

# Water Pollution Control Commission

Town of Clinton, 54 East Main St., Clinton, CT 06413

Green Room

Tuesday, April 11, 2017

REGULAR MEETING

MINUTES

## 1. Call Meeting to Order:

Matthew Kennedy (Chair) called the meeting to order at 7:03 PM in the Green Room of the Andrews Memorial Town Hall.

Present: Matthew Kennedy (Chair), Laura Peterson (Vice- Chair), Hal Dolan, Al Walker, Omar Francis, Carl Neri

Absent: Chris Guelke

## 2 Recognition of Guests:

Kristie Wagner and MaryJane Engle of CDM Smith, Atty. Matt Ranelli of Shipman & Goodwin and resident Dan Melesko.

## 3. Approval of Minutes:

L. Peterson made a **motion** to approve the minutes of March 28, 2017.

H. Dolan seconded the motion.

In favor: M. Kennedy, L. Peterson, H. Dolan, O. Francis, A. Walker, C. Neri

Opposed: None

Abstained: None

Motion carried: 6-0-0

## 4. Correspondence:

Letter dated April 10, 2017 to the WPCC and Raul Tejada , Senior Engineer at the Department of Public Health from First Selectman Bruce Farmer.

Letter dated April 3, 2017 from Hank Olszewski, Administrative Officer of the Clean Water Fund for the Dept. of Energy and Environmental Protection (DEEP).

Letter dated March 31, 2017 from Bruce Farmer and Director of Public Works, Peter Neff concerning upcoming tasks associated with bonding the Rocky Ledge Water Main Project (RLWMP).\*\* see attached letter \*\*

## 5.Old Business:

a. Rocky Ledge Water Main Discussion-

M. Ranelli defined the roles of ordinances and policies and their usage in moving the RLWMP forward. He asked 'What do you want to achieve and how do you want it funded?' The process would be to create an ordinance of requirements that are not already covered by the Public Health Code and Clinton Code #509:1. A new drinking water ordinance would provide the legal structure and an accompanying policy would provide detail and support for that ordinance, and could include FAQs, etc.

It was decided that Engle/Wagner will continue to work on the project policy, and Ranelli will review and indicate which items are either covered by an existing ordinance/statute, or need to be covered in a new ordinance. Ranelli said that he couldn't find anything in State Statute that allows towns to require hooking up to a new water main so far, but he will

continue to check with the State and the Clean Drinking Water Fund. Wagner indicated that at this time, DEEP expects the town to enforce the program to comply with the consent order (allowing future septic improvements) . Ranelli cited the "Groundwater Management Zone Ordinance of the Town of Durham, Connecticut." as the most likely model for the ordinance that Clinton needs. The Durham Ordinance is different, however, because Durham had a toxic environmental situation that made it mandatory for homeowners to abandon their wells. We do not have the exact same situation on Rocky Ledge, but the community pollution problem does exist. Ranelli stated that if there is a financial inducement for people to hook up then the town would be allowed to 'require' hooking up to participate in the financing program. Wagner questioned the well abandonment aspect of the policy. The Public Health aspect of well usage may determine whether wells will be required to be abandoned or not. Ranelli will research whether the town is allowed to mandate well abandonment or not.

Discussion followed as to how necessary septic system repairs in the Rocky Ledge neighborhood would be addressed in regards to the Facilities Plan. The conclusion was that the area will be treated the same as any other area in the Decentralized On-Site Wastewater Management.

Discussion followed on the waiver aspect of the policy; the intent, the purpose and the desired outcome as well as the creation of the access agreement necessary to allow Town personnel on to private property.

Wagner outlined a course of action: Engle to continue work on the policy, Ranelli to analyze that policy to determine whether it is legally viable or whether portions should go into the ordinance. Wagner also reminded the Commission of the need for contact to be made with Atty. Bennet for information on the appraiser he mentioned at the March 28 meeting.

There was a review of Kennedy's conversation with Gerry McDermott of the CT Water Co. (CWC). Kennedy was told McDermott is working on figuring the financial contribution the CWC will offer the Town. Engle stated that once we have a firmer grip on the costs of the project, we can back the details out as to who pays for what.

In conclusion it was decided that Wagner and Engle will work together to update the policy by the next WPCC meeting on the 25<sup>th</sup> and they will submit it to Ranelli for his review after the WPCC meeting discussion. Ranelli will bring the reviewed policy back to the WPCC at the May 9<sup>th</sup> meeting.

(Matt Ranelli left the meeting at 9:01 PM)

(Omar Francis left the meeting at 9:02 PM)

## **6. New Business:**

### a.-Invoices-

L. Peterson made a **motion** to approve invoice #90014719 in the amount of \$17, 439.89 from CDM Smith covering work from Sept. 2016 through April 7, 2017.

A. Walker seconded the motion.

In favor: M. Kennedy, L. Peterson, H. Dolan, A. Walker, C. Neri

Opposed: None

Abstained: None

Motion carried: 5-0-0

### b. Election of Officers 2017-2018-

#### Chair of the WPCC:

L. made a **motion** to nominate Matthew Kennedy for position of Chair of the WPCC for the 2017-2018. year

H. Dolan seconded the motion.

In favor: M. Kennedy, L. Peterson, H. Dolan, A. Walker, C. Neri

Opposed: None  
Abstained: None  
Motion carried: 5-0-0

Vice Chair of the WPCC:

H. Dolan made a **motion** to nominate Laura Peterson for the position of Vice-Chair for the 2017-2018 year.

A. Walker seconded the motion.  
In favor: M. Kennedy, L. Peterson, H. Dolan, A. Walker, C. Neri  
Opposed: None  
Abstained: None  
Motion carried: 5-0-0

c. Bottled Water Delivery-

H. Dolan made a **motion** to table the Bottled Water delivery discussion.  
A. Walker seconded the motion.  
In favor: M. Kennedy, L. Peterson, H. Dolan, A. Walker, C. Neri  
Opposed: None  
Abstained: None  
Motion carried: 5-0-0

d. STEAP application-

Discussion of the 2017 application for a STEAP grant to help offset the costs associated with the RLWMP. C. Walter and K. Wagner prepared the application. The commission was told the Board of Selectmen would be reviewing the application at the April 12<sup>th</sup> meeting of the BoS and that support for the application would be desirable since there is a second STEAP application being considered by the town.

(Al Walker left the meeting at 9:23 PM)

**7. Chairman's / Commissioners comments:**

None

**8. Adjournment:**

L. made a **motion** to adjourn the meeting at 9:27PM.  
H. Dolan seconded the motion.  
In favor: M. Kennedy, L. Peterson, H. Dolan, C. Neri  
Opposed: None  
Abstained: None  
Motion carried: 5-0-0

Respectfully submitted  
Carol Walter  
Recording Clerk



TOWN OF CLINTON, CONNECTICUT

March 31, 2017

Matt Kennedy,

Pete and I met this morning to review what we believe is a reasonable time line for WPCC to use when working towards the water main project. **The next opportunity for a Town wide vote to approve the water main project will be the Elections in November.** This essentially means everything needs to be completed by the middle of September in order to get through the approval process. We believe Wednesday night's meeting was a good start on the process but we want to make sure it continues to move forward to allow sufficient time for all the required Consultant and Board reviews. Please make every effort to keep the process moving forward in a timely manner. Here are what we believe are the some of the issues that need to be addressed.

**WPCC Statement**

- A statement of how the water addresses sewer avoidance
- Projected budget for sewers vs water from a construction standpoint
- It is either public water or sewers
- Home owners may still need to repair septic systems in the future and how this project would allow them to complete the required repairs.
- What are the other benefits of public water to the home owner?

**Policy:**

- Clarify the abandonment of the wells and who pays.
- Clarify how connection will be completed (not just brought in to be used at a later date).
- Clarify initial installation will be completed as part the project
- Clarify the town installed connection which includes signing a service agreement with CWC



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- The need to establish right of entry to the property by Town approved contractors
- Failure to connect within a certain time frame will result in the homeowner being responsible for the entire cost to connect at a later date.
- Once installed who will maintain the system.

**Waiver:**

- Consider asking those requesting a waiver provide the location of neighbors well and septic as part of the waiver request.
- Consider requiring a no adverse impact on a neighbor by refusing to connect to public water
- Consider a three consecutive well test minimum of 30 days apart showing water meets the standard.

**Financial impact to Town and Homeowner:**

- We need to develop a program concept for what portion of the project the homeowner will be paying for and how that will be determined.

Statement on who will own the water main. (the Town with an operation maintenance agreement with the CWC)

**Project Summary**

Description of exactly what we will be doing through the actual installation of the service to supply fresh water. (Pete can assist on this portion)

**Informational Meetings:**

- The BOF needs a complete briefing on where the WPCC stands on this project from an implementation standpoint. They understand the construction; they don't understand how this is related to the overall sewer program.



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- The residents affected need to be informed of the goals of the project, its impact on their properties, the benefits of the project to them and the stipulations regarding involvement vs noninvolvement,
- General Public Meeting to review the project. We are recommending two separate meetings once a complete program is in place for public water and on-site septic repairs or upgrades including who will pay for what.

**Town Council:** Ordinance vs Policy or Ordinance and Policy. Some of what the Town will need to do may take the form of an ordinance. The policy and ordinance are two separate items. Some of the language may appear in both the policy and the ordinance.

**Final Comment:** In order to meet the suggested target timelines, set reasonable achievable goals for each segment to be accomplished and meet regularly to complete all aspects or you will have to delay further.

Hope this helps,

Bruce Farmer  
First Selectman

Peter Neff  
Director of Public Works