

**MINUTES OF THE TOWN OF CHESHIRE WATER POLLUTION CONTROL  
AUTHORITY MEETING HELD AT 7:30 P.M. ON WEDNESDAY,  
SEPTEMBER 25, 2019 IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN  
STREET, CHESHIRE CT 06410.**

Present

John Perrotti, Chairman; Steve Carroll, Vice Chairman; Jason Beach, Tom Scannell,  
and Zack Wellburn

Absent: Aboud Abdelghani and James Urbano

Staff: Walter Gancarz, Town Engineer

The group Pledged Allegiance to the Flag.

Chairman Perrotti called the meeting to order at 7:31 p.m.

**ROLL CALL**

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

1. **PUBLIC COMMUNICATIONS - none**
2. **APPLICATIONS**
  - a. **Seasonal Farm Worker Housing – 344 East Johnson Avenue  
(Engineer review notes will be distributed at the meeting)**

Ryan McEvoy, P.E. Milone and MacBroom represented the applicant.

Charles Kurtz, CK344 E Johnson Avenue, LLC (applicant) was present for the application.

A memo from Town Engineer Gancarz dated September 20, 2019 was given to Authority members and is part of the record of this meeting.

Mr. McEvoy presented the application to convert an existing building (garage/warehouse) at 344 East Johnson Avenue into housing units for about 100 seasonal farm workers, who work under an H2A visa. The subject building is the only one on the site to be connected to the sewer system. The site has a house in front, garage and the proposed building in the rear. Access to East Johnson Avenue is across 340 East Johnson Avenue, which is property owned by the LLC. There is a sanitary sewer lateral for both 344 and 340 East Johnson, and all buildings are on septic systems.

The applicant proposes to construct a 750 foot lateral for the buildings, with a 6 inch diameter pipe to connect to the town sewer, directed to the east to the sanitary pump station, to the west to the forced main. The projected flows are 100gpd per person, or

total of 10,000gpd of sewerage per day, which is a conservative estimate per the Connecticut Health Code. Mr. McEvoy said the sanitary line and pump station are presently under capacity.

Town Engineer Gancarz reviewed his memo on this application with the Authority members.

Page #2 – the site of the subject application is in the cross-hatched area, which indicates it is an area that can be serviced under the current Sewer Facilities Plan.

Page #3 – shows a sewer main coming down East Johnson Avenue and connects to the East Johnson Pump Station, pumped back up to Causeland Court where it flows by gravity. There is a sewer stub in for the subject property, which was envisioned as being sewerred.

Mr. Gancarz questioned the seasonal work operation since it is not a year round operation. Before the applicant comes in for final approval, he could provide an average daily flow over a year. He noted there could be significant capacity fees.

If the feasibility is approved, Mr. McEvoy said the applicant will determine if there are any similar facilities in order to get water usage data for comparison information. However, the applicant is comfortable with the estimate stated, and with progression to final approval, sharper and more realistic numbers will be provided.

Mr. Gancarz reiterated the fact that capacity fees can be significant when based off water usage information.

Charles Kurtz, 340 East Johnson Avenue, applicant, advised that this area has public water service.

It was stated by Mr. McEvoy that fixture size and meter size could be used as the basis for the capacity fee and per person daily flow.

Mr. Scannell asked if the applicant knew of any other places which utilize the federal grant program, and if the proposed building is spec'd out by the government.

In response, Mr. Kurtz said this is a federal program, and there are some competitive farms in other parts of the country using the program. The number of users is not defined.

The Authority was informed by Mr. Kurtz that he met with the State and OSHA on the specifications for the building. The specs are one (1) toilet per 10 people, and his

number will be more than that requirement; showers are one (1) per 15 people; the per person minimum is 50 S.F.

Mr. Carroll asked about the seasonal work time period.

This depends on the weather, and Mr. Kurtz said it could be a little as 6 months and up to 9 months...it is not a full year. There are federal law restrictions on the workers; they must go home to their country for three (3) months every year; and they absorb the costs of this travel to their home country.

Chairman Perrotti stated the Authority will be looking at this application further as it progresses.

When the East Johnson Pump Station was built many years ago, Mr. Gancarz said it was to serve this area of town. The only thing going into this pump station at this time is Whole Foods, which has an expansion plan application.

MOTION by Mr. Perrotti; seconded by Mr. Scannell.

MOVED that the Cheshire WPCA has reviewed the application for feasibility of **CK 344 E Johnson Ave LLC** for Feasibility Approval for Extension of a Private Sewer to connect to the Public Sanitary Sewer System. Based upon that review and based upon the recommendation of the Director of Public Works, the WPCA has determined that the application and submittals detail a sanitary sewer system which is generally capable of construction and which is capable of being connected to the Town of Cheshire public sanitary sewer system; therefore, the application is APPROVED, with the following conditions:

(12.2.B) This approval is preliminary and does not constitute conclusive nor final approval. The right to connect to the sewer system can only be gained by applying for, and obtaining approval of, Final Design Approval, and Award of Capacity, and a Sanitary Sewer Connection Permit.

1. All costs connected with the proposed sewer system shall be borne by the developer.
2. All transfers of property in the subject development shall be encumbered by written waiver by each grantee to any right to appeal any benefit assessment which the Town of Cheshire may levy on such property; however, each grantee may reserve the right of appeal regarding supplemental assessments that the Town may levy.
3. The application and submittals are incorporated and made a part of this Approval.

4. The proposed sanitary sewer system shall become a part of the public sanitary sewer system *except for that part which is to be retained in private ownership which is described on the application plans entitled: **CK344 E Johnson Ave LLC***
5. The Application for Final Design/Award of Capacity shall incorporate the comments listed in the memo from the Town Engineer, Walter Gancarz, dated September 20, 2019.
6. The application for extension of sewers (feasibility and conditions) is approved based on the recommendations of Town Engineer Gancarz as described in the memo of September 20, 2019.

VOTE        The motion passed unanimously by those present.

### 3.     **PROJECTS**

- a.     **AECOM Invoice #2000263963 dated 09/16/19 in the amount of \$4,685.16 for West Johnson Pump Station (attached to the minutes)**

MOTION by Mr. Scannell; seconded by Mr. Beach

MOVED to approve AECOM Invoice #2000263963 dated 09/16/19 in the amount of \$4,685.16 for West Johnson Pump Station.

#### Discussion

Mr. Gancarz has reviewed the invoice and recommends it for payment approval.

VOTE        The motion passed unanimously by those present.

### 4.     **SUPERINTENDENT'S REPORT**

#### a.     **Status of Plant Operations**

Mr. Gancarz reported that Supt. Hallier will attend WPCA meetings on a quarterly basis, and will attend the October 2019 meeting.

Nitrogen Denitrification Facilities – these are required by the State; it is a buy/sell credit situation; when there were a limited number of plants on line, there were more buyers than sellers; and the town got a good price for selling credits and DEEP also subsidized the program for a number of years.

More plants came on line over time, and the situation is reversed...there was less demand and more supply. In earlier days, about 15 years ago, the town received about \$50,000 annually, and last year received only \$7,000. Last fiscal year, Finance Director

Jaskot asked Mr. Gancarz about the \$43,000 charge for nitrogen. This matter was reviewed with Supt. Hallier, and it was learned the nitrogen level removal is not maintained at the same level as in the past under Supt. Dievert.

Mr. Gancarz is monitoring the nitrogen levels since that time, and sees no difference in the removal rate this year, and has expressed his concerns to Supt. Hallier about the process. For the October 2019 WPCA meeting, he recommended Supt. Hallier have a report addressing the issue...what has been done to date to solve, what happens down the road, and possible need for outside help/assistance.

Chairman Perrotti is pleased Supt. Hallier will attend the October meeting, and asked that he be prepared to discuss plant operations...specifically the nitrogen removal system, performance of the system, plans to get back to prior levels of removal, and ways to improve this asset. He wants to see comparison levels from the end of the former Superintendent's realm through plant construction to when the new processes went on line, and the resulting effect.

Vice-Chairman Carroll stated the WPCA should hear from Supt. Hallier on a regular basis on how he will approach this issue, and on plant operations. He also noted that Supt. Hallier is in the new position for one year; he is working with one man down due to budget cuts; the electrician is driving the solid waste truck to Waterbury; and he is managing the plant. There is a need to address the nitrogen levels not being where they once were, but Mr. Carroll is sympathetic to the staffing at the plant. He commented on the Town Council asking where the \$43,000 item came from...they should be informed the WPCD budget was cut \$60,000.

A question was raised by Mr. Beach if there is a meter measuring nitrogen removal, or a scale.

Mr. Gancarz explained it is a lab test, with the numbers taken every month. He also reported that the ultra violet goes off on October 1<sup>st</sup>.

## **5. SUPERINTENDENT'S REPORT**

Mr. Gancarz reported that the dike became fully effective on September 8, 2019.

## **6. NEW BUSINESS**

### **a. Information – Sewer Use Adoption Schedule**

Mr. Gancarz distributed information on the sewer rate to the Authority members for review and discussion. The schedule is attached to these minutes.

Chairman Perrotti stated the Authority will take the proposed rate under consideration at this meeting; set a new sewer use rate at the October meeting; hold a public hearing on

the proposed rates in November; and set the rate at the November meeting (held immediately following the public hearing).

The Authority members were told by Mr. Gancarz that the Tax Collector's office needs the rates in November in order to send out the new rate information with the December invoices.

Current Rate - \$415 residential; commercial rate is based on water usage; CCI rate is based on flow meter information.

In prior years, Mr. Perrotti noted the flows for commercial and residential were evaluated to insure parity is maintained.

For 2020 the break even sewer usage rate is \$418.76.

Mr. Gancarz reviewed the rate information with the Authority.

- \$415 is the 2019 rate – 4,917 single family homes; \$2,040,555.00 revenue.
- Senior Cap based on income; average rate of \$350 per home; \$49,000 revenue
- Commercial - \$4.13 per 100 C.F. (RWA water data); \$776,281.66; if a commercial user generates less than a single family home, the flat rate of \$415 is charged.
- CCI – the charge is off the flow meter – December 1, 2018 to November 30, 2019; 9 months of data is taken, and September/October/November 2018 numbers are plugged in for full year data; \$985,363.89 revenue.
- Deductions were taken last year by WPCA with petitions for a subtraction meter (i.e. Maple Valley Farm) (\$20,859.90)
- Total estimated revenue - \$3,850,260.65
- Projected Revenue Town Council budget - \$3,884,975.00
- Shortfall of about \$34,000

The proposed annual rate information at \$420 and \$425 was reviewed by Mr. Gancarz.

\$425 annual rate – generates revenue of \$3,884,975.

When the Council adopted the budget this year, they envisioned the sewer rate staying at \$415. Mr. Gancarz said the Council made significant changes over the last few years, taking higher amounts of funding from the WPCD budget to help pay the treatment plant debt...more than \$500,000.

Mr. Carroll commented on the Cheshire rate being reasonable, even at \$425, and the Authority trying to cover annual costs with the sewer usage revenue. He noted the Council does not take money from the BOE for capital improvements to BOE buildings.

The WPCA has had a healthy surplus with money taken to supplement the town operating budget.

With regard to the position removed from the treatment plant, Mr. Gancarz will talk with Supt. Hallier about trying to get this position restored for plant operations.

It was pointed out by Mr. Carroll that the Authority is held to manage the plant and costs, be revenue neutral, but this is not always a fair playing field.

Mr. Perrotti cited a concern about a possible regulatory snafu because the treatment plant is under-staffed...and this would be significant. The Authority should get into a review of the plant operations, which could help further its position from a labor perspective.

Mr. Carroll stated his support for the \$425 sewer usage rate for 2020.

There will be further discussion at the October meeting, and Mr. Gancarz advised there must be a maximum rate set before the November public hearing. If the rate is set at \$425, the Authority cannot go beyond this number in setting the 2020 rate.

Chairman Perrotti stated there would be public notice of the proposed sewer rate to be discussed at the October meeting. He supports the \$425 rate for 2020.

#### **Upcoming Meeting dates**

**Wednesday, October 23, 2019, 7:30 p.m.**

**Wednesday, November 20, 2019; 7:00 public hearing; regular meeting immediately following the public hearing.**

#### **7. OLD BUSINESS**

Mr. Scannell talked about the Synagro Solid Waste facility in Waterbury CT, where Cheshire brings its waste, and issues/problems which have been publicly cited at the plant. He asked about the town's contract with Synagro, and how these problems affect Cheshire.

The Authority was informed by Mr. Gancarz that Cheshire has a one (1)-year contract, with four (4) renewable years, and the town is in year #3 or #4.

If Synagro were to shut down, Mr. Perrotti said it would be a problem for Cheshire, with additional trucking costs.

According to Mr. Gancarz, there is another site in Naugatuck, and at the time of bidding the contract, their quote was \$5 per ton lower the first year and then higher after that. It

was not a competitive bid. If the site has to be changed, it would be a premium pricing. He will discuss this with Supt. Hallier.

Pump Station Subcommittee – Chairman Perrotti renewed this committee, and asked Mr. Carroll to chair the subcommittee.

Senor Panchos Restaurant/Andy Adames, owner – Mr. Gancarz updated the Authority on the request from Mr. Adames for part of his land in Prospect CT to be served by the Cheshire Sewer System. His plan is to sell off part of his rear land with the possibility of this land being connected to the sewer system. This is a very steep area, and Mr. Gancarz questions whether houses could be built in this area.

The Facilities Plan Map was reviewed by the WPCA. The map shows existing and anticipated sewer service areas, flows generated, and this is how the plant was sized. Under the Facilities Plan there could be consideration of an outside area under a “pressing need”, and it could include land in Prospect. The Panchos Restaurant land was not included in the plan; outside communities were not included in the plan; and Cheshire does not have an inter-municipal agreement with Prospect.

Following a review of the facilities plan/plan map and the subject site in Prospect CT, the Authority and Mr. Gancarz cited the following reasons for not entertaining the request:

- The property is not included in the Facilities Plan
- There is no pressing need for a sewer connection
- There is no inter-municipal agreement for Cheshire with Prospect CT to recap costs for the plant upgrade
- WPCA is not ready to address this issue
- The recommendation to Mr. Adames is to go no further with this request.

Mr. Wellburn agrees with the decision, and stated the Authority could be setting a precedent for other future similar requests.

I&I Fund – Chairman Perrotti reported there is \$10,000 funding authorized for inspection of the interceptor. Mr. Gancarz said this is a visual inspection, which has not yet started.

## **8. APPROVAL OF MINUTES**

Due to an error in submission of the incorrect minutes at the August 28<sup>th</sup> meeting, the following action was taken.

MOTION by Mr. Perrotti; seconded by Mr. Beach.



MOVED that the WPCA rescind its approval of the July 24, 2019 minutes (on August 28, 2019) due to an error in submission of the June 26, 2019 minutes in the meeting packet.

VOTE The motion passed unanimously by those present.

**a. Regular Meeting of July 24, 2019**

MOTION by Mr. Beach; seconded by Mr. Carroll.

MOVED to approve the minutes of July 24, 2019 subject to corrections, additions, deletions.

Correction – a quorum was present.

VOTE The motion passed unanimously by those present.

**b. Regular Meeting of August 28, 2019**

MOTION by Mr. Scannell; seconded by Mr. Beach

MOVED to approve the minutes of August 28, 2019 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

**9. ADJOURNMENT**

MOTION by Mr. Carroll; seconded by Mr. Beach.

MOVED to adjourn the meeting at 8:30 p.m.

VOTE The motion passed unanimously by those present.

Attest:

  
Marilyn W. Milton, Clerk

WPCA RATE PROJECTIONS 2020

\$415 Rate		PROJECTED REVENUE				ACTUAL	
NO.	TYPE	UNITS	RATE	EXTENDED AMOUNT			
1)	RESIDENTIAL	4917	\$ 415.00	\$ 2,040,555.00	4917	\$	2,040,555.00
2)	SENIORS	140	\$ 350.00	\$ 49,000.00	140	\$	50,755.00
3)	COMMERCIAL	187961.7	\$ 4.13	\$ 776,281.66		\$	817,616.85
		48	\$ 415.00	\$ 19,920.00		\$	
4)	CCI	238586.9	\$ 4.13	\$ 985,363.89		\$	991,793.16
	TOTAL			\$ 3,871,120.55		\$	3,900,720.01
	DEDUCTIONS			\$ (20,859.90)			-20859.9
	TOTAL					\$	3,879,860.11
	ESTIMATED REVENUE FROM SEWER USERS			\$ 3,850,260.65		\$	3,879,860.11
	PROJECTED REVENUE FROM SEWER USERS			\$ 3,884,975.00		\$	3,884,975.00
	TOTAL WPCD BUDGET			\$ 4,439,832.00		\$	4,439,832.00

**\$420 Rate**

**PROJECTED REVENUE**

<u>NO.</u>	<u>TYPE</u>	<u>UNITS</u>	<u>RATE</u>	<u>EXTENDED AMOUNT</u>	<u>ACTUAL</u>
1)	RESIDENTIAL	4917	420	\$ 2,065,140.00	4917 \$ 2,065,140.00
2)	SENIORS	140	350	\$ 49,000.00	140 \$ 50,755.00
3)	COMMERCIAL	187961.7	4.18	\$ 785,679.74	805839.7388 \$ 817,616.85
		48	420	\$ 20,160.00	
4)	CCI	238586.9	4.18	\$ 997,293.24	\$ 991,793.16
	TOTAL			\$ 3,917,272.97	\$ 3,925,305.01
	DEDUCTIONS			\$ (20,859.90)	\$ (20,859.90)
	TOTAL				\$ 3,904,445.11
	ESTIMATED REVENUE FROM SEWER USERS			<b>\$ 3,896,413.07</b>	<b>\$ 3,904,445.11</b>
	PROJECTED REVENUE FROM SEWER USERS			<b>\$ 3,884,975.00</b>	<b>\$ 3,884,975.00</b>
	TOTAL WPCD BUDGET			\$ 4,439,832.00	\$ 4,439,832.00

**\$425 Rate**

**PROJECTED REVENUE**

<u>NO.</u>	<u>TYPE</u>	<u>UNITS</u>	<u>RATE</u>	<u>EXTENDED AMOUNT</u>	<u>ACTUAL</u>
1)	RESIDENTIAL	4917	425	\$ 2,089,725.00	4917 \$ 2,089,725.00
2)	SENIORS	140	350	\$ 49,000.00	140 \$ 50,755.00
3)	COMMERCIAL	187961.7	4.23	\$ 795,077.82	815477.8218 \$ 817,616.85
		48	425	\$ 20,400.00	
4)	CCI	238586.9	4.23	\$ 1,009,222.58	\$ 991,793.16
	TOTAL			\$ 3,963,425.40	\$ 3,949,890.01
	DEDUCTIONS			\$ (20,859.90)	\$ (20,859.90)
	TOTAL				\$ 3,929,030.11
	ESTIMATED REVENUE FROM SEWER USERS			<b>\$ 3,942,565.50</b>	<b>\$ 3,929,030.11</b>
	PROJECTED REVENUE FROM SEWER USERS			<b>\$ 3,884,975.00</b>	<b>\$ 3,884,975.00</b>
	TOTAL WPCD BUDGET			\$ 4,439,832.00	\$ 4,439,832.00

**BREAK EVEN**      \$ 92.30 PER \$0.01      \$ 418.76