CALL TO ORDER: Chairman David R. Wilson called the special meeting to order at 7:30 p.m.

ROLL CALL
Present: Members present were David R. Wilson, William Buckley, Sky Post, James Koser, and Christian Bratina. Also present were Ted Donoghue, Plant Superintendent, and Ann Combs, Recording Secretary. Kate Honan was present from the public and Selectman Jeff Zullo.
Absent: David Geiger

SEATING ALTERNATES: Chairman Wilson seated Sky Post as a regular member.

BUSINESS
1) FY 2023 Budget: T. Donoghue pointed out the revenue for FY 21 was given to the auditors by Sandy, and he presented an updated budget after going over it with her today. There was a discussion about a CDL license being mandatory, and Ted said it was a condition of employment and agreed upon by all parties back in 2014 when the current job descriptions were updated. W. Buckley thought the Town should reimburse the WPCA budget since it is used more in the Town than it is in the WPCA operations. Ted then pointed out increased line items. First, the insurance has gone up because of the cyber policy purchased by the Town to protect against ransomware attacks. Sludge processing is up significantly and is an increase we have no control over. With Synagro we will pay more in dry tonnage to thicken bio solids, $360 per dry/ton and we will pay more in transportation costs, which are now $0.06456 per gallon, or $419.76 per truck. We can mitigate this cost increase by updating the polymer mixing station, which was approved to use some of the Town’s ARPA funds, and by building efficiencies in how we pump and remove sludge to thicken. He is anticipating spending over $90,000 this year. With Torrington there is still no IMA, so Ted based his budget on the expired IMA’s stipulation that we still have 150,000 gallons a day reserved capacity. They will, however, incur significant higher costs for debt service. D. Wilson said the sticking point with the IMA is they want total flow divided by EDU flow and charge us no less than their customers. The cost per gallon will go up if we can’t negotiate. There was disagreement on how high the user charge would be. Ted said that if the IMA is signed before the end of June, it will be lower, otherwise the current contract will carry over. Professional services are projected at a 27% increase, and total sewer administration is up almost 19%. Under sewer operations, the high cost of polymer continues to boost the maintenance supply costs. Trash pickup will be going up. Electric is higher based on usage, and delivery charge is increasing, causing a budget increase of 14%. The potential solar project was discussed. Propane, gasoline and diesel fuels are all going up. Telephone has higher base rates with no more lines grandfathered in. Capital non-recurring has no funding in order to balance the budget; however, there should be a surplus in the operating budget of about $155,000 from FY 21 that could go to capital non-recurring, although we are not yet clear on what the fund surplus will be for FY 21. In fringe benefits, the significant increase is in health benefits, with a 10.5% increase in medical costs, but only .6% increase in total fringe benefits. Total budget for 22/23 is $1,199,961, a 1.78% increase over the current year.

On revenue, Ted said he and Sandy decided to stay with 94% collection rate. There is a concern that receivables could slow down due to the economy, inflation, and slower movement in the realty markets. Sandy recommended increasing sewer usage prior years from $60,000 to $75,000. C.
Bratina said we can’t ask the public for a rate increase until we get all data up to date and the contract signed. The total projected revenue for 22/23 is $1,199,961, balancing the budget.

**Motion:** C. Bratina moved to approve the budget presented tonight, and J. Koser seconded. D. Wilson asked Ted to get it ready for the Annual Budget Meeting. J. Zullo suggested getting together with the Town to review responsibilities and get a clearer idea of the need for the CDL and how much time and resources the Town spends on behalf of the WPCA. They should review the budget with the Town to make it more functional and formalized. Upon voting all voted aye and the motion carried.

2) **Engineering Study Management:** D. Wilson said they are ready to get Woodard & Curran involved and would like to set up a subcommittee of WPCA to manage it; either 2 or 3 members. W. Buckley said a committee of two would preclude the necessity of a quorum and posted agendas. He recommended Chairman Wilson and C. Bratina as the two members. It was also decided that Ted would be part of this sub-committee, but not Raz Alexe, the Public Works Director and Town Engineer. **Motion:** W. Buckley moved to establish a two-person engineering subcommittee to work with the consultants on the upgrades to the plant, with the two people being appointed by the Chairman. J. Koser seconded, and T. Donoghue asked if Raz Alexe could be on the committee, but was told he is not a member of the WPCA. Upon voting, all voted aye and the motion carried.

3) **Review Action from March, 2009:** D. Wilson pointed out the meeting of 3/12/09 where they voted to have the Public Works Director directly supervise the Plant Superintendent. The agreement at the time stipulated that the WPCA would pay part of the PW Director’s salary. The Commission at this time all agreed that this would be the best path forward to improve accountability and communication. So they made that motion as the WPCA to set up that chain of command moving forward. When they hired Jack Healy, they were not getting the performance desired from the Superintendent at the time. The job description has similar wording to the Town ordinances that stipulate that the WPCA Commission “generally oversee the operation and manage all sewage disposal within the Town of Litchfield, including personnel needed for such purpose.” W. Buckley said he made the motion at the time, as J. Healy had experience in environmental engineering and was getting his P.E. He noticed that in conversations over the last year people are hanging their hat on this motion as gospel, rather than going back to the WPCA and Town rules and ordinances. W. Buckley proposed making a motion that would rescind this motion of 3/12/09 to level the playing field and then continue the WPCA’s conversations with the Town over how and to whom Ted would report and operate.

**Motion:** W. Buckley moved to rescind this motion of 3/12/09 that was made to support the request from the First Selectman’s office to have the Public Works Director position oversee the operation of the sewage treatment facility and the collection system. C. Bratina seconded the motion. C. Bratina recalled that J. Healy would spend 20 or 30% of his time on the plant as part of the rationale. But it did not transpire that way. T. Donoghue added that between his team, the Selectmen and the Public Works Director, this plant has never run as well as it does now - or for the last 8 years. D. Wilson said his position has not changed since December – Ted is the licensed operator for the facility and as such is responsible for the permit operation of the plant. He further said they talked about Raz being responsible for the contract positions, as the Town is the employer. The WPCA would be responsible for the plant, the collection system operation, planning and funding. D. Wilson said Ted has complied a lot, but he also claimed Ted has gone in the other direction, refusing to take direction from the WPCA, specifically C. Bratina, since July of 2019. Without changing any positions, we could just agree that the WPCA is responsible for the operation, planning and funding, Ted is responsible for the permit operation of the plant and reports to the WPCA for everything but the contract employee portion. Ted questioned whether D. Wilson was saying he was insubordinate, and D. Wilson said he was like an unruly kid and was insubordinate. Ted said he is a contract employee, but was told to stop further discussion by Mr. Buckley. S. Post thought Ted should report to one person, and
communications to him from the board should go through that one individual. D. Wilson said that with the rescinding of that motion, it opens the door to discuss the mechanics of the operation at a later meeting. W. Buckley agreed that all members should not be directing Ted, but direction should come via the Chairman. **Vote:** Upon voting on the motion, all voted aye and the motion carried.

4) **Adjournment:** Motion: W. Buckley moved to adjourn at 9:02 p.m. and J. Koser seconded. All voted aye and the motion carried.

Ann D. Combs, Recording Secretary