

4 Turkey Hill Road
Newtown, CT 06470
Tel (203) 270-4300
Fax (203) 426-9968



Fred Hurley,
Director

TOWN OF NEWTOWN
WATER AND SEWER AUTHORITY

Marianne Brown,
Chairman
Richard Zang
Louis Carbone
George Hill
Alan Shepard
Eugene Vetrano
Carl Zencey

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE WATER AND SEWER AUTHORITY

The Water and Sewer Authority held a regular meeting, Thursday, September 13, 2018 at Public Works, 4 Turkey Hill Road, Newtown, CT. Marianne Brown called the meeting to order at 7:00pm.

Present: Gene Vetrano, Lou Carbone, Dick Zang, Marianne Brown, George Hill, Carl Zencey

Absent: Alan Shepard

Also Present: Director of Public Work Fred Hurley, Mike Burke and Julio Segarra from Suez Water Environmental Service and 2 members of the public

Public Participation – None

Minutes – G. Vetrano moved to approve the minutes from the 7/12/18 meeting. C. Zencey seconded, motion unanimously approved.

Report by Suez Water Environmental Services – J. Segarra reported that they just completed yearly back flow prevention on the water distribution system. They also had a sanitary inspection which they did well. There will be a few recommendations but nothing major.

The Waste Water side is running well. They are on target with the phosphate and making some capital repairs. All the pump station generators have been topped off and are storm ready.

Report by Public Works Director – F. Hurley reported that he, J. Segarra and D. Colbert, Director of the Health Department worked together to get the story straight concerning radon in the town's water system. The complaint was that the prison and Middle Gate School are on the same water source. Middle gate school years ago did have an issue when they were on their own well. They then hooked up to the Aquarian water line which is different than the town's water. The Town's water does not contain radon.

UNFINISHED BUSINESS

Sandy Hook Pump Station – F. Hurley reported that the original look was a \$500,000 project. What they are looking at now is the spec and the approach. J. Segarra and F. Hurley will GC the job. When we get the spec we will be able to have a price.

Water Pollution Control Plan – D. Zang provided a proposed draft (att.). He suggested circulating them to P&Z, the town, the attorney and get their input. D. Zang moved that they circulate the proposed draft

to other agencies and request response by 10/2/18 and set a hearing date on the draft for 10/11/18 at 7pm. L. Carbone seconded, motion unanimously approved.

NEW BUSINESS

G. Vetrano moved to add 30-32 Church Hill Road payment plan, G. Vetrano moved, C. Zencey seconded, motion unanimously approved. - F. Hurley explained that they have come forward for a 5 year payment plan (att.). D. Zang moved to accept the payment scheduled as listed on the attachment plus interest. G. Vetrano seconded. Motion unanimously approved.

Request for Sewer Extension/6 Hillside Drive – F. Hurley explained it is on top of the hill by West Street. There are 4 parcels and sewer service is entirely around those properties. There is a letter from the Director of Health in favor of the sewer hook-up(att.). It would give 6 Hillside hook up from Roosevelt, there is no need for an easement, the same owner will own all the property from point a to b.

D. Zang explained that there are two ways for this to move forward. They need the Health District to say the septic system is failing or that the town is willing to develop that area.

Annual Base Compensation Adjustment – The change from last year to this year is 1.6%. G. Vetrano moved to accept the Annual Base Compensation Adjustment dated 8/8/18 (att.). G. Hill seconded, motion unanimously approved.

Executive Session – D. Zang moved to go into executive session at 7:47pm to discuss pending litigation regarding 79 Church Hill Road and invited Fred Hurley to join. G. Hill seconded, motion unanimously approved. Executive Session ended at 8:25pm and no further action was taken.

Having no further business, the meeting was adjourned at 8:25pm

Respectfully submitted
Arlene Miles, Clerk

Newtown WSA Water Pollution Control Plan – draft revision 9/13/2018

(Resources: 2008 DEEP Guidance, CGS, D. Grogins ltr 9/24/14)

690-96 Authority; purpose; establishment of plan

- A. The Newtown Water Pollution Control Authority was established as an agency of the Town by Ordinance 56, adopted by the Legislative Council on May 7, 1980, in accordance with Section 7-246 of the Connecticut General Statutes, and redesignated as the Water and Sewer Authority ("WSA") by Ordinance 56A adopted by the Legislative Council on April 7, 2004.
- B. The WSA has prepared this Water Pollution Control Plan to designate and delineate the boundaries of areas to be served by Town sewers and areas where sewers are to be avoided and to describe the policies and programs to be carried out to control surface water and groundwater pollution control problems.

690-97 Facilities Plans

- A. The Interim Design Report by Fuss & O'Neill set out the design parameters for the construction of the sewerage system to serve the state and town properties in the central area of Newtown. The treatment plant was designed and constructed for a 20-year average daily flow of 932,000 gallons per day and the sewers were designed and constructed for the ultimate 40-year average daily flow of 1,864,000 gallons per day.
- B. The Newtown Facilities Plan of 1992 identified potential ultimate sewer service areas in the Sandy Hook riverside communities, South Main St, and Taunton Pond West. These areas were dropped from the final design when it was determined that septic repairs and controls on future development would be a more cost-effective solution.
- C. By agreement the state and town each have access to a share of the plant capacity. As flows from either party increase to near their allotted share of capacity that party may request the loan of unused plant capacity from the other until the combined flows approach the system limits at which time the plant may be expanded.
- D. A separate sewerage system was built in the Hawleyville area of the town to encourage economic development, not to meet any environmental need. By agreements with the towns of Bethel and Danbury up to 150,000 gallons per day of sewage may be pumped through Bethel to the municipal treatment plant in Danbury.

690-98 Designation and delineation of SSAs

Sewer service areas are shown on maps originally approved June 2015. Updated maps will be filed with DEEP and the Town Clerk.

690-99 Policies and objectives

- A. All areas outside of the designated sewer service areas are sewer avoidance areas. It is the intention of the WSA not extend sewers into Sewer Avoidance Areas unless mandated by the DEEP or recommended by the Newtown Health District for environmental reasons or requested by the Town as a municipal improvement in accordance with Section 8-24 of the Connecticut General Statutes.
- B. The WSA will continue to participate in the mandatory review process of the Health Panel Review Panel along with members of the Health District, Conservation Committee, and Planning and Zoning Commission to control activities in sewer avoidance areas that may exacerbate hydrogeologic conditions on the site.
- C. As an aid to town planning agencies the WSA will provide periodic reports on available sewer capacity in all sections of the sewerage systems.

690-100 Effective date; amendment of plan; filing

- A. The date of adoption shall be deemed the effective date of this Water Pollution Control Plan. This plan may be amended by the WSA with the approval of the Board of Selectmen. A copy of this plan and any updates shall be filed with the State Commissioner of Energy and Environmental Protection.

CGS

Sec. 8-18. Definitions. As used in this chapter: "Commission" means a planning commission; "municipality" includes a city, town or borough or a district establishing a planning commission under section 7-326; "subdivision" means the division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision; "resubdivision" means a change in a map of an approved or recorded subdivision or resubdivision if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map; "cluster development" means a building pattern concentrating units on a particular portion of a parcel so that at least one-third of the parcel remains as open space to be used exclusively for recreational, conservation and agricultural purposes except that nothing herein shall prevent any municipality from requiring more than one-third open space in any particular cluster development; "town" and "selectmen" include district and officers of such district, respectively.

Sec. 8-24. Municipal improvements. No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report. Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads.



TOWN OF NEWTOWN
PUBLIC WORKS DEPARTMENT

Payment Plan Consideration for 30-32 Church Hill Road

The subject property was known previously as "Lexington Gardens". As such there were two separate benefit assessments on the properties. The parcel at 30 Church Hill was assessed for \$117,000 and has been paid in full as verified by the Tax Collector's Office. The second parcel at 32 Church Hill was assessed at \$70,000 and the Tax Collector's Office has verified that assessment has also been paid in full.

Kerin & Fazio LLC performed an appraisal on the overall property taking into account the new construction. With this development they calculated that the benefit to these properties from sewers was \$260,000. Following our usual procedure of levying 90% of the appraised value the revised sewer benefit assessment would be \$234,000. There was an administrative error in the advertising of this conclusion where the 3 and 4 were transposed and the conclusion was posted as \$243,000,

After applying the previous principle benefit payments totaling \$187,000, the remaining benefit assessment would be \$47,000. The developers have requested a payment schedule of principle payments of the following:

1 st Year	\$7,500
2 nd Year	\$7,500
3 rd Year	\$10,000
4 th Year	\$10,000
5 th Year	\$12,000

The interest would be the current Town rate amortized over five (5) years.



Michael Burke
Area Manager
SUEZ Water Environmental Services, Inc.
1 Berkshire Street Holyoke, MA 01040
Tel: 413.534.2222 Fax: 413.536.5213
Michael.Burke@suez-na.com

August 8, 2018

Mr. Frederick W. Hurley, Jr.
Public Works Director
Town of Newtown
4 Turkey Hill Road
Newtown, CT 06470

Subject: Town of Newtown WSA
Annual Base Compensation Adjustment

Dear Mr. Hurley:

As per Section 6.2 of the Operation, Maintenance, and Management Services Agreement for the Town of Newtown Water and Wastewater Facilities that commenced on July 1, 2004, the Annual Base Compensation shall be adjusted at the start of each Agreement year. Listed below are our calculations for the proposed Total Adjusted Base Compensation (TABC) for the next Agreement Year. The TABC is consistent with our ongoing cost associated with the operation of the facility.

Annual Base Compensation Adjustment

Subject to Section 6.5, the Base Compensation shall be adjusted at the start of each Agreement Year in accordance with the following formula to account for annual changes in the Price Index and Influent flow, Total Suspended Solids (TSS), and BOD5.

Inflation Adjustment on Initial Term

$$ABC_0 = \$454,860 \times [264.669/199.9] = \$602,237.83, \text{ where}$$

$$BC_0 = \$454,860$$

$$C = 264.669$$

$$C_0 = 199.9$$

$$AFM = \$17.83/\text{million gallons} \times [264.669/199.9] = \$23.61/\text{MG}$$

$$ATM = \$0.16/\text{lb} \times [264.669/199.9] = \$0.21/\text{lb}$$

$$ABM = \$0.04/\text{lb} \times [264.669/199.9] = \$0.05/\text{lb}$$

Inflation Adjustment on Renewal Term

$$ABC = \$69,619 \times [264.669/253.598] = \$72,658.27, \text{ where}$$

$$BC_0 = \$72,658.27$$



Michael Burke
Area Manager
SUEZ Water Environmental Services, Inc.
1 Berkshire Street Holyoke, MA 01040
Tel: 413.534.2222 Fax: 413.536.5213
Michael.Burke@suez-na.com

$$C = 264.669$$

$$C_0 = 253.598$$

Flow and Loads Adjustment

$$\Delta \text{ Flow} = 0.451 - 0.53 = -0.079 \text{ MGD, where}$$

$$TF_1 = 0.451 \text{ MGD}$$

$$TF_0 = 0.53 \text{ MGD}$$

$$\Delta \text{ TSS} = 642 - 703 = -61 \text{ lbs, where}$$

$$TT_1 = 642 \text{ lbs}$$

$$TT_0 = 703 \text{ lbs}$$

$$\Delta \text{ BOD5} = 666 - 999 = -333 \text{ lbs, where}$$

$$TB_1 = 666 \text{ lbs}$$

$$TB_0 = 999 \text{ lbs}$$

Total Adjusted Base Compensation

$$TABC = ABC_0 + ABC + (\Delta \text{ Flow} \times 365 \text{ days} \times \text{AFM}) + (\Delta \text{ TSS} \times 365 \text{ days} \times \text{ATM}) + (\Delta \text{ BOD5} \times 365 \text{ days} \times \text{ABM}), \text{ where}$$

$$TABC = \$602,237.83 + \$72,658.27 + (-0.079 \text{ MGD} \times 365 \text{ days} \times \$23.61/\text{MG}) + (-61 \text{ lbs} \times 365 \text{ days} \times \$0.21/\text{lb}) + (-333 \text{ lbs} \times 365 \text{ days} \times \$0.05/\text{lb})$$

$$TABC = \$602,237.83 + \$72,658.27 + (\$680.71) + (\$4716.64) + (\$6437.06)$$

$$TABC = \$663,061.68$$

From the calculations above, the adjusted annual base compensation fee starting July 1, 2018 is proposed to be \$663,061.68. The breakdown of the new annual base fee of \$663,061.69 will be \$570,233.05 for the Newtown WPCF and \$92,828.64 for the Fairfield Hills Water Treatment Facility. Attached, are the formula definitions from our Agreement as well as the flow and loads data for the Agreement year.

Please review this submittal and provide us with your comment. If you have any questions or need any additional information, please call me at 413-534-2222.

Sincerely,

Michael Burke
Area Manager



Michael Burke
Area Manager
SUEZ Water Environmental Services, Inc.
1 Berkshire Street Holyoke, MA 01040
Tel: 413.534.2222 Fax: 413.536.5213
Michael.Burke@suez-na.com

ANNUAL BASE COMPENSTATION ADJUSTMENT

- (i) The adjusted Base Compensation for changes in Price Index and average daily flows and loads:

$TABC = ABC + (\Delta \text{ Flow} \times 365 \text{ days} \times AFM) + (\Delta \text{ TSS} \times 365 \text{ days} \times ATM) + (\Delta \text{ BOD5} \times 365 \text{ days} \times ABM)$, where

TABC = Total Adjusted Base Compensation

ABC = Adjusted Base Compensation

AFM = Adjusted Flow Multiplier = \$17.83/million gallons x $[C/C_0]$

ATM = Adjusted TSS Multiplier = \$0.16/lb x $[C/C_0]$

ABM = Adjusted BOD5 Multiplier = \$0.04/lb x $[C/C_0]$

- (ii) $ABC = BC_0 \times [C/C_0]$, where

BC_0 = Base Compensation as of the commencement date of this Agreement.

C = Price Index (as defined in Appendix A) for the tenth month of the Agreement Year just ended.

C_0 = Price Index (as defined in Appendix A) for the month two months prior to the commencement date of this Agreement.

- (iii) $\Delta \text{ Flow} = TF_1 - TF_0$, where

TF_1 = The average daily Influent flow in millions of gallons for the Agreement Year just ended.

TF_0 = The average daily Influent flow in millions of gallons specified in Baseline Conditions.

- (iv) $\Delta \text{ TSS} = TT_1 - TT_0$, where

TT_1 = The average daily Influent TSS load in pounds for the Agreement Year just ended.

TT_0 = The average daily Influent TSS load in pounds specified in Baseline Conditions.

- (v) $\Delta \text{ BOD5} = TB_1 - TB_0$, where

TB_1 = The average daily Influent BOD5 load in pounds for the Agreement Year just ended.

TB_0 = The average daily Influent BOD5 load in pounds specified in Baseline Conditions.