

A **PUBLIC HEARING** was held by the City Council acting herein as the Water Pollution Control Authority (WPCA) in the City Hall Auditorium on Tuesday, February 20, 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. (WLSD) 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, Fred Simon, Anne Ruwet, Marie Soliani and Frank Rubino. Public Works Director Jerry Rollett and Water Pollution Control Administrator Ray Drew were also present.

Mayor Carbone called the hearing to order at 6:32 p.m., explaining that the WPCA has been receiving public comment and had planned to reconvene this evening to hear the State of Connecticut Department of Energy and Environmental Protection (CT DEEP) and the State of Connecticut Department of Public Health (CT DPH). However, the CT DPH is not available, so the public hearing will continue after this evening on March 5, 2018. Mayor Carbone said tonight's public hearing will open with Public Comment, followed by comments by City Staff regarding the application and its review. Extending the Public Comment to March 5<sup>th</sup> will require the applicant's consent for an extension of the 65-day period.

**Public Comment**

Susan Strand said she is adamantly opposed to this project, explaining that we are not under any obligation to rescue a private entity who ignored their capacity, and that this project could limit our City's capacity for growth.

Guy Malanson stated that he is opposed to the project because there is no guarantee there will not be a spill. He recommended either using an alternate route or the posting of a multimillion-dollar bond to cleanup a potential spill, with a plan made for both cleanup and the supplying of water during the cleanup.

Eugene Farley presented a signed petition requesting that the City not enter into any municipal agreement that will lead to the construction of sewage-carrying pipelines within the watersheds of the reservoirs that provide Torrington with its drinking water supply.

Bridget A. Beauchaine, in opposition to the proposal, questioned why WLSD residents have not addressed the matter for 29 years or voiced their opinion at the public hearing. She urged the WPCA to act in its constituents' best interest and ultimately deny the application to run a sewer line through our public water supply.

Robert Baccej said he is opposed to this project and that Torrington deserves better than to be the dumping ground for surrounding towns.

George Sabolcik, in opposition to the proposal, noted recent City efforts to create walkways next to scenic waterways. He said drinking water is more important.

Ray Harrigan expressed his opposition to the project by listing a number of questions about the project, to which Mayor Carbone replied that they will be answered by Mr. Drew's subsequent presentation. He noted the Flint, Michigan incident where their water was contaminated and clean water was sent in by truck.

Cindy Barrett noted that as a resident of Woodridge Lake, she cares deeply about the project, having attended every meeting.

Michael Clark said he does not think the City is ready to approve this project as questions remain unanswered, such as who would respond to a leak, and how, and what equipment is available. He said he is unaware of WLSD's staff training levels, but does know that Torrington staff can handle emergencies since he has seen them do it. Mr. Clark noted that WLSD ignored the State of Connecticut for 29 years and asked what will happen when they need to respond to a leak.

Glenn Royals asked for clarification on when his questions will be answered. Mayor Carbone recommended the questions be submitted ahead of time so she can ensure they are answered.

Bridget A. Beauchaine said the public should have the opportunity to speak after the State makes their presentation.

### **Presentation by City Staff**

Water Pollution Control Administrator Mr. Drew presented his testimony and some back-up material regarding the project, noting that of the 36,000 Torrington residents, twenty-one have presented a public comment.

Mr. Drew described the Water Pollution Control Authority, saying the nearly 80-year old WPCA, which was created to prevent pollution, consists of a 7.0 million gallon per day (mgd) advanced wastewater treatment plant, 14 wastewater pumping stations and some 160 miles of sanitary sewer which include 8.5 miles of force mains.

### **Presentation by City Staff**

In answer to some questions posed, Mr. Drew explained the WPCA staff of 15 has an aggregate of more than 200 years of experience operating and maintaining wastewater collection and treatment systems. All are licensed by the State of Connecticut and or New England Water Environment Association (NEWEA) which is an affiliate of the Water Environment Federation (WEF). Many of our staff hold multiple licenses, he said.

Mr. Drew described his qualifications and that of his staff, saying he has 32 years' experience operating, maintaining and managing wastewater treatment and collection systems and has served as the WPCA Administrator for Torrington for the past 18 years. With seven years' experience operating water supply systems, Mr. Drew noted that he holds the highest State of Connecticut license, the Class IV Wastewater Operator, and the highest class from NEWEA, the Class IV Collection System Operator, along with a degree in Ecological Controls and two degrees in Engineering.

Mr. Drew said that the majority of his staff is certified in FEMA NIMS (National Incident Management System), which is focused on the response and management of emergencies including spills. He noted that the WPCA has a comprehensive Spill Protection Control and Countermeasure Plan (SPCC) and Storm Water Pollution Prevention Plan (SWPPP) and that all staff are trained in spill response. Mr. Drew said the WPCA maintains sufficient equipment and supplies necessary to respond to, contain, mitigate and clean up spills ranging from sewage to chemical spills. All staff are trained and equipped with the appropriate Personal Protective Equipment (PPE) necessary to respond, he said. Mr. Drew said the WPCA maintains a Supervisory Control and Data Acquisition system (SCADA) that monitors all alarms 24/7/365. He and three staff members are on call 24/7/365.

If this project is approved, Mr. Drew said he would anticipate that the Inter-Municipal Agreement (IMA) will include those provisions outlined in the CT DPH order dated August 29, 2017, and suggestions from the Torrington Water Company (TWC) could be welcome. Mr. Drew said that historically, with the exception of Community Sewerage Systems, operation and maintenance responsibilities of sanitary sewers constructed within the jurisdictional boundaries of the City of Torrington lie with the WPCA. He said that would continue to be his recommendation should this project be approved. He said that while it is difficult to pinpoint the cost to operate and maintain any particular section of line, on average it costs approximately \$2,800 per mile annually.

Mr. Drew questioned the statistical probability that, over the course of a 35,000 ft. line, a catastrophic break would occur in the area of the brook. He asked if CT DEEP or CT DPH have ever condemned a reservoir due to sewage contamination. Mr. Drew recalled that in the 1980s, troops treated any water available, to use for cleaning, cooking and drinking. He noted that wastewater treatment has advanced significantly since then.

Mr. Drew explained that water and wastewater are so intertwined, it is almost a symbiotic relationship. He described the cycle of water taken from the environment, cleaned, chlorinated and sent to customers, who contaminate it and pour or flush it down our collection system where it is cleaned and chlorinated and sent back to the environment again.

Mr. Drew noted that, in a global society, pollution abatement is everyone's responsibility and doesn't end at our town line. He noted that our infrastructure, especially water and sewer was funded by 90% from federal grants, including approximately 24% of the upcoming treatment plant upgrade. He said that every resident in the country who pays taxes is helping Torrington build and maintain its infrastructure.

Mr. Drew addressed Mr. Royals question about sewage spills in the Riverside Avenue area and how the WPCA responded to the five calls there. He noted that that line segment is not part of the Northwest Interceptor (NWI).

Mr. Drew said he is certain that Torrington has the capacity to accept and treat the flows from WLSD. He explained that the capacity of the NWI is 4.55 mgd and the average daily flow (ADF) is .42 mgd. He said the peak capacity is 0.55 mgd or 550,000 gallons per day and that even if WLSD's 0.11 mgd were added in, the resulting 0.66 mgd is well below the design capacity of the line 4.55 mgd. Mr. Drew noted that when the Water Pollution Control Facility is upgraded, the new WPCF will have an annual ADF of 7.0 mgd.

Mr. Drew said the proposed pipe design meets or exceeds all engineering standards for force main sewers. He said it acts less like a force main and more like a gravity sewer. In Torrington, the route is downhill so that when the pumps are off, the water will drain out of this pipe and there will be no standing sewage as you would typically find in a force main. He said the final design will require the approval of the WPCA and City Engineering Department prior to bidding.

Regarding the watershed, Mr. Drew noted that there are approximately 80 developed properties in this area that currently use septic systems for sewage treatment. He said that CT DEEP reports that of the 214 public drinking water surface watersheds in 93 municipalities throughout the state, 130 of them have sewer service in them. He listed the sewers, force mains and pump stations currently located in the Metropolitan District Commission Nepaug Watershed which feeds the Nepaug Reservoir.

Mr. Drew said the CT DEEP noted in a letter dated January 27, 2017 "*The mere presence of sewer systems within drinking water watersheds has not been demonstrated to present or cause pollution or threaten pollution of a public water supply source which is prejudicial to public health.*"

Mr. Drew said that each route presented by the WLSD was reviewed by City staff and it was determined that the Goshen Road to Riverside Avenue route was the most acceptable. He listed the reasons, saying the line functions more like a gravity sewer than a typical force main, which requires less operation and maintenance, and it requires less air/vacuum release structures reducing operational and maintenance requirements. He said this route is the shortest and most direct route to connect with one of our interceptors and reminded the WPCA that it costs approximately \$2,800 per mile annually to operate and maintain. Mr. Drew added that the alternative routes would function as typical force mains with increased operation and maintenance cost. He said that since the route is completely within the State right-of way, the route minimizes the overall impact on the City's infrastructure, and the proposed route has a lower potential for secondary or induced growth, which is consistent with the State of Connecticut Conservation and Development Plan.

Mr. Drew said that the TWC's proposed alternative route using Weed Road to avoid the lands owned by the TWC was reviewed and dismissed for higher operation and maintenance cost and significantly more infrastructure. He said the Weed Road route would traverse Pumping Station Road and Weed Road and intersect with Goshen Road, where from that point on, the route is exactly the same as the preferred route.

Mr. Drew noted that the TWC seems more concerned about a break or leak in the brook that is 6500 ft. away from Allen Dam Reservoir, than about the sewer on Goshen Road at University Drive which is only about 500 ft. from Allen Dam Reservoir.

Mr. Drew said the installation of any new sewer requires pressure testing to meet specific standards, and every manhole structure is vacuum tested as well.

Councilor Ruwet commended the thoroughness of the presentation and encouraged the community to tour the facility and appreciate the high ratings it has.

Councilor Cavagnero asked why WLSO didn't build their own treatment plant if 90% federal funding was available. He asked what the degree of risk to our water supply is. Mr. Drew said the statistical probability of a leak in this construction is extremely minimal, is probably unlikely to occur and that he thinks this is a good project.

Councilor Cavagnero asked about the areas defined as Sewer Avoidance Areas. Mr. Drew said this project would not expand the sewer service area, and the area would remain a Sewer Avoidance Area. He said this is based on a decentralized systems policy created by CT DEEP in the 1980s. Mr. Rollett explained that this project is not expanding our sewer service area, but will be an agreement with a neighboring town, which is not part of our sewer service area, to give us flow through an agreement. He said that connections to it will not be allowed, and if they were desired, this Board would need to change that plan.

Councilor Rubino asked for an explanation of the alternative routes, which Mr. Drew then described.

Councilor Cavagnero asked that the three routes be shown to the audience. Mayor Carbone explained that this application is to this Board and Councilor Cavagnero's comments and questions on the project should be directed to the experts and the applicant. Atty. LaMere cautioned that the application is for the connection on the one route that is proposed. Mr. Drew pointed out the routes on a map in front of the audience and noted that the Weed Road route avoids the lands owned by the Torrington Water Company but does not avoid the watershed protection zone.

Mayor Carbone clarified for Councilor Cavagnero that there is an application before the Board and that they have an obligation to do their due diligence to get all the evidence put before them so that they can make a decision.

Councilor Cavagnero asked about the costs of the various routes and their lengths. Mr. Drew explained that he is only concerned with the infrastructure within Torrington. Councilor Cavagnero asked why Torrington should accept a route that takes WLSO's sewage through our water supply when there is an alternative route. Mr. Drew reminded him to consider the long-term future operation and maintenance costs which will be addressed in an IMA. Councilor Cavagnero asked how a decision can be made without knowing who will bear the costs.

Mayor Carbone clarified for Councilor Cavagnero that there is an application for this route before the Board and the questions to be considered at this time are 1) Do we have the capacity and 2) Is there a threat to public health. She said once the Board decides whether or not to approve it based on the answers they receive, then the Board moves into negotiation for an IMA. She added that the Board's lack of time to read through all the material is the very reason why the issue is not being rushed. Mayor Carbone noted that they still have not heard from CT DEEP or CT DPH, and they need to afford the applicant an opportunity for rebuttal to answer the questions presented.

Councilor Cavagnero said that ultimately the Board will be asked to approve adding a sewer line through our watershed area, without knowing who will pay for the operating and maintenance fees. Atty. LaMere explained that it is a two-step process, where, for now, the Board is simply considering the question of allowing a connection. She said that Step Two will be the terms of that extension, which the Board will negotiate on our terms and agree upon.

Mayor Carbone noted that there is a lot of work to be done and that presentations from CT DEEP and CT DPH are critical to that additional work.

#### **Recess**

On a motion by Councilor Ruwet, seconded by Councilor Cavagnero, the Council voted unanimously to recess the Public Hearing at 6:31 p.m., to be continued on March 5, 2018 at 6:30 p.m.

ATTEST:



CAROL L. ANDERSON, MMC  
CITY CLERK