserve questions as he anticipated by his review of the agenda items that he may like to ask later as meeting progresses. Mr. Michaud agreed to the request.

**3. Operations:**

**a. Monthly report - The Water Planet**

Mr. Jason Hoffman, Manager of Operations at the Water Planet Company, reports that the plant has been busy. He reports that the plant has processed 24,500 gallons of seepage which includes the portion before the contract ended. Mr. Hoffman reports that the plant has almost returned back to normal, a result achieved more quickly than he had anticipated. He also reported that the nitrates are still a little high but all other parameters are well within range. Mr. Hoffman also relayed that they have not wasted from the SBRs in almost two weeks. It took a lot of aeration to get it back to where it should be. All the lab equipment was calibrated which is required through the permit. On June 26, 2014, the grit blower was shut off. He relayed that what the grit blower does is aerate a tank and lets all the real heavy solids settle to the bottom. Mr. Hoffman reported that they need to have that pumped as it is that yearly time. Mr. Hoffman also reported that they had an alarm at Prospect Street pump station which was the result of a pump that had burned out. This was replaced on July 7, 2014. On June 30, 2014, Aaron Associates installed an influent flow meter. Also, there was a new cover on the grit chamber installed to keep the odors out. He spoke of the purchase orders for the Maher Company and Tower Generators so that they can do the services. He made note that the UV is really the big one as they need to get that serviced as soon as possible. Mr. Hoffman proceeded to discuss an auger spray nozzle which will be getting replaced, which he explained is a solenoid valve

or a small little valve. Blake Equipment replaced the burned out Myers pump at Prospect, which Mr. Hoffman characterized as a small “throw away” pump. He said the cost of these range from \$1300-\$1400 but are called “throw-aways” pumps because they are very small and as soon as they chatter, they burn out. He concluded that there’s not much that can be done with them at that point.

Mr. Michaud asked Mr. Hoffman about the UV sensor that had been discussed at the meeting before last and confirmed that this was the Maher Company work. He reported that he saw the purchase order for this and approved it based on that meeting. Mr. Hoffman responded that the generator was serviced and so when that came in, it was sent to Christine which was then forwarded to Mr. Michaud. Discussion followed about a radiator cap being off along with a hose and belt that needed to be replaced. Mr. Hoffman said that when they did their level one service, the materials in question were in addition to the normal service. While he did not have actual numbers with him, Mr. Michaud thought it was something along the order of \$3,500 for servicing.

When questioned about the status of the permit by Mr. Michaud, Mr. Hoffman reported that the plant is compliant. Mr. Hoffman reported although the nitrates should be around 3-4, they were measuring around 8. He reported that efforts are being made to try and get those down but that they had a big transition from very high strength ammonia which raised the nitrates. He said they couldn’t just denitrify that fast because it is just one tank which takes time or else the alkalinity would be too low. He said there are varied technical reasons for the nitrate reading but that they are working on it.

**b. Monthly report - Torrington Water**

Mr. Steven Cerruto, Vice President of Operations for Torrington Water Company, reported that the two treatment plants, Black Bridge Well Production and Operations and Pine Meadow Well Production and Operations, produced an average of 101,687 gallons per day, with a total of 3,050,600 gallons for the month of June, 2014. Also during the month of June, 2014, Mr. Cerruto reported that they had worked outside doing some housekeeping around each facility: power washed the building, cleaned some shrubs up and did some weed killing. He further noted that he received an estimate from Tower to do the maintenance on both generators. He reported that he has given the estimate to Christine. His report to the commission indicated that all state and federal treatment standards have been met. Mr. Cerruto reminded the WPCA that beginning on Monday, July 14, 2014, Torrington Water Company will begin flushing the system. He indicated that he had put an ad in the local paper here. He reported that the first time he advertised it was free but believed the second time he advertised it was approximately \$45. He knows it was advertised two consecutive weeks.

Mr. Cerruto continued with his report noting that the servicing done on 594 Main Street was repaired by homeowner, but inspected by his company. He continued his report with a status update on Steele Road in that they are still having some difficulty there with discoloration. He said that about a month ago, they did flush up there and that it was good for a couple days. However, the discoloration started again. He maintains that it still needs to have a blow off installed up there so that the system can be flushed right. He said that they are still trying to figure out what is going on with this area. He said that from talking with the neighbors, there was a service replacement done last fall up there. Supposedly there was a blow-off that was up there, a small ¾ inch one that ran into a catch basin. He believes that it had gotten disconnected when they put that service in. He said if this is true, then that could be part of the problem too. However he continued to explain, with the way that system is set up, and with the demand pump up there that pumps up pressure to the two houses, it just kind of runs continuously. As they use water, it’ll start pumping more but by not having a blow-off up there, he thinks that’s why Steele Road is having a problem. He concluded by saying that they would investigate that more.

Mr. Cerruto inquired as to whether the line item for the capital expenditures in the budget was approved. Mr. Michaud responded that the entire amount, the amount for replacing the meters, was not included but that he believed \$15,000 was included. He requested of Mr. Cerruto that at some time in the near future he would like to sit down and go through the invoices and identify which are associated with the pump station capital improvements and which were associated with something else. Mr. Michaud commented to Mr. Cerruto that the issue up on Steele Road is a high priority and it is very important to provide good quality water. He further asked whether Mr. Cerruto has a sense of what it would take to put in the blow-off and/or fix the pump controller. Mr. Cerruto thought it was around \$3,500. Mr. Michaud said he’d like to plan to go through that list at the next WPCA meeting and discuss what can be done now and to set some priorities.

Mr. Cerruto reported that Torrington Water Company sent out letters to customers who have baffles. He reported that New Hartford has about twenty (20) in the system and he has received responses from eight (8) of them that want to be tested. Mr. LeClaire inquired as to who pays for the tests, the WPCA or the customers. Mr. Cerruto reported that this is a cost born by the customers. Mr. Cerruto wrapped up with reporting that the accounts receivable have improved and that currently there are twenty-eight (28) accounts on a payment plan and that they are sticking to them.

#### **4. Review of benefit assessment and connection fee policy**

Mr. Michaud reviewed the possibility of using a benefit assessment in efforts to recover cost of waste water treatment plant as an alternative to the current surcharge that is collected. He referenced the DEP's Capital Cost Recovery that outlines Connecticut General Statutes that grant authority to local water pollution control authority for doing this. In effect, a benefit assessment is a tax levied on properties that have the benefit of access to a waste water treatment plant whether connected or not. Mr. Michaud cautioned that the statutes further indicate however that an assessment can't be greater than the amount of benefit received by that property so that's the upset limit of recovering in this manner. He reported that they have performed many analyses and have come up with \$4700 for example on a single equivalent dwelling unit. Mr. Fulton then inquired as to what this figure would translate to for a multi-family, a condominium, etc. Mr. Michaud explained that the assessment is calculated differently but fairly and uniformly for different types of dwellings and would no longer be based upon usage. He continued that before this change in policy could or would ever be adopted and implemented, the WPCA would hold a public hearing.

Mr. Michaud continued explaining that a connection fee would also be imposed as just an additional way of collecting benefit assessment. With this type of policy, people would be able to finance the cost over fifteen years, for example. The property would be liened. Provisions could be made for households that currently qualify for tax exemptions either because the owner is elderly or disabled. If the owners meet certain criteria set forth in statute, they could defer payments on a benefit assessment until such time that the house was refinanced or sold. He continued that there are many different policy provisions that may be applied.

Mr. Fulton questioned whether a benefit assessment on one particular building is applied only one time. Mr. Michaud confirmed. Ms. Mary Beth Greenwood clarified that it would be over a number of years. Mr. Michaud confirmed that fifteen years seemed to be the normal term of financing on a benefit assessment. Mr. Fulton then commented that it is really a fee attached to the building and not the person and then referenced the condominiums where there is often buying and selling. Mr. Michaud agreed that it would be difficult there because of the elderly and disabled. Mr. LeClaire reminded commission members that once a benefit assessment is levied, the full amount is always due upon property transfer. Mr. LeClaire has had experience with a benefit assessment in his professional life and has firsthand experience with it as the town of Simsbury had adopted and implemented this type of policy. He explained that any balance due and owing on this type of assessment is due at sale and is rolled into closing costs.

Mr. Fulton mentioned that currently this policy would only impact about 400 users. Ms. Greenwood pointed out that it would also be an assessment on the abutters as well. Mr. Rob Fulton pointed out that the WPCA has about thirty-four (34) abutters that want to defer. Mr. Michaud concurred that a discussion would need to take place. He stated that if a deferral is based on fiscal infeasibility of connecting, then maybe they have to think about whether they can assess a benefit. He noted though that if a deferral is based on having a new system, that the benefit of access to sewer is present at day one. He also noted the quandary of not charging existing users a connection fee. He noted the absence of any statutory language specifically dealing with these circumstances so that as the policy is created, the WPCA would have to create policy language to address these issues. He indicated that members of the WPCA have talked to their attorneys and their engineers about an incentive program. If an owner connects in the first year, he is relieved from paying the connection charge. However if connected after year one, the WPCA could bump it up to \$5,000 and then incrementally more for each subsequent year.

Mr. Michaud repeated that this has been an idea that has been floated about for a few years. He noted that one of the problems he has concerns with, as does the town attorney, is that by charging different people different amounts, an inequity in the system is created. In other words, everyone is benefiting the same amount but they're going to be paying a different amount of money so all kinds of questions are created.

Ms. Greenwood asked if the connection charge of \$250 would remain the same if a benefit assessment policy was adopted. Mr. LeClaire suggested that the WPCA could even waive the connection fee if connected within first year. He described the success of such an incentive in Simsbury that boosted the town's number of connected users.

Mr. Fulton then mentioned that this could only produce a maximum number of thirty-four (34) new users based on the systems current potential users who have access to the line but who have not connected. Ms. Greenwood mentioned that she would like to see a policy adopted because presumably there will be extensions to the current lines. Mr. LeClaire pointed out that there is a cost associated with running the pipe in front of people's houses which would incur an additional fee. Mr. Michaud then reiterated that there is a limit to the benefit assessment in that it must be capped at what the actual benefit to a home or property actually is.

Mr. Toro then questioned the commission as to what would occur with the current surcharge that users have been paying for 4-5 years already. Mr. Michaud replied that one of the ideas that had been discussed would be to deduct the amount that a user has already paid off the benefit assessment.

Discussion then followed about current bills from Torrington Water Company not breaking off and clearly delineating the surcharge on the bill. Mr. Michaud explained that in the most recent bills received, that a surcharge is included but not broken out for users to directly note. Commission members agreed that originally the surcharge was between \$3 and \$5, then had risen to \$7, but was presently \$4. Mr. Michaud said that Torrington Water Company would fix this on the future bills.

Ms. Greenwood then posed a question to commission members wondering what is gained from using the benefit assessment versus what is being employed now. Mr. LeClaire responded that what is gained is a guaranteed income and that a benefit assessment is liened against the property. Mr. Michaud pointed out that from a user's side, if an owner is planning on living in the property for an extended period of time, the benefit assessment policy. Also, an advantage of this proposed policy is that it could be financed over fifteen (15) years. Typically, people refinance or sell within fifteen years. In conclusion, Mr. Michaud, explained it is cleaner and the way that DEP has asked the WPCA to recover costs.

Mr. Toro qualified the term "benefit". He stated that as long as the rates are in line, he would agree that it is a benefit. He stated that rates have to be in check for it to be considered a true benefit.

The commission agreed that the end goal must be to connect more users.

Mr. Michaud detailed the document available for review to any member of the public who may want to read more about a possible septic assessment policy, which is available to read online, as: "Methods of Capital Cost Recovery and Water Pollution Control Projects" from DEP, 1977.

## **5. Subcommittee status reports**

### **a. Orders to connect and revolving loan fund**

Ms. Greenwood reports that they have had not had a subcommittee meeting regarding Orders to Connect yet but that she has obtained information from former WPCA chairman, Mr. Bob Krycz. Ms. Greenwood would like to have a meeting next week for whoever would like to be on this committee. She mentioned that there were three lists generated by Wright Pierce: one is properties to be "sewered", one is properties that need to be "sewered" and the last is properties that require information in order to determine their status. Ms. Greenwood said she has gone through everything that was done with the public hearing, the notices regarding deferment. She said it appears notices were sent out but that was where the process stopped. She noted that in the folders Mr. Krycz gave to her, there were sixteen (16) requests for deferral received. Only one was approved and the rest are pending. She said she believes that was where the deferral process ended. She said especially with regards to a sewer assessment policy, the first order of business is to clean up the list. Ms. Greenwood said although there is a set of criterion that exists regarding who should and shouldn't be receiving deferrals, with each request comes maps, handwritten notes and old correspondence. Ms. Greenwood believes that the WPCA may need to seek professional opinions as to whether an applicant seeking deferral even technically abuts to the line. Mr. Michaud concurred that someone may need to be hired but reminded Ms. Greenwood that a contract exists with Wright Pierce. Ms. Greenwood inquired as to whether it is okay that she calls them and asks questions. Mr. Michaud advised her it would be okay for her to do so.

Mr. Fulton then shared information on a revolving loan fund. He discussed the many and different variables to consider when arriving at a figure to approach the Board of Finance with regarding this type of fund. Some preliminary research and notes have been forwarded by him to First Selectman Dan Jerram for his review.

**b. Sewer extensions**

No business was discussed.

**c. FOG program**

No business was discussed.

**d. Public outreach/communication plan**

Mr. Michaud reported that he and Steve Hanright have established some initial contact with Planning and Zoning to look at land use zoning to help move things along. He stated that they have also spoken to the Economic Development Commission with the intention of just making some initial contacts at some of these meetings.

Mr. Toro then inquired as to the results, if any, of smoke testing the lines. He specifically asked if a determination had been made regarding 584 Main Street and whether it was hooked into the line. It is currently identified as not being hooked in yet. Discussion ensued about other properties that may not even be listed as part of the list provided as needing to connect, which should be included in any comprehensive list compiled for a potential sewer assessment policy. Another property mentioned that was not indicated on the list that Ms. Greenwood had in her possession, but abuts Mr. Toro's that he can attest as not being connected was identified as 571 Main Street.

**6. Executive session to discuss contract issues**

**MOTION Mr. LeClaire, Ms. Greenwood second, at 8:22PM to enter into Executive Session for contract discussion; unanimously approved.**

**MOTION Mr. LeClaire, Ms. Greenwood second, at 8:31PM to exit Executive Session; unanimously approved.**

**MOTION Mr. LeClaire, Ms. Greenwood, to accept the severance agreement with Russ' Septic to terminate Septage Agreement; unanimously approved.**

**7. Other business**

No business was discussed.

**MOTION: Mr. LeClaire, Mr. Fulton second, to adjourn at 8:32PM; unanimously approved.**

**Respectfully submitted,**

**Pamela A. Colombie  
Commission Clerk**