



Town of Lebanon WATER POLLUTION CONTROL AUTHORITY
Town Hall Lower Level Conference Room
Regular Meeting Minutes
Thursday, October 24, 2019 7:00 PM

Members: Carol Morris-Scata, Gregg Lafontaine, Harry Anderson, David Hartley, Toni Tyler

Others in attendance: Rachael Gaudio (Waller, Smith & Palmer), Catherine A. Marrion, Esq. (Waller, Smith & Palmer), Jason Nowosad (Field Agent), Catherine McCall (WPCA Administrator)

1. Call to Order

The meeting was called to order by Carol Morris-Scata at 7:00 pm.

2. Public Comment: [Limit 2 minutes per speaker]

Ken Lavoie, 501 Deepwood Drive stated that he observed the flow meter installation and it looked like everything went well. He is investigating the billing process for the grinder pump and looking at what is needed to install the entire system.

3. New Business:

Discuss and Act Upon New Business:

3.1. Withdrawal of Resignation from WPCA Board Membership

C. Morris-Scata would like to withdraw her resignation from the Board.

H. Anderson made a motion /D. Hartley seconded to accept Carol Morris-Scata's withdrawal of resignation. Motion passed.

3.2. Approval of New WPCA Interim Chairman

D. Hartley made a motion to appoint G. Lafontaine as interim Chairman. H. Anderson seconded. Motion passed.

3.3. Addition of New WPCA Member

Toni Tyler was introduced as a new member. Morris-Scata thanked her for her willingness to serve.

3.4. New Sewer Applications Received

None

4. Informational Session:

4.1. Compliance of Unconnected Properties; Overview and Discussion with Representative (s) From Waller, Smith & Palmer, Attorneys

Rachael Gaudio and Catherine A. Marrion of Waller, Smith & Palmer presented a list of actions and steps to bring all properties into compliance with State law – State Statutes Chapter 103, Municipal Sewerage Systems. Marrion reviewed a document they authored, Lebanon WPCA Timeline for Connections to Amston Lake Sewer District which is a template for compelling compliance. The WPCA has the right and responsibility to act under State Statute & Case Law. They have latitude to not pursue properties that are uninhabitable. Homeowners have the right

to appeal to superior court. The WPCA has the statutory right to connect all properties and put a lien on the parcel for the cost. A payback plan can be implemented, and interest can be levied on unpaid balances. Morris-Scata asked when a tax sale would be in order. Lafontaine believes it would be a tax collector's decision. Lafontaine asked the attorneys for an approximate cost of litigation if an appeal is raised. Attorneys will supply this information, and the formula for the interest that can be added. Tyler asked if court fees could be added to the homeowner's bill should the town win the appeal. The answer is no as there is nothing in the statutes speaking to this. Letters to homeowners should be sent out from WPCA rather than the town. C. Morris-Scata thanked the attorneys for the work they have done on this item.

5. Correspondence:

Discuss and Act Upon Correspondence Received

Nothing to report

6. Minutes:

Discuss and Act Upon:

6.1. Approval of Minutes from September 26, Regular Meeting

Motion made by H. Anderson and seconded by D. Hartley to approve the minutes of the September 26, regular meeting. Motion passed with one abstention.

7. Field Agent's Report

Discuss and Act Upon:

7.1. Service Issues

7.1.1. F. R. Mahoney Service Call (s)

No issues reported

7.1.2. Other Service Issues/Incident Report

No issues reported

7.1.3. Flow Meter – Replacement Details

The new flow meter was installed on 10/23/19 and J. Nowosad reported that the job went smoothly. In 24 hours, it recorded 677 gallons. The meter has been calibrated and we are in possession of a calibration certificate. A yearly recalibration is recommended. It was noted that there was quite a lot of sludge in the system which indicates it should be flushed. He did not consider this an issue as it has not been flushed in six (6) years. Nowosad suggested it be done at least once per year. If the signal strength drops it would warn of sludge build. Signal strength should be between 30 and 60 and right now it is in the high 40's. Nowosad notified Hebron that the installation was complete. He said that he would be checking the meter regularly and will make sure he takes a reading at the end of October. There was follow-up discussion on resolving outstanding and future invoices from to Hebron.

7.1.4. Flushing Schedule: Gallon Details and Cost

Nowosad did not have an estimated cost the flushing schedule available at this time. He has been working with B. Handfield PE, Yantic River Engineering, and K. Wentworth, Wentworth Septic to determine cost. The propose flushing frequency will be years 1, 3, 5 depending on the line.

7.1.5. System Functioning: Current Number of Connected & Unconnected Properties
There are 15 unconnected properties currently.

8. Financials

Discuss and Act Upon:

8.1. Invoices Received

Motion made by Morris-Scata /seconded by H. Anderson to pay Paul Santoro the balance of \$7998 for installation of the flow meter. Motion passed.

8.2. Budget Review

Under budget item 437 - legal. Additional monies may be needed in this fund if litigation arises during the action to compel connection. C. Morris-Scata noted that it seems as if there are a greater number of individuals who are not paying sewer fees on time than experienced previously. G. Lafontaine noted that eventually this would be addressed by the Tax Collector as part of their normal process to consider tax sales. We should however anticipate a portion of taxes not being paid and budget accordingly. It may be prudent to increase user fees to prepare for replacement of parts, possible litigation, etc. G. Lafontaine will go to the Finance Department to get further details on the WPCA budget. This should be reviewed to better understand specifics of the numbers. Once we have the information, we can determine what needs to be done to insure secure finances.

9. Old Business

Discuss and Act Upon:

9.1. Continued Discussion of Steps for Compliance of Unconnected Properties

The Properties Not Connected list will be merged with the Sewer Assessment Status information from the tax department for future use. G. Lafontaine suggests the implementation of the connection timetable be delayed until all outstanding information is provided and WPCA is fully prepared to proceed. At this time the target would be to start the process in January, but this will be discussed further over the next couple of months.

9.2. Refinement of WPCA Master Activities Calendar

April – ‘Yearly Emergency Response Plan Updates’ should read ‘Yearly Update for Certificate of Insurance from USDA Department of Agriculture Loan Department’ (COI for insurance). This questionnaire gets sent to us in April with expected response in May.

The ‘Emergency Response Plan’ should be updated annually or when there is a major change.

The WPCA Master Activities Calendar document will be called ‘WPCA Planning Calendar’ and revision information should be added.

10. Topics for Next Agenda

Begin discussing payment to Hebron.

11. Adjournment

**Motion made by H. Anderson and seconded by T. Tyler to adjourn the meeting at 8:40 pm.
Motion passed.**

Respectfully submitted,
Catherine McCall, WPCA Administrator