



**MINUTES OF PUBLIC HEARING  
OF THE TOWN OF BETHEL, CONNECTICUT**

Tuesday, July 8, 2013  
7:00 PM

Bethel High School Auditorium, Whittlesey Drive, Bethel, CT

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TOWN OF BETHEL  
TOWN CLERK

**PRESENT:** First Selectman Knickerbocker and Selectman Straiton. Also in attendance were Town Engineer Andrew Morosky, Town Counsel Martin Lawlor, Public Utilities Commission members Peter Valenti and Michael Gribbin and Comptroller Robert Kozlowski.

In addition representatives from Aquarion Water Company (AWC) included Chuck Ferlotte, Dave Connors, John Hurley and Don Morrisey.

Eric McPhee, from the State of Connecticut, Department of Public Health (DPH), Jack Witkowski from Public Utility Regulatory Authority (PURA) were also present.

*To receive public comments on the proposal to sell assets of the Town of Bethel Water Department to Aquarion Water Company.*

First Selectman Knickerbocker opened the Public Hearing at 7:00 p.m. and before providing an overview of what has led to tonight's Public Hearing to receive comments on the sale of the assets of the water department, he noted that there would be an additional public hearing held on July 16<sup>th</sup> to comply with publication requirements. He explained that the Public Utilities Commission and the Board of Selectmen has recommended the sale of the assets of the Bethel Water Department to Aquarion Water Company (AWC) for the total sum of \$7.2 million. He continued that \$2.5 million would be used right away to satisfy the debt that the water department has accumulated and repays these funds, with interest to the general fund. He continued on with explaining the need for improvements to the aging water system, one of the key benefits in expanding the economic base and the need to replace the water tank, which despite considerable expense on the town, has not been approved by the City of Danbury.

Town Engineer Andrew Morosky provided factual background information on the water system such as number of customers, average daily consumption, miles of main, and descriptions of pressure zones, storage tanks, hydrants, treatment plants, pump stations and employees. Mr. Morosky noted that although Bethel's water is in compliance, the water treated at the Chestnut Ridge Reservoir will have difficulty meeting the upcoming water quality regulations pertaining to disinfection byproducts based on past results. Mr. Morosky added that the system's aging

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infrastructure needs to be addressed and many of the upgrades planned have not been accounted for in the current rate schedule. It was also noted that the Town's land will be protected by State regulation and that most of the watershed lands will revert back to Town ownership once new groundwater sources are brought on-line.

AWC representatives provided an overview of the company, their mission statement and what services they will provide if the sale is approved.

### **PUBLIC COMMENTS:**

Barry Domber, Chestnut Ridge Road: Among other comments and questions, asked about the process. *(First Selectman Knickerbocker advised that there would be a town wide referendum, the date would be set at the upcoming Special Town Meeting.)* Mr. Domber questioned whether they would drill wells at the Chestnut Reservoir. *Town Engineer Andrew Morosky advised that there are no plans to drill wells at Chestnut Reservoir.*

Clarence Rees, Granite Drive: Among other comments and questions, inquired about the pump station at the Bethel Fire Department. *Town Engineer Andrew Morosky assured him that the sight line would not be impeded, due to confined space regulations the pump station would not be underground, would have to comply with all town regulatory agencies and that it is not a condition of the sale – the pump station has to be built regardless of the sale.*

William Hillman, Walnut Hill Road: Among other comments and questions, inquired about the drilling of wells – how deep and if this would affect nearby shallow wells. He noted his annual bill of \$640. *Comptroller Robert Kozlowski advised that if Bethel retains the water company and completes the repairs, it is anticipated that our rates would be higher than AWC.*

Roger Reynolds – CT Fund for the Environment: Among other comments and questions – wondered why there is nothing in the agreement that would assure the lands when returned by AWC are not designated as permanent open space. *Town Counsel Martin Lawlor advised that the town intends to keep this property as open space or do what the town feels would be in its best interest, whatever that may be, on property that we own.*

David Stevenson, Deer Run: Among other comments and questions, advised that AWC is beholden to shareholders. *He was advised by the panel that drinking water regulations are one of the most heavily regulated and AWC, unlike the Bethel Water Department, has the expertise to deal with the regulations. Bethel has to hire out for technical advice.*

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Sandy Kaufman, Briar Ridge Road: Among other comments and questions, wondered about the use of water offsite – *AWC offered that there are no plans to use the water offsite but that there are, like for Bethel – no restrictions either.* He wondered about the value of the water – *AWC offered they don't value the water – the value/price comes from the infrastructure – in other words – not the product but the ability to deliver the product.*

Frank Mineo, Briar Ridge Road: Among other comments and questions, wondered about the performance by deliverables and would AWC be paying property taxes on the land. *Panel advised that yes, AWC would be paying real estate taxes and taxes on personal property.*

Margaret Miner – River Alliance: Among other comments and questions advised that there appear to be many unanswered questions and more time should be taken before a decision is made.

Bob Crnic, Old Hawleyville Road: Among other comments and questions, advised that the water department is now showing a profit – so why sell it. *Panel advised that several of the recent increases have lessened the damage but that the rates in place do not address all the repairs that are needed.* He said we would be losing the ballfields and soccer fields. *Panel advised that this is not true, the ballfields and soccer fields remain.* He suggested that we hire someone to manage and run our own system while retaining ownership. *Panel advised that according to the state, this is not allowed.*

Peggy Gillen, Westview Drive: Among other comments suggested that we should keep control of our own water.

Resident, Chestnut Ridge: Among other comments and questions, offered that there is no guarantee on the condition of the land when AWC turns it back and sighted an example in Easton. *AWC reps explained that that project is still in process and is part of an ongoing forestry management program in response to Hurricane Sandy.*

Will Duff, Long Meadow Lane: Among other comments and questions, inquired about the date of the referendum and encouraged people to vote no.

Linda Passero, High Street: Among other comments and questions, inquired about the chemical makeup of the water. *(AWC advised that like the Bethel system, the same regulations must be adhered to.)*

Linda Benedict, Shelter Rock Road: Among other comments and questions, inquired as to who would be responsible for repaving the roads should piping be installed. *(Advised that if sale is approved, then AWC would be responsible.)*

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Alexa Crnic, Old Hawleyville Road: Among other comments and questions, wondered about the impact to wetlands and private well owners. *(DPH offered that their department, as part of the process, reviews the impact on related areas.)*

Shani Specht, Nashville Road: Among other comments and questions, suggested that a citizen committee be formed *(was advised that there is one – the Public Utilities Commission)*, wondered about the ages of the pipes, believes the water system is worth more than 7.2 million *(advised that the price is determined by “book value” and confirmed by town auditors)*, wondered about the balance of the funds *(funds would be held for a period of time as an allowance for unanticipated legal or technical claims)*.

David Glahn, Elizabeth Street: Among other comments and questions, offered that the “rumor is” that the land would not be returned. *(DPH advised that their department does have to approve the return of the lands once AWC has determined that they no longer need the land surrounding the reservoirs.)*

A.J. Bernard, Highview Terrace: Among other comments and questions, offered that the contract is great – for AWC.

Cynthia McCorkindale, Elgin Avenue: Among other comments and questions, offered that new legislation allows cell towers on water land – *(AWC advised that they do have cell towers on some of their lands and the resulting revenues are used to offset residential rates and that they don’t allow cell towers unless the town wants them.)*

Carol Cheslock, Huntington Court: Among other comments and questions, noted that the agreement was signed before the public voted on it *(was advised that the agreement stipulates that all is subject to resident approval)* and would like more time on this.

Jim Roden, Juniper Road: Among other comments and questions, remarked that the First Selectman signed a legally binding contract *(advised that the contract reads that it is subject to resident approval)* and asked AWC what they have spent on this potential purchase *(AWC advised between \$20-50,000)*.

J. Philip Gallagher, Sunset Hill Road: Among other comments and questions, noted that some members of the Board of Finance wanted to hold off on voting for the sale until a public hearing was held. Utility funds in the past were used for tax anticipation expenses, thus saving the town borrowing costs; this option will not be available if Aquarion owns the Water Department.

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Bob Burke, Greenwood Avenue: Among other comments and questions, believes we can take care of our water issues ourselves and believes that the assets are worth more than 7.2 million.

Jan Moy, Diamond Avenue: Among other comments, offered that the fire departments will be charged with the water they use during training exercises if AWC buys our system.

Cromwell: Among other comments, offered that we can build a tank elsewhere in town and could use town crews to do the work.

Dom Ippolito, Linda Lane: Among other comments offered that the AWC press release advised of a “done-deal” – *(The panel pointed out that the article says it is subject to approval by the voters).*

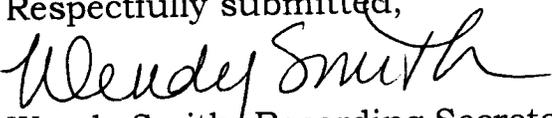
Tim Beeble, Turkey Plain Road: Among other comments and questions, wondered about the value of the land, and if we could lease the system to them *(advised that this is not permitted by Department of Public Health).*

Bob Crnic, Old Hawleyville Road: Among other comments and questions, advised that the Town of Bethel will have to pay for the water that they use *(the Town of Bethel pays for water and sewer now and represents 22% of the water users).*

Billy Michael, Fleetwood Avenue: Among other comments and questions, inquired as to the illegally warned public hearing *(advised that there would be an additional public hearing held on July 16<sup>th</sup>)*, this issue deserves a citizen study committee,

As there were no other comments, First Selectman Knickerbocker closed the Public Hearing at 11:25 p.m.

Respectfully submitted,



Wendy Smith, Recording Secretary