

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL
AUTHORITY REGULAR MEETING HELD ON WEDNESDAY, JANUARY 25, 2017,
IMMEDIATELY FOLLOWING THE 7:00 P.M. PUBLIC HEARING, IN COUNCIL
CHAMBERS, TOWN HALL, 85 SOUTH MAIN STREET, CHESHIRE CT 06410.**

Present

John Perrotti, Chairman; Matthew Bowman, Steve Carroll, Ken Cianci, Tom Scannell, James Sima.

Absent: Mark Kasinskas

Staff: Walter Gancarz, Town Engineer; Attorney Joseph B. Schwartz, Murtha & Cullina.

Guest: Don Chelton, AECOM.

Chairman Perrotti called the meeting to order at 8:45 p.m.

PLEDGE OF ALLEGIANCE

The Group Pledged Allegiance to the Flag

ROLL CALL

The clerk called the roll and a quorum was determined to be present.

1. PUBLIC COMMUNICATIONS

a. Sewer use fee letter and response re: 481 Country Club Road.

Mr. Gancarz informed the Authority members of receipt of a letter from Tracey Turcotte regarding sewer use bills for his property. Mr. Gancarz sent a written response to Mr. Turcotte explaining the billings for the single family residence and three family residence. It is an R-40 zone; a flat rate of \$400 only applies to a single family residential; and the three-family unit is considered commercial.

Copies of the letters are in the packets.

2. APPLICATIONS

a. Talmadge 66-14 Feasibility Application (continued).

- i. Supplemental letter in support of November 9, 2016 application**
- ii. Excerpt, WPCA June 23, 2010 Minutes**
- iii. Timothy S. Hollister, *Three Shades of Green: The Need to Reform the State Plan's Locational Guide Map*, CT Chapter American Planning Association (Summer 2012).**
- vi. Conceptual Sanitary Plan to Area 12 through Copper Beach Road.**

Mr. Sima has read through the documents multiple times, staying focused on the good of the town, the recent \$30 million enhancement to the treatment plant and making sure we knew its future flow rates and costs. There are areas of town said to be sewered and some not recommended. We are not done closing out the cost of the plant and the application is to make a change to the facility plan. Mr. Sima said he sees no reasons brought forward today to put the plant and people at risk for elevated costs for plant operation or expansion and higher operating costs borne by everyone in town. There was nothing in the presentations to the WPCA to change the facilities plan and expand

sewers. He is still not convinced this would set a new precedent for future applications wanting sewers...it could happen over and over again. Mr. Sima recommends staying with the existing facilities plan and not change it.

Mr. Cianci stated his support of the feasibility extension. If this application is denied the Authority would be hard pressed in future years to approve anything. It may be precedent setting in two ways...someone wants to do something similar, we will be hard pressed to move in a positive way...we would be locked in. Mr. Cianci said we need to expand the residential tax base with high end residential homes in this area. Based on information received and read over 8 months, Mr. Cianci said going forward is in our best interests.

Mr. Bowman said he would vote in favor of the application. He has reviewed the flow data from the plan for the plant and CCI. We have a 4.0 million gallon plant; in December the flow was 1.71 gallons; November 1.6 million gallons...and Mr. Bowman cited flows back to 2015 and 2014. There is a value and cost of running a factory or sewer plant; increase in flow does not mean the same cost increases. This plant is at 50% capacity, and to allow something adding minimally to the plant will reduce costs per gallon of effluent rather than increasing it.

Mr. Scannell is in favor of the feasibility application, and he has read in detail every piece of paper submitted over the 9 months of review of the application. If more people come forward to ask for normal things this is good, and WPCA is here to make those decisions. Mr. Scannell will be in favor of the application.

Mr. Carroll will not be supporting the motion to amend the feasibility plan. WPCA is bound by rules and regulations; has its own feasibility plan, maps laying out what can be sewerred or not sewerred etc. The map is not set in stone but he thinks there is a minimum standard to be met for the Authority to consider an amendment. There are reasons to consider an amendment, but this application does not meet any of them. Mr. Carroll cited four reasons for amending the plan.

#1) Correct a perceived error in the document, and there is no proof an error was made.
#2) Minimize potential public health threat; the application has not cited such a threat.
#3) Significant benefit to the town. The applicant has argued it would be a future benefit for area 12 if sewers are needed. There are no plans for sewerred area 12; there have been no new sewers in existing neighborhoods for 5 to 7 years; and this is not in the capital plan for the next 5 years; the Town has adopted a strategy of not fixing something that is not broken.

#4) The key element or assumption that led to the current classification has not changed. Nothing significant has changed in the area to amend the plan. There should be a litmus test to determine whether to sewer or not; amendments to the plan should be considered from time to time; and Mr. Carroll will not support the amendments to the feasibility plan.

Mr. Perrotti reviewed every piece of information, looking at it from a fact based approach, cost benefits, correction errors, omissions etc. There are potential cost benefits, but we cannot state what they would be. We need to look farther down the road than we are. If this passes and goes through there is opportunity to realize benefits and a forward looking plan. Mr. Perrotti also heavily weighed his perception that there was a potential mistake with the original evaluation of the site...not as much detail was performed with evaluating this site. He found some inconclusive information regarding whether it is suitable for a septic tank per the Chesprocott letter. According to Mr. Perrotti he took all the information into account, and his ultimate decision is to support the amendment of the feasibility plan. There is no plan for sewerage outside the area at this time; there is no need for it; but it will be prepared for emergency or public health problems.

MOTION by Mr. Scannell; seconded by Mr. Cianci.

MOVED to approve the amendment to the Feasibility Plan as stated in the application.

Discussion

Mr. Carroll clarified that we are reclassifying area 13 as suitable for sewerage.

VOTE The motion passed 4-2; In favor 4 (Bowman, Cianci, Perrotti, Scannell)
 Opposed 2 - (Carroll and Sima)

Chairman Perrotti stated the next process is approval of the application for extension of sewers at Talmadge and Wallingford Roads.

Attorney Schwartz cited Tab 4 applicant's package -"Application for feasibility approval for extension of public sanitary sewers for 648 Wallingford Road"

Mr. Perrotti said there is nothing out of the norm for this application; these are dwelling units using 4,500 gallons per day.

When the applicant comes back for final approval, Mr. Carroll said there will be more questions from the Authority.

Attorney Schwartz clarified that right now the Authority is just approving the feasibility application. Another application would have a public hearing and deliberation on the application.

In the final design, Mr. Sima asked about Town Engineer Gancarz reviewing all of the easement so if there is a need to do repairs to the lines there is adequate space to do the work. Some of it is pretty deep.

There is only one easement and Mr. Perrotti said this would be the stub entity. It is uncertain if the applicant will be providing the stub or signing over the easement to the Town of Cheshire.

MOTION by Mr. Carroll; seconded by Mr. Scannell.

MOVED that the WPCA accepts the application for feasibility approval for extension of sanitary sewers at Talmadge and Wallingford Roads.

VOTE The motion passed 5-1; Opposed 1 - Sima.
 In favor - 5 (Bowman, Cianci, Carroll, Perrotti, Scannell).

- b. **5-20-15 Letter from the CT Bureau of Water Protection and Land Reuse re: Wastewater Infrastructure Plans for Locally Funded Projects.**
- c. **1-20-17 Memo from Town Attorney Joseph Schwartz re: Kurtz and Longo Application.**
- d. **1-17-17 Memo from the Town Engineer re: Kurtz and Longo Facilities Plan Amendment and Feasibility Application.**

A question was raised from the audience by David Schrumm about WPCA member Bowman and possible conflict of interest, and assurance nothing happens down the road of financial interest.

In response, Chairman Perrotti stated he denied Mr. Bowman talking about it, and at discretion of the Chair it is not being further discussed.

3. PROJECTS

- a. **AECOM invoice #37863117 dated 1/17/17 in the amount of \$18,665.59**

MOTION by Mr. Bowman; seconded by Mr. Carroll.

MOVED to approve AECOM invoice #37863117 dated 1/17/17 in the amount of \$18,665.59.

Discussion

Mr. Gancarz stated he has reviewed this invoice and approves it for payment.

VOTE The motion passed unanimously by those present.

On behalf of the Authority, Chairman Perrotti congratulated Town Attorney Joseph Schwartz on becoming a partner in the law firm of Murtha, Cullina.

Mr. Chelton talked about some e-mails and a discrepancy...last month the WPCA passed an amendment for \$60,000, but there was communication from Mr. Gancarz that there may not be enough funds for this payment.

The Authority was informed by Mr. Gancarz that once the final bill came from Carlin there was release of encumbered funds, so there is enough money to pay the \$60,000.

4. SUPERINTENDENT'S REPORT

a. Status of Plant Operations

Mr. Gancarz reported that the plant is running wonderfully, and little diesel fuel is being ordered right now.

5. TOWN ENGINEER'S REPORT

a. Solar Landfill RFP results

Mr. Gancarz reported two proposals were received. He recommended the two proposals be presented to the WPCA at the February meeting and look at estimated costs and savings.

6. NEW BUSINESS

a. Chesprocott Letter dated 12/22/16.

There were a few system failures, but nothing of significance.

b. E-mail from CT DEEP re: Cheshire Family Dental and dental amalgam management practices.

The DEEP has mercury concerns and Mr. Gancarz explained the member communities were asked to look into the dental practices about this. Cheshire sent a letter to all dentists in town; Cheshire has been audited; and the town is in a good position with compliance.

c. Other new business of the WPCA.

On January 31st the court case begins for CCI invoices; it should last 3 days; the response will take about 6 months to receive. There was a pre-trial meeting between the two attorneys in which the judge tries to facilitate a settlement, if possible. The Town Attorney informed the town the State's attorney was not in a position to offer a settlement.

7. OLD BUSINESS

a. Other business of the WPCA.

Chairman Perrotti informed the Authority members that the Sump Pump Committee will resurface after the next meeting, and will bring the matter forward. There was no response to the letter sent with the sewer use bills.

Mr. Gancarz advised that the last portion of the Linear Trail has a part requiring re-watering. There have been inquiries about discharging into the sanitary sewer, and these people have been told of the limitations and charge of one cent per gallon.

It was recommended by Mr. Sima that mag-meters be used for de-watering. Mr. Sima also asked about the cell tower and any movement in this regard.

To his knowledge, Mr. Gancarz said there are no vendors coming forward asking for a dish. Right now, the CFD and CPD antenna are on the tower.

Regarding generator capacity, Mr. Sima said the power (for the tower) comes off the administration building in the plant.

**8. APPROVAL OF MINUTES - Public Hearing, December 21, 2016
And Regular Meeting, December 21, 2016.**

MOTION by Mr. Scannell; seconded by Mr. Bowman.

MOVED to approve the minutes of the Public Hearing of December 21, 2016 and Regular Meeting of December 21, 2016 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.


9. ADJOURNMENT

MOTION by Mr. Bowman; seconded by Mr. Carroll.

MOVED to adjourn at 9:28 p.m.

VOTE The motion passed unanimously by those present.

Attest:


Marilyn W. Milton, Clerk