

AVON WATER POLLUTION CONTROL AUTHORITY
March 14, 2013
The Avon Room, 5:30 pm
Town of Avon

I. CALL TO ORDER

The Avon Water Pollution Control Authority was called to order at 5:32 pm by Mr. Farrell.

Present: Michael Farrell
Eric Johansen
Tom Armstrong
Terry Ryan
Lawrence Baril, Town Engineer
Tim Foster, Superintendent of Sanitary Sewer Collection, Town of Avon

Absent: Jim Miller

II. MINUTES OF PRECEDING MEETING – February 14, 2013

MOTION: Mr. Armstrong made a motion for approval of the February 14, 2013 minutes.
The motion, seconded by Mr. Farrell, received unanimous approval.

III. COMMUNICATION FROM THE AUDIENCE

Sign – in sheet from residents of Haynes Road:

Dick Hill	41 Haynes Road
Jamie Fox	218 Haynes Road
Jody Fox	218 Haynes Road
Virginia Kristie	17 Haynes Road
Lori Matthews	69 Haynes Road
John Jennings	69 Haynes Road
Drew Liljedahl	10 Haynes Road
Laurie V-Pugsley	4 Haynes Road
David & Leslie Nylin	201 Haynes Road
Bob McCormick	103 Haynes Road
Janet Romanowicz	94 Haynes Road
Celeste Kohlhoff	213 Haynes Road
Christina Kohlhoff	213 Haynes Road
Chris Wilde	110 Haynes Road

Mr. John Jennings from 69 Haynes Road addressed the commission with an inquiry to clarify what aspect of the new planned development the Committee deals with compared to other committees such as Inland Wetlands.

Mr. Farrell thanked Mr. Jennings' question and acknowledged receipt of an email he received from Mr. Jennings and Ms. Matthews relating to the proposed development. Mr. Farrell noted he responded to the email stating that the Authority has not received anything formal regarding the development. The Authority is responsible for sewerage parcels for the Town of Avon. As of right now, there is no

application the AWPCA needs to act upon. Until a formal plan has been received, the Authority's comments are limited. Mr. Baril confirmed Mr. Jennings' question that the AWPCA's charge is to evaluate proposed extensions of the sanitary collection system, identify and determine any impacts on existing residents, existing collection system and the collection system infrastructure. Mr. Armstrong noted that if the sewers are installed and if it goes through wetlands, that would be under review by the Inland Wetlands Commission. It would be brought to our attention since we would have plans and diagrams, eventually. The leader in making that wetlands determination would probably be left with the Inland Wetlands Commission.

An audience member inquired whether an additional 57 more families going through the sewers that were installed on Haynes Road will affect the sewer capacity. Mr. Baril responded that won't affect the capacity. The size of the pipes that were installed can handle much more flow than the neighborhood will generate plus what they are thinking of adding. The 8-inch pipe design allows significant flow.

An audience member requested clarification on previous comments noting there is nothing pending before the AWPCA and the only concern is the impact of more sewers on current capacities. What you're saying is whatever they build, your department is saying it is okay.

Mr. Farrell responded that the AWPCA has limited scope on where the AWPCA can act. In terms of capacity, that does not seem to be an issue at all. The type of material under the surface would be a construction issue.

Drew Liljedahl, 10 Haynes Road commented that the proposed sewer is directly through a wetlands area. There is an alternative that it could go through Lenox instead of Haynes. There may be issues on how that is divided between Farmington and Simsbury. He inquired if the Commission's staff deal with this.

Mr. Farrell responded that he looked at the map and noticed the Lenox area is sewerred. Mr. Baril noted there is nothing before the AWPCA that the AWPCA has to act upon. Mr. Baril mentioned he included on the agenda, under staff comments to review the plans he brought with him. This is the first set of plans the Engineering Department has received, which includes plans for the sanitary collection system. Relative to the question about discharging to Farmington rather than Simsbury, there is only a portion of the property that can discharge, with gravity, to Farmington. The pre-established sewer shed boundaries were done for a reason. Sewer capacities were negotiated with each of the three towns where effluent is sent: Simsbury, Farmington and Canton. Any time a change is made to the existing inter-municipal agreements, it is a huge deal. It's not in Avon's best interest to consider revising the existing agreement in this particular case. There is no issue with the Town of Simsbury relating to capacity.

Mr. Johansen confirmed with the audience that the Town of Avon does not have a sewage treatment plant.

An audience member inquired whether it's AWPCA's call to re-negotiate with Farmington in order to minimize the impact on wetlands. He vocalized "If you can avoid the wetlands and go to Farmington, that becomes your board's task to deal with Farmington."

Mr. Farrell replied that it's the AWPCA's responsibility to make sure the system is built so it goes into the appropriate sewer shed. Mr. Baril mentioned it's the Wetlands Commission to manage wetlands concerns.

Mr. Baril clarified the question regarding how the AWPCA and IWC interact with each other. The plans arrive to the Engineering Department and the Engineering Department makes comments for various commissions. The plans are identified for any sanitary collection concerns such as slope of

pipe, how residents will connect and what will the Town inherit when the project is complete. If the Wetlands Commission has a problem, they contact the Engineering Department. Written correspondence is prepared as needed.

Mr. Farrell noted there is some research to be done with a project such as this and noted he has plans to listen to the minutes from the prior IWC meeting to become more informed.

Mr. Armstrong noted the Inland Wetlands looks at alternative proposals to minimize the impact on wetlands. There would be discussion and understanding with Wetlands and how their approvals may affect the existing contracts in place with the three different towns. As long as the Wetlands Commission has before them, the proposed layout of the piping system, the primacy for the decision over the wetlands issue is under the Wetlands Commission.

Mr. Johansen noted the AWPCA does not have the authority to tell the Wetlands Commission where the pipe should be routed once a decision has been made.

Laurie Puglesy, 4 Haynes Road inquired whether it's safe to say that the IWC has oversight to the Planning and Zoning and to any sewer pipe being put down and that decision won't be rendered until the next hearing they have which won't be until April 2 or are they going to continue and discuss and then render a decision in May.

Mr. Farrell responded that he was not sure where they are in the process.

Mr. Baril confirmed that the project needs to be approved and permissible from the Inland Wetlands Commission before the Planning and Zoning Commission takes action on a subdivision.

Celeste Kohlhoff, 213 Haynes Road, noted there is town property where the proposed street will go through and that according to town ordinances meets the wetlands definition but has not been tested for wetlands and yet, in the near future, there are already plans for Mr. Ferrigno to put the 30-foot pipe connecting Haynes Road sewer to that piece of property, in which case you may be disturbing what already may be wetlands before you get a chance to test it.

Mr. Armstrong noted that's an issue for wetlands.

Mr. Baril provided clarification. When a property is going to be considered for development, the onus for determining wetlands is on the developer within that property and only that property. Outside of the property, the wetlands delineation is taken off of the Town's wetlands map, the adopted Town wetlands map. The point for discussion is in relation to the Haynes Road sewer project. Sunlight is required under that project to extend a stub from the existing manhole in Haynes to outside of the Haynes Road pavement heading in the direction of the stub right-of-way. He must do this before the Town paves Haynes. Mr. Baril confirmed that it's Mr. Ferrigno's obligation to install the sanitary pipe.

Celeste Kohlhoff, 213 Haynes Road inquired how far the pipe will go and will it disturb what may or may not be wetlands without knowing it's wetlands.

Mr. Baril responded he will go two lengths of pipe, which will bring him just to the edge of the existing paved stub. That is not wetlands.

Mr. Richard Hill, 41 Haynes Road, raised concerns that from a prior meeting, no one could confirm whether the property was wetlands. A second concern is that the stub was placed with Bill's knowledge the project was all set to go way back when.

Mark Hill, 41 Haynes Road commented that it appears that he had these plans all along. You want to pave the road with his heavy equipment going up and down? How is that going to play out?

Mr. Baril noted this was discussed at a staff meeting, where many other town departments attend also. Mr. Baril made a comment at this meeting not to allow heavy truck traffic through that right-of-way or Haynes Road after paving Haynes which is scheduled to be paved this summer. It would be a rare instance where the Planning Commission would ignore that comment.

Jody Fox, 218 Haynes Road inquired about who pays for the road to be paved.

Mr. Foster commented that the AWPCA Meeting is not the correct venue for such items to be discussed.

Mr. Farrell mentioned that the AWPCA does not have anything before us on this project and it's just not the right venue for this right now. We will wait until something is formally presented.

Ms. Virginia Kristie, 17 Haynes Road inquired that given the number of homes proposed to be built, is it under the AWPCA's purview to determine how much the increase would be, depending upon where it's sent. Her thought was that the whole town pays. It becomes all the citizens' taxes that would go up, correct?

Mr. Baril clarified that the effluent is treated and everyone who is on the sewer collection system pays an annual sewer use fee, which is currently \$300 a year per a residential connection. It's not paid for through general taxation.

Ms. Virginia Kristie, 17 Haynes Road inquired about any advice the AWPCA could provide the residents in terms of attending Town meetings and looking at plans.

Mr. Baril mentioned Ms. Kristie can view the plans with the Planning and Zoning department.

Mr. Farrell noted residents can access the Town of Avon's web site for meeting information and residents should take advantage of every avenue that's available for accessing information associated with this project. As the project moves forward, we will have more information to provide.

Mr. Armstrong posed a question to Mr. Baril whether the effluent route would go to two different towns. Mr. Baril confirmed that the property is within the Simsbury sewer shed.

Mr. Foster noted that the property has been planned since the early 90s to be serviced by the Simsbury shed. The pump station involved was sized to serve that area also. Mr. Foster also confirmed Mr. Armstrong's question that if the route goes into a different street, that would go to a different sewer shed.

Mr. David Nylin, 201 Haynes, Road inquired which shed would handle a Haynes Road route and which shed would handle a Lenox Road Route. Mr. Foster confirmed that Haynes Road sewers are routed to the Simsbury sewer shed and Lenox Road is routed to the Farmington sewer shed.

Ms. Janet Romanowicz, 94 Haynes Road, raised a question whether the Simsbury shed is planned for 57 attached-type homes to be built.

Mr. Baril noted that when the capacity of the pump station was evaluated, the analysis considered the entire shed with a potential build-out based on current zoning. The project that Mr. Ferrigno is proposing is not all R30 zoned lots in that he is looking for greater density within that landmass. This project will not create a potential problem down the road to the sewer shed because when the sewer

shed was evaluated, it was looking at areas to be sewered south of Sunrise. Since that time, through the State's Plan of Conservation and Development, those areas south of Sunrise were identified as non-sewerable areas. There is a fair landmass that was originally considered to be sewered and now cannot be sewered.

Mr. John Jennings, 69 Haynes, inquired about the road pavement schedule and whether it poses an impact to those residents who have not yet connected. Mr. Baril noted there is no impact because the sewer laterals were brought outside the road's edge.

Mr. Farrell extended appreciation to the audience members for attending the meeting.

IV NEW BUSINESS –

Mr. Farrell noted the Annual Discussion of Sewer Rate, new business item number, 2013 – 1, will be addressed along with old business item number 2012 – 6, Elderly Relief Program.

2013 – 2 GIS RFP – Performance of QA / QC corrections and updates to Town of Avon's GIS mapping of the collection system. Mr. Baril has assembled an RFP for consulting services to review the GIS data of the sanitary collection system. The Engineering Department should be receiving proposals which will then offer a better estimate on the project's costs. A preliminary estimate is \$30,000 to \$40,000. The project will clean up missing and erroneous digital information that is used daily by Town staff.

2013 – 3 – RFQ for Route 44 Pump Station Improvements – Mr. Baril noted he is working on an RFQ.

OLD BUSINESS

2013 – 1 Annual Discussion of Sewer Rate

Mr. Baril noted that at the meeting with Attorney Andrew Lord from Murtha Cullina if a rate change is done, a public hearing process needs to be followed.

Mr. Armstrong may consider changes to user fees depending upon where the AWPCA goes with the programming and ultimately where we are going with useful life analysis.

Mr. Johansen noted that if a change were made that day, there is no basis for it. Information would need to be evaluated before making a rate change.

Mr. Farrell noted he is fundamentally opposed to raising anything on the taxpayers given the fund balance and other issues that need to be addressed.

Mr. Foster commented that the Town of Farmington is moving forward to upgrade their facility and the Town of Avon will be charged. Simsbury and Canton are not far behind in terms of charging the Town.

Mr. Baril noted such projects that still need to be done, such as the flushing program, easement maintenance and an I & I study. The sewer fund is healthy but it is not growing at a large rate each year. It makes more sense to build the cash reserve and make small incremental increases.

Mr. Johansen inquired how many are paying the \$300 fee. Mr. Foster replied 3,562.

Mr. Baril mentioned that the total revenue collected comes from sewer user fees, connection charges and sewer permits.

Mr. Baril noted that if a request for capital projects is made and denied, a supplemental appropriation can be done.

2012 – 6 – Elderly Relief Program –

MOTION: Mr. Farrell made a motion that members not entertain any relief programs at this time. The motion, seconded by Mr. Johansen, received unanimous approval

2013 – 1 Annual Discussion of Sewer Rate

Mr. Armstrong inquired whether the costs have increased for the three towns servicing the pump stations. Mr. Baril noted there are projects that are planned for the future. Mr. Foster noted it is time to upgrade the Route 44 Pump Station. The station is about 30 years old. Something should be done quickly. Mr. Baril noted that the plans he has mentioned are in his five-year capital budget plan, however, they may not be approved. Mr. Johansen noted the current process of allocating funds for the Engineering Department and the AWPCA could be improved for better protection.

Mr. Baril noted he will work with Mr. Foster to provide additional cost history and projections to the AWPCA. Mr. Ryan noted that if the AWPCA has the authority to use the funds, money should be used for the projects.

MOTION: Mr. Farrell made a motion to maintain the user fees for residential units for now at the current rate of \$300 per EDU.

Mr. Armstrong questioned the timeframe “for now” and Mr. Farrell replied that he would not specify a timeframe.

The motion, seconded by Mr. Ryan, did not receive unanimous approval.

Mr. Armstrong stated he was opposed and did not want to be unanimous in the decision.

Mr. Johansen stated he was opposed also.

The motion did not pass. In default, the current EDU remains the same, at \$300 per EDU.

Mr. Armstrong requested that Mr. Baril provide the hard costs from Farmington, Simsbury and Canton so members can understand if the Town’s expenses have increased. He would like to know where that trend is going. He proposes this issue is placed on April’s agenda.

Mr. Baril noted the APWCA could hold a public hearing for the April meeting even if the rate does not change. Mr. Foster noted the Collector of Revenue should be notified to determine how much time she needs for billing purposes.

MOTION: Mr. Armstrong made a motion for the April meeting, Mr. Baril shall provide information for members relating to the cost increase for the neighboring communities based on past history and provide public notice that the meeting will be a public meeting wherein a consideration will be made for a change in the sewer use fee.

The motion, seconded by Mr. Farrell, received unanimous approval.

2012 – 14 I & I Study, Riverdale Farms.

Mr. Foster mentioned he met with Mr. Jeff Brighenti and he is on board for a study.

VI PLANNING & ZONING MATTERS – Mr. Baril provided a map and reviewed the location of the planned Jefferson Crossing subdivision, the current route of effluent, possibility and costs associated with horizontal drilling. Mr. Baril mentioned he requested that Mr. Ferrigno extend the sanitary sewer and install limited storm drainage so Public Works can pave the road. Mr. Baril replied to Mr. Johansen’s question regarding the approval process for a sewer line to go through wetlands

whereby if the IWC approves the route, the assumption is Mr. Baril has approved it also based on the comments he provides to the IWC.

[NOTE: Mr. Michael Farrell departed the meeting at 7:05 pm]

VII COMMUNICATION FROM STAFF – NONE

VIII COMMUNICATION FROM MEMBERS – Mr. Ryan mentioned he will talk to Mr. Baril to review his easement report. Mr. Armstrong noted the minutes from February 14, 2013 and wanted to make sure the owners and new tenants of Avon Place were on board with the assessment due to the transfer of ownership. Mr. Johansen posed a similar question to the representatives who attended the prior meeting in February and they had a majority, more than 50% ownership.

IX OTHER BUSINESS – None

X ADJOURNMENT:

MOTION: Mr. Johansen motioned to adjourn the meeting at 7:25 p.m. The motion, seconded by Mr. Ryan, received unanimous approval.

Respectfully submitted,
Suzanne Essex, Clerk