

A **REGULAR MEETING** of the City Council & WPC Authority was held in the City Hall Auditorium on Monday, March 19, 2018. Present were Mayor Elinor Carbone, Corporation Counsel Jaime LaMere and City Councilors Paul Cavagnero, Fred Simon, Anne Ruwet, Marie Soliani and Frank Rubino. City Councilor Gregg Cogswell was absent. Public Works Director Jerry Rollett, Water Pollution Control Administrator Ray Drew, Purchasing Agent Pennie Zucco, Superintendent of Streets and Parks Bill Mayers, President of Torrington Water Company (TWC) Susan Suhanovsky, and Executive Director of the Northwest Regional Investment Board Catherine Awwad were also present.

Mayor Carbone called the meeting to order at 6:33 p.m. starting with the Pledge of Allegiance.

Roll-Call Vote: WLSD

On a motion by Councilor Ruwet, seconded by Councilor Simon, the Council acting herein as the Water Pollution Control Authority (WPCA) voted to approve Woodridge Lake Sewer District's (WLSD) application to construct/extend and connect a sewer transmission line to the City of Torrington's existing sanitary sewer system, subject to 1) a fully negotiated and executed Inter-Municipal Agreement (IMA) between the City of Torrington and WLSD and 2) the submission of final design plans and approval by the Department of Engineering and City consultants in accordance with WPCA and engineering standards and the Department of Public Health's (DPH) order.

Councilor Rubino requested clarification as to whether the IMA will require final Council approval and if any stipulation items can be requested in advance of negotiations. Mayor Carbone stated her intention to reconvene the Board through Executive Session to discuss the Board's expectations with regard to the IMA and confirmed that the proposal will again be presented to the Board for approval before anything is finalized and executed.

Councilor Cavagnero questioned the Mayor's recent comments on the radio pertaining to the parameters by which the Council should make its decision on the proposal and asked if there is a legal precedent for such parameters. Atty. LaMere stated that the WPCA has broad discretion over the applications that are put before it but has to act in a manner that is not arbitrary or unlawful.

Mayor Carbone explained that all consideration has to be on the facts as they were presented throughout the Public Hearing and advised that letters sent to Council Members' homes cannot be considered because they are not part of the public record.

Councilor Cavagnero expressed his concerns regarding the safety of the proposed project, citing comments during the Public Hearing from Ray Drew, Water Pollution Control Administrator and Anne Straut, Sanitary Engineer III from CT Department of Energy and Environmental Protection (DEEP), indicating that there are no guarantees for safety. He stated that WLSD's attorneys and engineers are hired to render a view that is consistent with the people who are paying them to render that view and he chooses to listen to the experts at TWC who advise against the proposed route.

Councilor Rubino expressed his support of the proposed route, citing the DEEP's chart which compared all possible alternative routes and identified the proposed route as the best and safest alternative. He stated that the proposed route was the only alternative that Mr. Drew, the Department of Public Health (DPH), and the DEEP agreed was most fit.

Councilor Cavagnero expressed his dissatisfaction with the DEEP stating that for many years the DEEP failed to adequately enforce its own compliance guidelines and in so doing they magnified WLSD's problem which now falls on Torrington's lap.

Councilor Ruwet expressed her support of the proposal citing her confidence in Mr. Drew's opinion that it is the best and safest route and stated that the Board has a responsibility to listen to the facts. She reminded the Board that every recommendation has been made to accept the application.

Councilor Cavagnero requested to hear from Councilors Simon and Soliani.

Councilor Simon expressed his support for approving the application on the basis that he agrees with Mr. Drew that the proposed route is the safest route. He stated that he based his decision on the facts that were presented to him and he believes that the proposed project is the best solution to WLSD's sewage problem.

Mayor Carbone reminded the Board that if the City of Torrington does not approve WLSD's application and the DEEP mandates that the project happens, the DEEP still would not say what route to take. She explained that the Board has an opportunity to make a decision and control the terms of the connection or chance being forced to take it on without negotiating first terms.

Councilor Soliani expressed her opposition to the proposed route stating that she will not vote to approve WLS D's application because she believes the sewer main going down Route 4 will negatively impact the public health of the City of Torrington by imposing a threat to the integrity and purity of the Allen Dam Reservoir. She also expressed concerns regarding the impact of future growth on the City of Torrington and the additional financial burden that might result if the City needs to enlarge its water treatment plant again.

Councilor Cavagnero agreed with Councilor Soliani's statements, stated his concern regarding a potential conflict of interest with the Chair of Planning and Zoning who lives at Woodridge Lake writing a letter in support of the project, and questioned whether the City of Torrington is truly poised for economic growth or stagnant in terms of development.

Mayor Carbone assured Councilor Cavagnero that the City is poised for economic growth and reminded him that Mr. Drew stated in his testimony that there would still be capacity for another 8,000 single-family homes even after taking on the WLS D accounts and including the City's existing approved development opportunities.

Councilor Cavagnero requested verification that Mr. Drew's projections included the City's new projects. Mr. Drew confirmed that they did.

Mayor Carbone called a Roll-Call Vote and the motion passed with three votes in favor (Councilors Rubino, Ruwet, and Simon) and two opposed (Councilors Cavagnero and Soliani).

Meeting Recessed

Mayor Carbone recessed the meeting at 7:00 p.m.

Mayor Carbone reconvened the meeting at 7:10 p.m.

Minutes

On a motion by Councilor Ruwet, seconded by Councilor Soliani, the Council voted unanimously to accept the minutes of the Regular Meeting held January 16, 2018. Councilor Simon abstained.

On a motion by Councilor Simon, seconded by Councilor Soliani, the Council voted unanimously to accept the minutes of the Regular Meeting held March 5, 2018.

On a motion by Councilor Simon, seconded by Councilor Rubino, the Council voted unanimously to accept the minutes of the Public Hearing held March 5, 2018.

Open to the Public

On a motion by Councilor Rubino, seconded by Councilor Simon, the Council voted unanimously to open the meeting to the public.

George Craig expressed his opposition to the Board's decision to approve with conditions WLS D's application to construct/extend and connect a sewer transmission line to the City of Torrington's existing sanitary sewer system.

Sharon Waagner expressed her opposition to the Board's decision and questioned what measures will be taken to protect Torrington residents with wells who live along the proposed route.

Susan Suhanovsky expressed her disappointment with the Board's decision but stated that TWC will make every effort to protect the public's drinking water.

Bridget Beauchane expressed her opposition to the Board's decision and thanked Councilors Cavagnero and Soliani for their votes against the proposal.

Samuel Slaiby, Esq. expressed his opposition to the Board's decision and stated that the decision will taint the City's ability to market Torrington.

Barbara Gall expressed her disappointment with the Board's decision and thanked Councilors Cavagnero and Soliani for their votes against the proposal. Ms. Gall requested that the raw sewage from WLS D be treated prior to coming to Torrington.

Terry Simpson expressed his opposition to the Board's decision stating that a pipe will fail.

Jean Nadle expressed her opposition to the Board's decision stating that the project does not benefit Torrington in any way.

Carol Bottass expressed her disappointment with the Board's decision and stated that Torrington is not a happy place anymore.

Kraig Clark expressed his opposition to the Board's decision and thanked Councilors Cavagnero and Soliani for their votes against the proposal.

Glenn Royals expressed his opposition to the Board's decision and requested that WLSD be required to carry a bond for fifty billion dollars.

Stuart Ormsby expressed his disappointment with the Board's decision and stated that the City will need to get permission from the property owners along the Goshen-Torrington town line in order for the project to happen.

Workforce Investment

On a motion by Councilor Rubino, seconded by Councilor Soliani, the Council voted unanimously to authorize the Mayor to enter into the intergovernmental agreement regarding workforce investment.

Cathy Awwad provided a brief overview of the workforce investment agreement and reminded the Board that all of the services are free to Torrington residents and businesses. She stated that they are hoping to continue the Torrington Youth Service Bureau.

Loader Vehicle Replacement

On a motion by Councilor Ruwet, seconded by Councilor Rubino, the Council voted to accept the recommendation of the Fleet Manager, Superintendent of Streets & Parks, Public Works Director, and Vehicle Replacement Committee and authorize the Mayor to purchase a Volvo L70H Loader through National Joint Power Alliance (NJPA) from Tyler Equipment, for \$144,451.00 and to have the Mayor act on behalf of the City regarding the execution of the contract and its administration, pending Board of Finance approval on March 20th.

Councilor Soliani asked how old the vehicle is that is being replaced and if a new Loader is really needed.

Bill Mayers explained that the current Loader is from 1999 and that they are proposing to keep the current Loader as a backup for the one that is being proposed. He stated that the Loader is a pivotal piece of equipment, particularly in the winter, and explained that the City is being offered a very good deal to purchase the Loader that it has been renting this year.

Councilor Soliani asked if there is a dealer closer to Torrington that the Loader could be purchased from. Mr. Mayers stated that he does not believe there is a local dealer that sells this type of equipment.

Councilor Rubino asked how long the City has been renting the Loader being proposed for purchase. Mr. Mayers stated that the City has been renting the equipment for four months.

Councilor Ruwet stated that purchasing the proposed equipment this year will save the City money in the long run.

The motion passed with four votes in favor and one (Councilor Cavagnero) opposed.

Release Liens

On a motion by Councilor Soliani, seconded by Councilor Simon, the Council voted unanimously to accept Corporation Counsel's recommendation and authorize the Mayor, pursuant to CGS §12-179, to release the liens described in Atty. LaMere's Memo dated March 19, 2018.

Tax Collector Refunds

On a motion by Councilor Ruwet, seconded by Councilor Soliani, the Council voted unanimously to accept the recommendation of the Tax Collector and authorize the 27 tax refunds indicated on the list dated March 19, 2018.

On a motion by Councilor Soliani, seconded by Councilor Simon, the Council acting herein as the Water Pollution Control Authority, voted unanimously to accept the recommendation of the Tax Collector and authorize the six sewer usage fee refunds indicated on the list dated March 19, 2018.

Business by Dept. Heads

On a motion by Councilor Rubino, seconded by Councilor Simon, the Council voted unanimously to consider business by Department Heads. There was no business presented by department heads.

Business by Mayor & Members

On a motion by Councilor Rubino, seconded by Councilor Ruwet, the Council voted unanimously to consider business by the Mayor and Council Members.

Councilor Cavagnero expressed his disappointment with the Board's decision to approve with conditions WLSA's application to construct/extend and connect a sewer transmission line to the City of Torrington's existing sanitary sewer system and commended Councilor Soliani for her vote in opposition to the proposal.

Open to the Public for Agenda Items Only

On a motion by Councilor Rubino, seconded by Councilor Simon, the Council voted unanimously to open the meeting to the public to discuss agenda items only.

Glenn Royals explained some additional details pertaining to the proposed purchase of the Volvo L70H Loader and stated that the equipment is both necessary and a good deal.

Adjournment

On a motion by Councilor Rubino, seconded by Councilor Simon, the Council voted unanimously to adjourn the meeting at 7:47 p.m.

*Respectfully Submitted,
Jonathan R. Draper, Asst. Clerk*

ATTEST:



CAROL L. ANDERSON, MMC
CITY CLERK