

**LITCHFIELD WATER POLLUTION CONTROL AUTHORITY
REGULAR MEETING MINUTES
29 Stoddard Road, Bantam, CT 06750
Thursday, January 11 2024 ~ 7:30 PM**

CALL TO ORDER: David Wilson called the regular September meeting of the Litchfield WPCA to order at 7:37 PM.

ROLL CALL

Present: Members present were Dave Wilson, William Buckley, John Bongiorno- BOS liaison, Ken Merz, Sky Post, also present were Raz Alexe, Public Works Director, and Ted Donoghue, Plant Superintendent.

Absent: Christian Bratina, David Geiger.

SEATING ALTERNATES: None seated.

MINUTES: Motion: W. Buckley put forth a motion to accept the 12/14/23 Special Meeting Minutes, as amended. K. Merz seconded, and there was no discussion. All members voted “aye” and the motion passed.

Motion: W. Buckley put forth a motion to accept the 11/9/23 regular meeting minutes as amended. S. Post seconded, and there was no discussion. All members voted “aye” and the motion was passed.

BUSINESS

- 1) **Public Request and or Comment:** None presented. D. Wilson explain to J. Bongiorno that we have this first on the agenda, to address any issues or concerns that are not on the agenda for the meeting tonight.
- 2) **Update on Torrington Inter-municipal Agreement:** The recent election in Torrington did not change the composition of the Boards of Selectman –which is the WPCA Board in Torrington. W. Buckley asked if D. Wilson had reached out to them. D. Wilson acknowledge that they did send out the FY 23 bill, and that D. Wilson had meet with their plant Superintendent to put this current bill into the new proposed format for billing for usage. D. Wilson felt that the calculation was not accurate, as it was much less than what he thought it would be. As a result he will reach out to Ray Drew to try it again-W. Buckley asked to join him. W. Buckley shared his concerns that the Torrington WPCA has no motivation to formally negotiate with the Litchfield WPCA, as we are paying capital cost on \$150,000 gallon per day (GPD). Years back we all agreed to reduce this number to 50,000 GPD, as we normally used around 25,000 GPD. W. Buckley went on to explain the issues that the Torrington WPCA does not want Litchfield customers to be paying than a Torrington customer. He also expressed concerned that we should only pay our share of capital cost that our flow actually travels through. An example would be we should not pay for upgrade work for a pump house located up on East Main St. T. Donoghue then explained the current bill that was received. It includes \$24,557 for usage and \$69,396 for debt services, he explained that their operation budget for last year had increased dramatically, as well as capital cost-which were over \$230,000. He next asked what we should do with the bill. W. Buckley said we should not pay it and we should put the monies aside until we can get them to lower our reserved capacity rate and begin the negotiations for a new IMA. D. Wilson said we have no choice but to pay the bill, as the previous IMA- which expired numerous years ago, and all the details in that agreement are still in full effect including the reserved capacity of 150,000 GPD.

W. Buckley asked that T. Donoghue send out the expired and ne proposed IMA with Torrington to all the Board members. W. Buckley will email D. Wilson a date next week to sit down with R. Drew- the Torrington Public Works Director who will be negotiating on their behalf. He next asked who should neonate for the Litchfield WPCA. J. Bongiorno said that sin it is a contract worth over \$2,000 that it should include the Board of Selectman, the Board of Finance and may have to go to a Town Meeting. D. Wilson felt that since it was an existing agreement, that may not be required. Regardless. J. Bongiorno will follow up on that and report back to the Board.

- 3) **Woodard & Curran Update:** Tom Schwartz, a Senior Project Manager at Woodard & Curran, called into the meeting at 7:40 PM to update the Commission on the status of the ongoing engineering study. T. Schwartz said they submitted a couple thing to D. Wilson and C. Bratina, including the intensification comparison and the flood modeling study and next asked if there were any questions or feedback from the group. D. Wilson asked if the guy who does the hydrographs had sent them out yet. T. Schwartz thought they had been sent out. T. Donoghue and W. Buckley had not seen any email about this as of yet. T. Schwartz said he will email out the two reports tomorrow. W. Buckley then asked what T. Schwartz actually send out. We sent out a report that requested more hydrographs. D. Wilson said we have only seen the cross section before the last WPCA meeting. T. Schwartz said he will double check everything and resend it out to D. Wilson and T. Donoghue, and then they can distribute it among the Board. W. Buckley then asked him to summarize it, and T. Schwartz then explained that the study is showing that the 100 year flood is entering the plant, in a limited indentation, the guidelines followed by his modeling team followed all industry standards-including FEMA. The 100 year is entering the plant on the north side, but it is not inundating the tanks, but TR16 requires flood protection, and that for non-critical plant equipment it is 100 year plus 2 ft. For critical equipment-such as tanks, it is 100 year plus 3 ft. It looks like the aeration tanks, clarifiers and UV would need protection. At the 3ft level these tanks would be under water, this is not ideal news but this is what they have come up with. T. Schwartz has asked the modeler to see if we could install a berm around the parameter of the plant, and it come in on the top side of the plant by the headworks. The good news is that it looks like a berm, not a very tall berm a few feet in most locations would provide the necessary protection. They did this in Enfield and his was acceptable for the DEEP, and this would be our best option. The one caveat is that TR16 required uninterrupted treatment a 100 year flood event, and you could not let the tanks flood, even though we know they would be still there when the flood water would recede, DEEP is mandating this. T. Schwartz has not reached out to the DEEP as of yet, and feel we should talk more before formally contacting the DEEP. We would have to see what they might accepted as options for us.

D. Wilson next asked if the TR16 standards for flood resiliency would require this if we are installing new equipment. T. Schwartz stated that DEEP issued a memos years back outlining their guidelines, and that adhering to the updated TR 16 standard, which would be required for both new and existing equipment. If this was Rhode Island they would request a cost analysis and if it was cost prohibitive, they would accept it without using the new TR 16 Guidelines for existing equipment. A few years back T. Schwartz was speaking with Jen Perry, and she was adamant that if you are using Public SRF funding for new or existing facilities, you would have to follow all TR 16 Guidelines. He would assume that is still the case as he has seen nothing new that would change that decision. T. Schwartz said we would need to reach out to them to make that confirmation. D. Wilson said we should not ask them for that yet and T. Schwartz agreed. W. Buckley said if we start too high and raise the issues, we know what it could cost our rate payers on something like this making it cost prohibitive and we should consider speaking with a Deputy Commission about our concerns, but first we need to get our hand around it before engaging the DEEP. T. Schwartz assure the Board that there has been no communication between him and the

DEPP, and there will be none until the Board is ready. The berm looks promising, and they looked at the upstream impacts. The answer appears to be no, as there is little impact upstream, which is good. W. Buckley asked is the proposed berm in a floodway. D. Wilson said there is no established floodway north of the Stoddard Road Bridge. T. Schwartz said the berm would be installed parallel to the river, and W. Buckley again asked if the maps show a floodway in this area, as you cannot put fill in this type of area, T. Schwartz said we would have to first get permission to install a berm from FEMA, It is a permitted act. Speaking with his modeler, and until it gets permitted FEMA could just consider it part of construction in the flood plain, The DEEP may consider it actual protection before FEMA would grant a permit. There is a lot going on with these agency and there is much to learn, so it might be beneficial to have Joe on the next WPCA meeting to explain all this. The permit is basically certifying the design the paper work is complicated and not cheap too, but it can be done. Again when they put the berm it the modeling shows it may work quite well, if we had to protect the tanks, by raising them by almost 4ft, and other equipment this would become quite expensive, so this would makes thing much easier.

D. Wilson we look forward to reviewing all this material. W. Buckley next ask about Joe their modeler-who is the head of their hydrology division, if he had run the other modeling types. He believed there are three. As one model may be more favorable than another for us. T. Schwartz said that they used the HEC-RAS and USGS and used their flows. He did not ask Joe the question that way, but will inquire with him. The USGS data is acceptable to FEMA and meets the DEEP standards. He asked Joe if there are any variables within these models that we could work with, and he said yes but professionally “no”. USGS gives you stream flow data, but if you want something more rigorous you could model the drainage area of the Bantam, River Area, this could give you much more accurate data but would be a much bigger under taking, as you would be studying the acreages, the soil types, how much is forested or grass lands, etc. This would be very accurate but there is no way knowing if the end results would change the outcome that we are dealing with. Most clients use the USGS data to make these determinations. He will ask the question as W. Buckley posed it and will see if he gets a different answer and get back to the group. There are two different methodologies, but the HEC-RAS is the most commonly used. He will get out the reports tomorrow and if we want Joe at the next meeting we will set it up. He was thanked by the Board for his update.

R. Alexe commented that ever since they put in HEC-RAS that is what everyone is now using. W. Buckley said we should use the modeling that has the lower water levels, as they are all expectable. D. Wilson said that for the Torrington plant upgrade the flood resiliency work added 30% t the cost of the project. W. Buckley said did we not already have a flood studying done of the plant? D. Wilson said no, which was the Fuss & O’Neil study for the Stoddard Road Bridge, which they used the wrong rain fall intensity data for, so it is not accurate. The CT DOT was refusing to use the new USDA information, and he is not sure they are even using yet. W. Buckley clarified that the DOT use a different standard. R. Alexe said the challenges is how many Nodes and upstream basins are you going to use in all these situations, and it is very tricky and that model is going to take forever to run and it will spit out some outputs that will be questionable...potentially. T. Donoghue reminded W. Buckley that Woodard & Curran did not accept the flood study that Fuss & O’Neil had used. D. Wilson said the mistake W & C found, which he found too, was that they did not use the correct rainfall intensity data, which was revised over the last 15 years in Connecticut. It became significant to him as he worked in CT and closer to the Hudson River.

4. Distillery and Arethusa Discussion: D. Wilson began by sharing that the Distillery has already signed it and Arethusa is close to signing there. Both customers will be doing their own

sampling-as that is our preference and then submitting the samples to a commercial lab for analysis. K. Merz then asked if each of these customers is 10% of our volume, they are more than 5% of of BOD loading. T. Donoghue explained typically we receive about 1,000 lbs. /day of DD loading. The Distillery only discharges 750 gallons and they are over 5% of our BOD loading, which is equal to Arethusa which discharges anywhere from 3,000 to 8,000 GPD. There are also other nutrients such as FOG, TSS nitrogen, and phosphorus which they discharge in higher than normal numbers, and there is a cost to treating this as well. Arethusa has typically paid between \$16,000 to \$21,000 per years on BOD only surcharges, over the last 7 years. Since the Distillery has opened up, they had not paid nay surcharge at all. As it was determined when they first came online that their loading would not be that significant. That was not the case and since they added a second still almost two years ago their loading has increased drastically. We have not forced the Distillery to become a Significant Industrial User (SIU) but Arethusa already has been designated that by the DEEP. D. Wilson mentioned that some cities on the west coast are now surcharging restaurants these days too, and we do have working FOG standards and we want to know how they are sampling out there. When we first started charging restaurants, the billing was not off water usage, as it was argued that most customers take the water with them. From D. Wilson experiences local resorts, Ski Mountain, and golf courses they have issues with waste from his experience going into their septic systems. W. Buckley was happy with the progress made and asked to move on.

- 5) **Solar Array Update:** D. Wilson said they will begin doing pull testing next week and beyond that there is no progress. It is expected that the project will be completed come June of 2024
- 6) **NPDES Permit Update:** T. Donoghue said there was no update. J. Bongiorno asked what this is, and T. Donoghue gave a belief explanation that this is our discharge permit with the CT DEEP, and explained how our previous permit is still in effect, since the DEEP is backlogged with issuing new permits.
- 7) **WPCA Tax Collector:** D. Wilson began by saying that we need a bookkeeper and not a tax collector. W. Buckley asked why are we still discussing this and we should've of listened to S. Post who had a potential booking candidate earlier in the year. D. Wilson went on to say we need someone who can enter the date into the "Q" software, but them itemize all the receivables from assessments, surcharges, septages, etc. J. Bongiorno then asked what the problem is., and his understanding was that customer would be able to pay online. D. Wilson acknowledge that was one of the goals, but then said that the 1st Selectman "does not like the" Tax Collector, which is elected position. S. Mitchell had retired. J. Bongiorno asked if the town handles all of our fiduciary responsible, T. Donoghue explained that manages all the day to day expenses and generates PO and such. The finance departments handles the rest of it He understands that. He wants to know what the problem still is and beyond the personalities, what is not being done. D. Wilson next mentioned that the tax collector system does not tell you how many EDU's to bill each year, and the fact that all the receivables being received need to be reconciled each month This has to be presented in a monthly report, and shared with the Commission. Plus this is how everything is separated and reconciled so it can be entered in the Munis software correctly by the team at Finance. K. Merz asked who is sending out the bills. The "Q" system did it for us this current FY. Quality is what the town users for tall the tax billing. J. Bongiorno asked how customer pay their bills. They can pay at the tax office or mail in their payments to our P.O. Box. T. Donoghue shared how he and the previous Asst. Tax collector made this all work. We budgeted \$12,000 a year, but only paid about \$10,000 per year. The new proposed charges from Town hall would be about \$35,000. The payment are being received by customer mailing them in, there was never online bill

payment available for WPCA customers. K. Merz asked why we don't have a bookkeeper. T. Donoghue explained how it was proposed to have H. Bunnell do it but the conflict of interests was she could not be a town employee and a contract employee at the same time. H. Bunnell has not been paid since she started accepting payments in the spring and doing most of the work. D. Wilson will ensure she will be paid. J. Borgiorno will speak with D. Rapp about this, as his understanding is that a town employee doing this work on town equipment should not be paid more to do this work. It would simply be changing their job description to accept these new responsibilities. He stressed we need to update the bill pay to offer online payments. T. Donoghue explained that they gotten proposal from Quality for the next FY-the cost is about \$4,300 for the year. This includes the software and mailing costs and briefly explained hoe we used to handling mailing out the invoices.

8) FY 2025 Budget Discussion: Pressed for time, T. Donoghue began by presenting the first draft of the FY 25 budget and he explained to the two new board members that the goal is always to present flat budget, as we have not had a rate increase since 2017. The first run through looks good, as since we paid off the last plant upgrade, we are not pressed to raise rates to cover our expenses. He began by explaining the biggest area of expenses, which in Sewer Administration is his salary and Professional Services-3201-52111. Under Professional Services this includes major expense such as lab testing, sludge hauling, and usage and capital fees to both Torrington and Thomaston. Next big area of expenses are under Sewer Operations. This includes Plant Supplies, Equipment Repair and Electricity. There are no changes to any of these line items at this point. The solar array may be online by next July, but T. Donoghue budgeted it so that only six months of this next FY would have the reduced rates. We can revisit this all next month. The final big expenses are wages and benefits, Finance gave us an estimate f a 5 cost increase for medical cover, so that will put us at over \$117,00 a year for medical and life. The other cost stayed relatively flat, and we no longer have to make pension payment. T. Donoghue asked if there were any questions. None asked and we moved on.

9) Fund Balance Update: No update. We will add money from the Fund Balance later in the FY.

10) Commissioner's Request: None presented.

11) Public Works/Treatment Plant Report:

a) Easements: No report.

b) Operations:

- We processed a total of 90,250 gallons of septage during the month of December an 18% decrease over last December. YTD we are down 4%.
- For December effluent BOD removal percent was 98% and TSS removal percent was 97%.The minimal removal rates per our NPDES permit is 85%.
- The daily average of Total Nitrogen lbs. /day discharged into the Bantam River was 2.3 mg/l or 15.0 lbs. /day. Our daily limit is 24 lbs. /day.

- The daily average for Total Phosphorous discharged in the Bantam River was 1.3mg/l. or 7.4lbs. /day. The monthly average cannot exceed 3.7 mg/l and our daily maximum cannot exceed 7.43 mg/l.
- On 12/5/23 new Board of Selectman member, and WPVA liaison, John Bongiorno had a plant tour
- On 12/6/23 S & S Paving patch area of entrance over new culverts.
- 12/7/23 New Board Member Ken Merz had a plant tour.
- On 12/18/23 reported effluent non-compliance event. Plant flow was 2,000 GPM when we walked in. The west tank never burped and east and center starting to stop at 3:30 PM.
- On H. O. Penn at Northfield pump station to address oil pressure alarm. Needed a new sensor and wire.

b) Collection System Work: No Update.

12) Financial Report: T. Donoghue provide a quick overview and mentioned the focus will be tapping on the breaks for the winter.

13) Old Business: None presented.

14) Adjournment:

Motion: W. Buckley moved to adjourn the meeting at 9:21 PM. C. S. Post seconded and there was no discussion. All members voted “aye” and the motion passed

Terrence Donoghue
Interim Recording Secretary