

MEMORANDUM



TO: WLSD Planning Committee
FROM: Paul Dombrowski
DATE: May 20, 2011
RE: Notes CAWPCA Workshop of April 29th

On Friday, April 29th, I attended the Connecticut Association of Water Pollution Control Authorities (CAWPCA) Spring Workshop at the Crown Plaza in Cromwell. The meeting included the following presentations, some of which I thought might be of interest to you:

1. Panel Session related to WPCA's being consistent with the State Plan of Conservation & Development
 - a. The panel included Dan Morley of the State Office of Policy & Management, Liz Glidden, Town Planner from Haddam, Michael Fortuna of the Town of Haddam WPCA and Guy Russo, Director of Water & Sewer from Middletown.
 - b. The session was led by Dan Morley of OPM who made a presentation on how OPM develops the State Plan and how that process is changing to integrate more local input. Although Dan did not have his PowerPoint presentation at the workshop, it was forwarded later and a copy is attached.
 - c. Various members of the panel described how important it is to have each Town's Plan of Conservation and Development and the WPCA Sewer Service Area mapping all be consistent with the State C&D Plan. This is particularly important with regard to accessing any state monies for construction of sewer or treatment plant improvements. If the Town's (or in WLSD's case the District's) mapping showing areas to be served by sewer are not consistent with the State Plan, no state monies for construction will be granted. This is an issue of importance for WLSD because the District service area is shown completely as "Conservation" or "Preservation" land both which are considered incompatible with sewer service (even though WLSD's system is already constructed). Another related, and potentially more difficult challenge, will be faced if the solution is to pipe WLSD wastewater to Torrington. This will require building a pipeline through substantial areas of both Goshen and Torrington that are restrictive of providing utility service. Through submitting appropriate mapping and documentation through the course of the Facilities Plan, we should be able to have the State C&D Plan modified to that it correctly reflects current service area conditions. However the challenges noted during the panel discussion that approximated what would occur if you connected to Torrington (building a pipeline through a "Preservation" area that would not be served) may be a very difficult hurdle to overcome.
2. Benefit Assessments and Recovering Capital Costs
 - a. Attorney Adam Cohen from the law firm of Pullman & Company made a presentation and provided a handout regarding benefit assessments and how WPCAs must properly handle public hearings, compensate property owners for land takings, levy assessments, bill property owners and collect delinquent accounts. Although, I asked during the presentation and emailed Attorney Cohen independently, he could not give me a clear approach to determining the maximum value of the benefit. The only description he provided is that the value of the benefit is the increased value of a property as determined by an appraiser. He did not provide a response when asked about a situation similar the WLSD where a group of existing users are faced with an upgrade cost to an area that already has service.



- b. Attached is a copy of his handout which provides some useful information regarding the powers of municipalities under Connecticut statutes to raise funds, bill users, levy assessments, and collect delinquent accounts.

3. DEP Update

- a. Dennis Greci of DEP provided an update of upcoming state funding programs. He indicated that DEP will be soliciting communities for potential projects this summer as they begin developing their next priority list. He noted that they are looking to issue the next draft list in October 2011 and the listing will be using the same point rating system as in the past. The FY2011 budget includes \$160M in revenue bonds and \$40M in general obligation bonds for wastewater projects. He also noted that Governor Malloy is asking for increases over these amounts for FY2012 and FY2013. Dennis also noted that there are \$6M available in planning grant monies for communities. He strongly suggested meeting with DEP as capital projects are developed to confirm eligibility of different aspects of individual projects.
- b. Dennis noted that communities involved with the new phosphorus program have started receiving their new permits (I'm involved with 2 that just received these) but noted that the DEP funding program is not providing these communities any additional financial considerations as a result of these new requirements.
- c. The Fats, Oils and Grease (FOG) program for Class III and IV restaurants will be fully in force by July 1, 2011 which requires all restaurants of these classifications to provide some form of grease removal for wastewater from kitchen operations. This program is intended to help communities to protect their sewer systems from blockages cause by grease accumulation.
- d. On the side, I asked Dennis if he would meet with a community (such as WLSL) to provide input with regard to funding, rates and betterment assessments. Dennis has done this in the past and would be willing to help WLSL develop a program that meets DEP recommended approach.

4. Expedited Permit Process for Discharges to Sanitary Sewers

- a. Ozzie Inglese of DEP and two of his subordinates presented a proposed policy change that will allow expedited permitting for industries. The primary industry they are focused on are metal plating with copper, nickel, silver, zinc and lead as the pollutants of most concern.