

**LITCHFIELD WATER POLLUTION CONTROL AUTHORITY
REGULAR MEETING MINUTES
Town Hall Annex, 80 Doyle Road, Bantam, CT 06750
Thursday, December 8, 2022 ~ 7:30 p.m.**

CALL TO ORDER: William Buckley called the regular meeting to order at 7:35 p.m.

ROLL CALL

Present: Members present were William Buckley, Sky Post (alternate), David Geiger (alternate), Christine Harding, and Christian Bratina. Also present were Ted Donoghue, Plant Superintendent, and Raz Alexe, Public Works Director. Ann Combs, Recording Secretary, was absent.

Absent: David R. Wilson (arrived 7:37 p.m.), James Koser

SEATING ALTERNATES: Mr. Buckley seated both Sky Post and David Geiger as voting members. *[D. Geiger subsequently stepped down when Mr. Wilson arrived at 7:37 p.m.]*

MINUTES: Ted Donoghue said that minutes for February and September were coming with Dave Wilson. Mr. Wilson then arrived at 7:37 p.m., took over the Chairmanship, and D. Geiger stepped down from a voting member.

a) 2/10/22 Regular (tabled from 9/29/22 and 11/10/22): Motion: C. Harding moved to accept the 2/10/22 meeting minutes with the redline revisions. C. Bratina seconded, all voted aye and the motion carried.

b) 9/29/22 Special (tabled from 11/10/22): Motion: C. Harding moved to accept the 9/29/22 special meeting minutes as revised. W. Buckley seconded, all voted aye and the motion carried.

c) 11/10/22 Regular: Motion: W. Buckley moved to accept the 11/10/22 meeting minutes as revised. C. Bratina seconded, all voted aye except S. Post and C. Harding, who abstained because of absence, and the motion carried.

BUSINESS

1) Public Request and/or Comment: Kate Honan, Beach Street, asked if people can ask questions about the content of the meeting on 12/7/22 in the First Selectmen's office with the DEEP and what its position is. D. Wilson said W. Buckley will cover her concerns under Commissioner's Requests. She asked who corrects misleading information. D. Wilson said that if we ever got to negotiations, Goshen is ultimately responsible for negotiating for Woodridge Lake Sewer District. There is normally money put away to cover the costs. It is also the DEEP's authority if it is a polluting event. She felt there was a false narrative being advanced by the DEEP because Woodridge Lake's report that said because of a change in Federal administration, WLSD could no longer go to Torrington. After calling the USDA she found that this was not true and only related to the SNAP program. Their statement that WLSD has drinking water quality is resulting in claims they are polluting Bantam Lake. Someone has to call them out on these misleading statements. D. Wilson said DEEP has the habit of doing unqualified reviews and evaluations.

Jeff Zullo, Board of Selectmen, updated the group on the WPCA solar project. The first invitation to bid in June that received two bids was withdrawn because of the Inflation Reduction Act that changed the landscape on solar projects. The tax credit went up to 30% from 26%, so we resubmitted the bids to take advantage of that. The same two bidders responded and the Selectmen have approved the bid by SHR. The project will be a 25 yr. flat, fixed, zero increase rate over 25 years of 8.4 cents/kwh. The projected savings based on WPCA's usage is \$695,000 based on a conservative estimate of escalation. The ZRECs

in place (zero renewable energy credit) will help pay for the system. The size of the system is 350 kw. J. Zullo will scan everything plus the schematic to the Commission. The project is on Town property and is why they are administrating the project, while the WPCA is the buyer of the power. There are significant trees on the site that will be protected. The 8-24 has been signed, and the Wetlands and Zoning permit process will begin this month. A Power Purchase Agreement (PPA) between the Town and SHR is being prepared, and the hope is that it can be approved at Town Meeting and construction started in the spring. J. Zullo asked for the WPCA's approval, and D. Wilson said they already did approve it at the last meeting. Mr. Zullo said their net cost will be 8.4 cents, as they are generating the power and will not have a distribution or production cost. D. Wilson said Eversource would find a way to charge them for distribution. J. Zullo said PURA has not changed this yet, and the programs are still very good to realize the benefit, effectively about \$30,000/year off the power bill.

2) Update on Torrington Intermunicipal Agreement: D. Wilson reported no progress since last month.

3) Scope of Work & Contract Negotiations with Woodard & Curran: D. Wilson said he went out to Woodard & Curran before the last meeting and asked them to update their numbers. They came back with a number that was about 10% higher than before. D. Wilson said he found one issue this afternoon where they may have gone back to their original estimate that included more energy efficiencies than we were interested in, as we already had much of it from the same consultants. Atty. Rybak's comments were sent to them, and as soon as we get that back from W&C's group in Boston, we'll have it ready to go.

W. Buckley questioned whether it would be ready for a vote at the next meeting, and D. Wilson said they had already approved it, but not this contract. W. Buckley pointed out what was sent to him and Christian last week originally at \$410,900. Then the one sent to him five days ago was \$412,000. D. Wilson explained that what they took out they did not put back in, but worked off the original. Mr. Buckley said that the contract they have is not the contract we approved, so D. Wilson agreed to bring it back again next month for approval, with time ahead for Commissioners to digest.

4) Recording Secretary: D. Wilson said that Ann Combs has resigned effective the end of this month. He asked T. Donoghue how much she is paid, and he said he thought it was about \$17/hr. but he would have to double check. He said it might be \$25, but he would email them tomorrow. D. Wilson asked for the amount paid so far this year. Ted said she has been paid more recently because she has been spending a lot more time on the minutes. D. Wilson said that some commissions go by the theory that less is better, but we use them as historical documents. We should get someone else and recalled that after Carol Goslee, they had three people in between to do the recording. He said, upon reading through the Freedom of Information (FOI) statute, the key requirement is to keep a record of the motions and votes, to be submitted within 48 hours of the meeting. C. Harding offered to reach out to other committees and commissions to see if there is a secretary who would like to take the job. R. Alexe said the going rate is how many hours spent between attending the meeting and doing the transcription. D. Wilson agreed the WPCA meetings are somewhat technical but the minutes are important documents.

5) Hach LDO L2 Probe Upgrade – 4 Needed: D. Wilson said T. Donoghue has indicated we have a probe problem and has submitted a proposal. Ted explained that in 2014 they got a grant from the DEEP for nitrification instruments, so they purchased four of the Hach LDO probes, two ORPs, the SC-200 controllers, and are using them as their main monitoring for the aeration control system. As preventative maintenance, an LDO cap (\$300) has to be changed every year. The Hach salesman said they will no longer support the LDO 1 and recommended going to the LDO 2 before there is a failure. They are eight years old, and one was acting up recently. These are just the sensors to replace the existing ones. The probes are rugged, but are getting to the end of their lives. The price is \$12,192 for all four whole probes. Our handheld probe will still be supported. Models can be mixed so the SE200 will accept this one. It

should take about a month to get them. **Motion:** W. Buckley moved to purchase the four LDO 2 probes, total of \$12,192, the source of funding to come from the operating budget. S. Post seconded, all voted aye and the motion carried.

6) Safety: T. Donoghue said there are no incidents to report. R. Alexe said he is working on developing a training schedule and will have a draft at the next meeting. T. Donoghue said that repetitive training keeps it fresh in the operators' minds and covers the Town in the event of an injury.

7) Commissioner's Requests: S. Post asked to have the finance report projected on a large screen, and C. Harding said there is a plan in the ARPA funding for this type of use for powerpoint presentations in the Annex meeting room.

W. Buckley updated the group on the conference call to the DEEP yesterday. Attendees were Raz Alexe, Denise Raap, Jeff Zullo and him representing Litchfield, Todd Carusillo, First Selectman from Goshen and Nisha Patel from the DEEP. Graham Stevens did not participate. W. Buckley said they concentrated mostly on what we are doing as a commission. We had negotiated with Woodard & Curran and were now finalizing the contract for signing in January. Ms Patel seemed to be very much aware of this. Then discussion turned to Woodridge Lake Sewer District, and she said the DEEP would never get in the middle of ongoing inter-municipal negotiating, but they do have the authority to confiscate your capacity, confiscate your allocation, and order you to take somebody else's sewage to avert a pollution problem. Ms Patel said the DEEP did not pick a plant for WLSD to go to, and that to the best of her knowledge, the problem with WLSD going to Torrington is that Torrington asked for connection fees that were too high. She mentioned nothing about any grants or funds. She spoke about the Torrington Water Company getting in the middle, causing them to go to the State Health Department and getting them involved in the negotiation, but it was all worked out. WLSD backed out because of the cost. Next Ms Patel said the current route to come to Litchfield is down Old Town Road. Mr. Buckley asked her why only WLSD and not the Town of Goshen is involved in this, and she said if having an agreement, it would be better to have it with the Town that has financial borrowing powers and other powers that the taxing district does not have. T. Carusillo said he would meet with Woodridge Lake to discuss this. W. Buckley said further that he was not aware of any formal request from Goshen to Litchfield to negotiate anything or to establish an interlocal negotiating committee. He said he has negotiated eight interlocal municipal agreements in the past, always with a town. Ms Patel then said she knew that, and assured him the DEEP does not get in the middle of negotiations, but would only direct a solution to a pollution problem. He also brought up Tyler Lake and problems they have with septic. He would never want to negotiate two contracts but would rather negotiate with the Town of Goshen. He then said that before we talked to anyone, we wanted to find out with a standalone study what our needs are based on the draft permit and based on our saturated service area so that we could make sure we had a facility that could handle the projected flow consistent with the proposed permit. Ms Patel said there is grant monies available, maybe 20% or more for regional facilities. She was not surprised at where we are. R. Alexe added that we asked Ms Patel for continuous communication with us as we move along in our process of assessment of the plant. Perhaps we will then entertain Goshen's formal request for negotiation. S. Post asked about the 17 point letter from Jim Mersfelder at WLSD. W. Buckley spoke on the phone with him and Jim said he thought he was negotiating with us. W. Buckley told him that talking to him alone is not negotiating and he envisioned Litchfield negotiating with the Town of Goshen. He also said Mr. Mersfelder was a very interesting guy and he enjoyed their conversation. T. Donoghue brought up the town meeting in Lenox, Mass. to approve a \$45 million sewer improvement project. W. Buckley also said that Ms Patel noted that if we had another community join with us, it would help offset expenses.

D. Wilson said that DPH and DEEP have been trying to reduce the number of entities that report to them over the years. W. Buckley added there are fewer and fewer water companies.

D. Wilson then reported meeting today with Chris Casiello of Arethusa. With Mr. Wilson were Ted Donoghue and Christian Bratina. They looked at Arethusa's process. They are now redoing their discharge permit which will include pretreatment, additional testing, etc., which the WPCA will also have to sign off on. C. Bratina subsequently made notes that they can discuss at the next meeting with Arethusa to hopefully find something that works for them as well as for us. C. Casiello was present and said the meeting was amicable and thought they could work through negotiations to fulfill the requirements of the permit and get it signed. T. Donoghue told C. Casiello that he would take a sample for a COD test, which will give him the ratio.

D. Wilson then announced it is Ted Donoghue's tenth anniversary with the Town, and all applauded.

8) Public Works/Treatment Plant Report

a) Easements: No report

b) Operations: Permit compliance has been maintained since the last report with the exception of a Sewage By-Pass event reported on 11/5/22. While pumping, a hose became dislodged and sewage flowed into a catch basin that flows into the Bantam River, with estimate of about 500 gallons. Routine operations and maintenance work continues, and for the month of November the total flow was 10.858 MG and the daily average flow was 0.35 MGD. We removed 52,000 gallons of biosolids for final disposal during the month of November and have been able to go down to one truck per week that helps with the 40% cost rise.

- We processed a total of 117,950 gallons of septage during the month of November, a 4% increase over last November. YTD we are up 41%.
- For November effluent BOD removal percent was 99% and TSS removal percent was 99%. The minimal removal rates per our NPDES permit is 85%.
- The daily average of Total Nitrogen lbs. /day discharged into the Bantam River was 2.8 mg/l or 9.3lbs. /day. Our daily limit is 24 lbs. /day. He felt they would average about 10 lbs. for the year.
- The daily average for Total Phosphorous discharged in the Bantam River was 3.0 mg/l. or 8.9lbs./day. The monthly average cannot exceed 3.7 mg/l and our daily maximum cannot exceed 7.43 mg/l.
- On 11/3/22 we finished preventative jetting on Circle Drive and began jetting on Ongley Road.
- On 11/8/22 we reported a Sewage By-pass event as a result of a hose becoming dislodged while we were pumping down the spare tank full of partially treated influent. We estimated less than 500 gallons entered a catch basin.
- On 11/12/22 we had a generator run alarm at 2:53 AM. Ted responded and no issues to report.
- On 11/14/22 Ted attended WIMS training in Hartford, CT. He felt it was a very good class.
- On 11/15 & 17/22 we finished preventative jetting on Ongley and Harris Roads. Ted will inspect the car wash next week to sludge judge the oil/water separator in the three tanks.

W. Buckley asked if Ted and C. Bratina have drafted a response to the DEEP on the draft permit. He asked Ted to find out what the DEEP uses for 7Q10, so he will ask Chris Falk. W. Buckley added he told Ms Patel that he was very disappointed that they could not negotiate a price.

- Old Business: 1) Easements 2) UV System 3) Mechanical Bar Screen: S. Post asked when the UV System and the bar screens were going to happen. T. Donoghue said the UV system was approved in the second round of ARPA money, but the flood resiliency would come first. Next would be the UV system and third, the mechanical bar screen. But once the consultant is here, the Commission could decide if we want them to run with these projects and write the spec for this equipment or go with T. Donoghue's recommendation to hire another engineering firm to write the specs for both pieces of equipment.

c) Collection System Work: No report

9) Financial Report: T. Donoghue said he tried to simplify the cash flow chart per C. Bratina's request. C. Bratina asked him to send the spreadsheet and he would take a look at it. It should show the revenue and expenditures approaching the budget for 2022. Ted will check on it. Sandy's revenue report shows November a little lean because she took some time off, but December should be much higher. With overall expenditures, he will begin stepping on the breaks, as we are already at budget on supplies. C. Harding asked them to consider the credit card option and online payment for the users. She will talk to Sandy. S. Post asked if we have accounts that are making interest, and Ted said yes, that Finance can run a report from Munis that shows monthly interest.

W. Buckley asked D. Wilson if he could send a letter to Ann Combs thanking her for her years of service on behalf of the Commission, and he agreed.

10) Old Business

a) Second Vehicle: No report

11) Adjournment: Motion: W. Buckley moved to adjourn at 9:11 p.m. and C. Harding seconded. All voted aye and the motion carried.

Ann D. Combs
Recording Secretary