

A **PUBLIC HEARING** was held by the City Council acting herein as the Water Pollution Control Authority (WPCA) in the City Hall Auditorium on Monday, February 12, 2018, to solicit citizen input regarding an application for approval to construct/extend and connect a sewer transmission line to the City of Torrington's existing sanitary sewer system. The applicant is the Woodridge Lake Sewer District of Goshen, Connecticut. (WLS D) The proposed construction/extension will start at the Torrington/Goshen town line on Goshen Road (Route 4) and continue down Goshen Road (Route 4) where it will connect to an existing interceptor sanitary sewer at Riverside Avenue in Torrington, Connecticut. Present were Mayor Elinor Carbone, Corporation Counsel Jaime LaMere and City Councilors Paul Cavagnero, Gregg Cogswell, Anne Ruwet, Marie Soliani, Fred Simon and Frank Rubino. Others present included Atty. Christopher Smith, Partner of Shipman and Goodman; James Mersfelder, President and Treasurer of WLS D; David Prickett, President of DPC Engineering; and Jay Sheehan, Senior Vice President of Woodard & Curran.

Mayor Carbone called the Public Hearing to order at 6:32 P.M. starting with the Pledge of Allegiance.

#### **Public Comment**

Mayor Carbone opened the floor to public comment, continuing with the list of public participants from the January 31<sup>st</sup> public hearing.

Jean Nadle expressed her opposition to the proposal saying the WLS D should go back to the drawing board and develop an on-site treatment facility to deal with the waste they generate. She said Torrington has much to lose from the proposed project, including the financial burden of maintaining pipelines and monitoring connections, as well as the potential for intestinal diseases and permanent loss of a major water source if there is a pipe leak.

Audrey Blondin, Esq. expressed her opposition to the proposal saying that a pipe would be likely to crack or leak at some point in the future. She stressed the importance of avoiding contaminated drinking water on her mission trips to Nicaragua and said that in public health terminology, there is a major difference between no risk and minimal risk. Atty. Blondin requested that this issue be placed on a referendum.

George Craig expressed his concerns with the proposal saying the liability for the proposed sewer extension will stay with Torrington forever. He reflected on the thought of life without water and said it would be catastrophic for the City. Mr. Craig said human error, defective product, and natural occurrence could all result in the project's failure. Mr. Craig made reference to the *Titanic*, saying that there have been many incidences throughout history in which people were confident nothing bad would happen; and it did.

Samuel Slaiby, Esq. expressed his opposition to the proposal saying that he shares all the same objections that have already been stated. He commended the Torrington Water Company for staying in Torrington and providing clean water at reasonable rates for over 100 years. He said he was impressed by the testimony given by TWC at the last public hearing. He said we need to increase the City's tax base and Torrington's water is one of the City's major marketing resources. Atty. Slaiby questioned why the City would take a chance on pollution when there are other alternatives and said there are already cases on Riverside Avenue of raw sewage coming in to people's homes. He said this public hearing has been a very narrow discussion and requested a more general public discussion on the City's policies regarding sewage system maintenance.

Marana (Polly) Brooks expressed her opposition to the proposal saying it is not the job of the WPCA to do future Woodridge Lake homebuyers' due diligence, nor to relieve past purchasers of their accountability. Ms. Brooks provided a summary of historical events, including The Great Chicago Fire of 1871, The Clean Water Act of 1972, and Hurricane Sandy, which led to the creation of Torrington Water Company and the development of a state water plan which reaffirms the state's dedication to the highest standard of drinking water quality in the nation.

Kevin Hayes expressed his opposition to the proposal saying Goshen's financial dilemma is not ours. Mr. Hayes outlined a plan and logistical considerations for an alternate route that involves going down Highland Avenue. He urged the Council and WPC authority to act in the best interests of Torrington.

Elaine Tobiasz expressed her opposition to the proposal saying the sewer line should not go through Torrington's watershed in any way, shape, or form.

Joyce Carile expressed her opposition to the proposal saying it is our responsibility to maintain our drinking water supply now and for future generations. She said there are public health concerns with the proposed plan and questioned whether Torrington's sewer system could handle the additional sewage. She said the infrastructure is old and questioned who will bear the financial burden to replace it in the future. Ms. Carile said Goshen has the financial ability to look elsewhere for a solution.

Sean Hayden expressed his opposition to the proposal saying that the City Council should deny this connection request so that WLSO can go back and work with the CT DEEP and focus on the best alternative to treat septic waste locally. Mr. Hayden said he is a certified soil scientist practicing in Connecticut and has researched the soils of the Torrington Water Company. He said the soil types below the forced main where it traverses their watershed will be unable to mitigate any unplanned and uncontrolled release of raw sewage.

Councilman Cavagnero requested that Mr. Hayden verify his credentials that establish him as an expert in this field, as he has given testimony which directly contradicts testimony given last week.

Mr. Hayden said that he provided the same testimony to the CT Department of Health, along with an affidavit of his facts and finding, and can provide the same to the WPCA.

Rose Guimaraes expressed her opposition to the proposal saying this project sets a bad precedent and goes against the policies adopted by the WPCA which limit sewer system users to properties within the City's sewer service area. She said this project puts our drinking water at risk and will limit our community's future sustainability. Ms. Guimaraes criticized Woodridge Lake for continuing to build homes when they know that their waste treatment plant is stressed and might not be able to accommodate the additional influx. She commended the City of Torrington for recently joining Sustainable CT and said she hopes the WPCA will take a step forward to protect our drinking water.

Katina Hungerford expressed her opposition to the proposal saying she is only against the current route proposed, not against the request to connect to our sewer system. Ms. Hungerford said there are alternative routes that do not involve shortcutting the sewer line through our clean watershed. She said WLSO has asked the WPCA to approve the least expensive plan, despite the greatest risk to us. Ms. Hungerford said no one can guarantee that the sewer line will never break and urged the WPCA to say no to the proposed plan.

Rose Guimaraes (on behalf of Margaret Miner) read aloud a written testimony by Margaret Miner on behalf of Rivers Alliance of Connecticut expressing the group's opposition to the proposal. The testimony identified two primary goals in water management, including a) to keep water local whenever possible, and b) to keep sewage as far away as possible from drinking water sources. Rivers Alliance believes WLSO should pursue a local solution, such as the Advanced Technology (AT) system previously supported by the project's engineers.

Michael Farrell expressed his support of the proposal saying that the WPCA should accept the proposal and negotiate a contract involving a route and path that is environmentally sound. Mr. Farrell cautioned against the negative consequences which could result from the proposed project, but said he has full faith that the WPCA will do the right thing.

Glenn Royals expressed his opposition to the proposal saying that the State needs to step in and force WLSO to clean up their own facility. He said this is not a risk worth taking for the City of Torrington. He commended Torrington Water Company and its stock holders for staying locally owned. Mr. Royals said he does not agree that we have extra capacity and questioned whether Torrington's sewer system could handle the additional sewage from WLSO.

Mayor Carbone informed the public that the DPH and DEEP were unable to be in attendance due to a state holiday and announced that she would like to \*adjourn\* the public hearing to February 20, 2018 when those state agencies can be there.

Atty. Smith requested clarification regarding the Mayor's recommendation to adjourn the public hearing to February 20, 2018 and said the WLSO looks forward to presenting their rebuttal to the WPCA next week. He said that if WLSO is to receive approval for their proposal, the next step would be negotiating and possibly entering in to an inter-municipal agreement which would be subject to a public hearing process as well. Atty. Smith commented on the public's concerns regarding potential spills, saying that TWC has an emergency response plan for such scenarios and he requested that the plan be produced.

#### **Meeting Recessed**

Mayor Carbone recommended the public hearing reconvene right after the City Council meeting on February 20<sup>th</sup> at 6:30 P.M. in light of the fact that both state agencies are not able to be there on February 13<sup>th</sup>. On an amended motion by Councilwoman Ruwet, seconded by Councilman Cogswell, the Council voted unanimously to recess at 7:56 P.M. and reconvene the meeting on Monday, February 20, 2018 at 6:30 P.M. in the City Hall auditorium.

\*Note\*: The word adjourn was mistakenly used. The intent of the Chair was to recess.

ATTEST:

  
CAROLL L. ANDERSON, MMC  
CITY CLERK

Jonathan Draper  
Asst. City Clerk