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**Bill Number:** 6087

**Senate Pages:** 5185-5287 **103**

**House Pages:** 1981-1986 **6**

**Committee:** Environment: 1298-1301,  
1530-1531 **5**

**Page Total:** **114**

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**CONNECTICUT  
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amended in concurrence with action in the House.

|                         |    |
|-------------------------|----|
| Total Number Voting     | 35 |
| Those Voting Yea        | 35 |
| Those Voting Nay        | 0  |
| Those Absent/Not Voting | 1  |

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Returning to a couple of bills marked go earlier, and that is -- first one was Calendar page 34, Calendar 530, House Bill 6087, if the Clerk might call that item next.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 34, Calendar Number 530, File Number 505, House Bill 6087, AN ACT AUTHORIZING THE UNIVERSITY OF CONNECTICUT TO RECEIVE AND TREAT SEWAGE FROM THE TOWN OF MANSFIELD, favorable reported Committee on Environment and Higher Education.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

Oh, Mr. President, I move acceptance of the Joint Committee's favorable report and passage of this bill in concurrence with the House of Representatives.

THE CHAIR:

Acting on acceptance in concurrence with the House, sir, would you like to remark further?

SENATOR MEYER:

I would, and I would like to thank Senator Looney for honoring us with so many good environmental bills today. And we've got another good one that will not take -- I don't think it will take a lot of question and answer.

The Town of Mansfield has a section called "Four Corners." And that section of that town is encumbered by water contamination, the town, therefore, went to the University of Connecticut and asked if it could have an agreement with the University of Connecticut where it would get it's water supply from UConn in order to avoid that contamination problem.

In order to make that kind of arrangement, it needs a state law. And so what this bill essentially does, is it gives permission to the Town of Mansfield and the University of Connecticut to enter into

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agreement for the supply of water for that section -- that contaminated section of the town. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, this does at first blush seem like a seemingly straight forward bill, but there are many, many issues lying underneath it. You know, I'm always tempted to make a joke having done the fertilizer bill and now the sewage bill about the types of bills that we're doing up here this year, but I will refrain. I will refrain. I thank Senator Meyer for bringing this out, and through you, some questions to him.

THE CHAIR:

Senator Meyer.

SENATOR DEBICELLA:

Mr. President, through you to Senator Meyer, just to clarify for legislative intent, the language of the bill specifies that the Town of Mansfield may receive and treat sewage from the Four Corners area of Mansfield, what -- what is that area? And is this

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something that Mansfield is now going to have, two different entities actually treating it's sewage?

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes, through you, Mr. President, my understanding from the testimony of Mansfield's Town Manager, and you may have that testimony in front you, is that the town is mainly served by septic systems, but that the Four Corners area has had a -- a water system that is contaminated. Now, I don't know if that's an aquifer or just what that water system problem is. But it was actually the Town Manager of Mansfield that came before the Environment Committee, set out his concern, and asked for our help.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And Mr. President, through you, in terms of the university's involvement with treating that nonseptic region of town, does the University of Connecticut currently own and operate a sewage treatment plant? Through you, Mr. President.

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THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, that is what I understand from the testimony of the Mansfield Town Manager. UConn does have that kind of a system and that Mansfield could actually tap into it.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President, so in -- again, I'm reading this bill, it says that the Board of Trustees may grant easements over land owned by the University for the purpose of constructing a sewer system. Is it the intention behind this bill that -- and we'll talk about the fiscal note in a minute -- but it is the intention of the bill that UConn actually is going to build a new sewage treatment plant to actually handle the sewage from the Four Corners area of Mansfield?

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator Debicella,

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the understanding in the conversations we had is that no new system will have to be built by UConn, but there will have to be some additional piping and Mansfield has agreed to pick up the cost of that additional piping into UConn's sewer system.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

And through you, Mr. President, so I'm assuming from the bill that the intention then is that there is land currently owned by the Town of Mansfield that is going to be -- or maybe I'm reading this wrong, is it that the Town of Mansfield is going to grant easements to UConn to enable UConn to build that piping system, even though Mansfield is going to pay for it, or is it that UConn currently owns the land and that they are going to grant that easement to Mansfield to build that sewage system? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, it's actually the latter. This is land that's owned by the university, which will grant easements to the Town of Mansfield so

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that it can construct a pipeline into UConn's sewer system.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

And thank you, Mr. President. So Mr. President, going to the debate we had before, we were always talking about trade-offs, now one of the trade-offs that we always have to decide is kind of the highest, best use of the land. And so I'm just wondering, Mr. President, and again, I wasn't -- no longer being a member of the Environment Committee, was not at the hearing to hear the testimony, how much land are we talking about here? Is this the matter of, you know, a few hundreds yards? Is this the matter of a few acres? What's the actual land that we're predicting is going to be needed in Mansfield to actually build the sewage pipes? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I don't know -- I don't know how long the pipeline will be. I'm looking -- looking at my notes in the file and I don't see it. In terms of

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the discussions that we had about this bill though, the clear indication was that it was not a great deal of land and not a -- and the pipeline would not have to be that long, because Mansfield had no financial problem in paying the cost to do it.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And Mr. President, just -- I'll move on from that. I understand that the good Senator does not have all of the precise schematics of what this is going look like. The only reason I bring and I'll return to it in my comments is you always have to make the trade-offs here when we're making a special exemption even though the Town of Mansfield might want this, is that if this is going to have a severe impact on other elements of either the environment or economic development, we need to make the trade-offs between those. So I thank the Senator for his answer to that and will return to that later.

Mr. President, the other aspect of this that I wanted to approach it from is we've been talking about it from Mansfield perspective, but I also wanted to, you know, talk about if from UConn's perspective.

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First, does UConn have a similar deal with this, with  
(  
any other communities in the state of Connecticut?

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, none of which I'm  
aware.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

And through you, Mr. President, why wouldn't we  
then -- if this is something we want UConn to do,  
because we are setting a precedent here that says that  
the University of Connecticut may enter agreements to  
handle municipal waste. Why wouldn't we make this  
bill broader to say that UConn, at their discretion,  
can make such a deal with any town as long as the town  
is going to pay for it? Why would we just make this  
about Mansfield, and why wouldn't we give UConn  
broader authority to make these types of deals with  
other towns? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

Through you, Mr. President, Senator Debicella, that was not an issue that came before us. Neither Mansfield nor UConn requested a broader discretion. Obviously there is going to benefit to UConn from this, because it's going to get paid and that's really in the interest of our university to get that economic benefit.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I thank the Senator for that answer. And so thinking about UConn then, Mr. President, do we know the capacity -- first off, I imagine that UConn right now, their sewage treatment plant is simply handling the Storrs campus, and that is the scope of what their sewage treatment plant currently handles, is that correct? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, that is correct as I understand it.

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THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And through you, is the capacity issue of, you know, UConn has grown through leaps and bounds and in a very positive direction over the course of the last decade, do we know and was there testimony to the extent that UConn would be equipped to handle this additional sewage and is not going to be hitting any capacity constraints anytime in the next five to ten years? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, the representation was made by the Mansfield Town Manager that UConn did have facilities that could do this. I don't recall any discussion about whether UConn has additional facilities that could provide sewage treatment to other towns.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

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Thank you, Mr. President. And I don't know if there was testimony to this extent, that -- do we actually know what the capacity of the current UConn sewage treatment plant is, and how much additional waste would be handled through a deal with the Town of Mansfield? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I really did not get an understanding of the capacity of UConn's sewage system -- thank goodness.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And I appreciate that as sometimes some of these topics are things that you don't want to know quite as much detail on as the questions might be asked. You know, the question then, Mr. President, in my mind before we turn to the financial aspects of this, which I think are very well-crafted out, is the question of -- and my worry is twofold. One is that we pass this now and the Town of Mansfield continues to grow in the Four Corners

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area, UConn continues to grow, and that we hit a point where UConn comes back to the state and says, we need a new sewage treatment plant. We are out of capacity, and my gut tells me that Mansfield wouldn't be the contributing -- the sole contributing factor to it, but might be a factor that would push us in that direction. So through you, I don't know if there was any discussion on the Environment Committee as to whether that was a concern or if that was something that people's fears are allayed that UConn's going to be back and asking for bonding money for a new sewage treatment plant or anything like that, through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, there was no discussion of that subject matter.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And Mr. President, in thinking then and turning towards the financial aspects of this bill, in my reading of this bill and

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in the fiscal note, it seems that basically the Town of Mansfield in order to take advantage of this, needs to pay for everything -- whether it is the construction of the collection system, any costs to facilitate the connection, any rates that are charged to other nonuniversity customers, and I just wanted to make sure for purposes of legislative intent, that the university in no way is on the hook for any money that might be expended in relationship to this bill, through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, Senator Debicella, that was a very significant condition of the legislation that UConn would not have to pick up any of these related costs and that might get some economic benefit. I notice in the same OFA note, you and I are both looking at, that there is no -- no mention of the economic benefit to UConn, but the understanding of the Environment Committee is that -- that the Town of Mansfield will be paying UConn for the use of its wastewater system.

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Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And through you, I think that is a great thing for UConn, and it is very logical especially if they have excess capacity to do that.

My other question as it relates to the fiscal note, is in Number 3 in the explanation, it says that the Town of Mansfield will guarantee payment of rates charged to other nonuniversity customers based on the amount of waste. The question I have, through you, is that does imply that there are other nonuniversity customers that are being serviced right now and that's the rate that will be charged to the Town of Mansfield. Through you, Mr. President, do we know who those other nonuniversity customers are right now that UConn is serving? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, my understanding and the understanding of Senator Debicella is a little bit different there. I felt the reference there was to the Town of Mansfield itself has certain needs, part

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of the section of the town called Four Corners, the town itself has -- has some public facilities there that need the wastewater system of UConn, plus homeowners would be other what are called "nonuniversity." Homeowners in the Four Corners section would also be using the wastewater system, and so what the town is doing is it's guaranteeing not merely its own use of the UConn system, but it's also guaranteeing the use of those homeowners in Mansfield, in the Four Corners section, who will be using the same wastewater system.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Mr. President, and I thank Senator Meyer for that clarification. It's an important one, because I did misread that. Then -- because that only makes this bill stronger is -- from UConn's perspective, is the fact that the Town of Mansfield is not just guaranteeing it's own payment, but that of private houses as well.

Thank you, Mr. President. And, Mr. President, just two final questions to Senator Meyer before I talk a little about this bill. One is that in the

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underlying sewage plant that's being used, was there any UConn 2000 bonding money that was actually used in the construction of that plant? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I do not know one way or the other whether there was any such bonding money used. It did not come into our discussions.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And then -- and I don't know if this is true, this might be a broader environmental question, but you know, we were talking before about, you know, exemption from certain laws, such as farming, exempting that from some of our inland wetlands laws. Is UConn in construction of the sewage plant exempt from environment or construction laws as it relates to this sewage plant or is it the exact same standard that any private sewage plant or CRRA or any other -- any other waste disposal facility would have? Through you, Mr. President.

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THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, as I've grown to understand our environmental laws, I believe that the university is not exempt, but is subject to all the environmental standards including wastewater systems as any other entity.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And I thank Senator Meyer for the answers to those questions.

Mr. President, today I stand in favor this bill, although it is something that based on my conversation with Senator Meyer that I would have hoped -- and possibly for next session, we can look at taking a broader view of UConn and its relationship to the surrounding communities. And understanding that Mansfield has a pressing need that they actually have come forward to suggest this to UConn, I actually think that the bill in front us of may be a model for how UConn can actually help out all of its surrounding communities.

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You know, one of the things that you always talk about with college towns is, you know, the town -- they called it the "town-gown relationships," the relationship between the college and the surrounding towns. This is a great way that UConn, if it does have significant excess capacity, can actually help out the homeowners in towns surrounding the UConn campus. And as you look at this, I definitely think there seems to be a pressing need from the testimony that Mansfield needs this now. But to me, if UConn is able to make money off of this deal and if the towns, and I imagine most towns do have homes that are not on a system that is readily available, especially in some of the rural areas, to municipal sewers, this could be a great way for UConn to help towns out.

Now the reason I say that is because Senator Meyer has crafted a bill that actually results in a net physical gain to the State or at least to UConn, by saying that we are actually going to have the municipality pay for it. And this sets up, Mr. President, the exact right system of checks and balances. Is that Mansfield would only enter into this if they felt the cost to their town was worth the benefits they were going to get from this septic

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system. The underlying premise of the bill though, I think, is expandable to other towns. So if we were, next year for example, to take this concept and open it up to say, Storrs and the towns within a 10 - 20 mile radius, I don't know what the right answer is -- you would say that we could open up that possibility, but it would happen if both UConn and the town agreed under the same terms and conditions that are contained in this bill.

Therefore, a town that is surrounded -- let's even pick the Town of Storrs, you know, where UConn is located, if they had a desire to use the UConn's waste treatment and I don't know if there are areas of Storrs that do or do not, I assume they do not based on what Senator Meyer said; we could -- or UConn could enter into a deal with Storrs if Storrs agreed to pay for all the costs. And since you set up a system of checks and balances, where UConn would be the one to initiate such a contact, but the town would, if they wanted such a service, would have to pay for it.

So Mr. President, I believe that on the philosophical level of looking at this bill, it is a positive one for Mansfield and one that should be expanded. But as there are in most things, Mr.

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President, that come before there is a philosophical aspect and then there's a practical aspect. And this is where -- and I know Senator Meyer didn't have some of the details, but the consideration that any town would need to make before entering into this, and quite honestly, a consideration that we might want to think about today is, you know, a phrase that I've learned since being up here, is "the highest, best use of land." And the question is as you are planning out a town, any town, and you're thinking about how to use the land, the question would be, you know, is this sewer collection system that's going into Mansfield is it going to be something that take up 60 acres? I doubt it -- but is it going to run through 60 acres? Are we now going to have a pipeline that's going to go up a piece of property that otherwise could be open-space, is it going to go up a piece of property that is now not going to be able to use -- used for another purpose, is it going to be disruptive, either to families or to businesses as it is put in place?

Now, I don't know if those are things necessarily for us to legislate in this circle. They are things, however, that we need to consider when actually putting forward this bill. Fortunately, Mr.

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President, you know, sometimes there's elegance in simplicity, and the simplicity that Senator Meyer's put into this bill actually sets it up so that there is still the check and balance to make sure that -- that highest and best use of land is considered. Because one would assume that the Town Manager in Mansfield and that the Town of Mansfield is going to be very, very thoughtful about where they're going to place this sewer system to make sure that this isn't a large opportunity cost of actually replacing another valuable use of that land.

And Mr. President, the fiscal note on this, you know, at a time when the state is in deep economic trouble, and we talk a lot about unfunded mandates, is refreshing. Because this is not an unfunded mandate on the town, this is actually something that enables the town to choose, and to choose for themselves whether or not they wish to join with UConn in providing this sewage service.

So, Mr. President, you know, although the fiscal note says no fiscal impact to the state, I think Senator Meyer is correct, is that this could be beneficial to UConn. Especially if there's excess capacity that's not being utilized right now, that is

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simply more revenue that is going to be coming into UConn for use, not only in their sewage system, but throughout the UConn campus system.

So Mr. President, today, I stand in favor of this bill. I thank Senator Meyer for bringing it out, I thank him for indulging me with those questions and I would urge its adoption. Thank you.

THE CHAIR:

Let's see, we'll pick on Senator Frantz to flush out some more answers on this. Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I hope not to let you down. I share Senator DeBicella's enthusiasm for the concept here. The synergies that are created as a result of the division of labor, division of talents, I think there's something to be said about the efficiencies that can be gained as a result of taking a hard, close look at what particular municipality, town, or company for that matter, is good at and seeing if they don't have excess capacity and then essentially selling it or making it available to other towns or companies or whatever the case might be, in the immediate neighborhood. In a way, it's -- it's a baby step towards regionalization, which is a theme

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we've been hearing quite a bit about here recently.

And I think in the issue of sewage treatment, I think it's an area that's right for this kind of consolidation or increases in efficiency. If Hartford were really good at dealing with sewage treatment, I think we'd all in this circle stand around and say let's bring it all to Hartford, and let's allow the towns save some more money. And if it was somewhere else, we'd agree that it might behoove municipalities to send their sewage to other places.

I do have a few questions for Senator Meyer, through you, Mr. President, related to this special act before us. And the first question is, through you, Mr. President, is why? Why did they initiate this discussion in the first place? Is it because they had a problem finding a proper site maybe related to whatever environmental issues, wetlands, or whatever in the town of Mansfield? Why did they approach UConn in the first place?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, because Mansfield has a serious water contamination problem in the northern

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part of the town, in which there have been more than 25 septic tank failures.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Okay. And I assume in the hearings it was ferreted out that in fact there were no other alternative solutions for the Town of Mansfield to pursue to address their sewage -- lack of sewage capacity.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, Mansfield never talked to me about any other alternatives other than tapping into the UConn system.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you Mr. President, did they speak about any cost savings? It's always very difficult to figure out if on the outside, from our perspective looking in, are there in fact expected cost savings for the Town of Mansfield?

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THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, the Mansfield Town Manager, with whom I met, never talked to me about the town budget. Indeed, I would not involved with the town budget.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. I think this is a -- it's very interesting as a concept, as it is very expandable throughout the entire State of Connecticut. And I think, again, that your going to be pleasantly surprised by the support for this and I will certainly be supporting it myself.

But I'd to explore just a little further -- in that this is something that is potentially scalable, particularly when it comes to, probably not one of our favorite subjects, but sewage treatment. And I'm just curious is there perhaps a business opportunity here? And by moving forward on this as a body, are we perhaps in a positive way suggesting to the rest of the municipalities throughout Connecticut that they

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start to look around for potential additional capacity  
in their respective areas.

THE CHAIR:

That was a question?

SENATOR FRANTZ:

That was a question.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, no, I'm not involved  
with that. Good idea. But this bill relates only to  
only two entities, University of Connecticut and  
Mansfield, and does not deal with any other towns or  
any other business opportunities. It's a very narrow  
bill.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Senator, I appreciate that. In your  
opinion, Senator Meyer, does it set a bad precedent in  
any way? I'm trying -- trying to rack my mind to see  
if it could potentially do so and my conclusion is no,  
allowing a surrounding -- a town surrounding a  
university to tap into their sewage treatment

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capacity, having not thought about it all that much here and not having sat through the hearings, was there anything that came to your mind in terms of it potentially being a bad precedent?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

No, to the contrary, I thought that it was a good precedent, and as one -- as Senator Debicella said, it's something that maybe could be copied with other towns and the university.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Thanks for that answer, Senator Meyer. And just one more question for you, that is, was there adequate consideration given to the expected rate of growth in the Town of Mansfield as well as the expected rate of growth within UConn's universe of students, faculty, and administration, to make sure that they don't bump up against any capacity constraints? Whether it's the system itself, I know that the increased capacity is picked up by Mansfield and split with UConn if they have to increase it for

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their purposes, but there may be some physical constraints as well, was that given into consideration?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

No, through you, Mr. President, no. The Environment Committee did not do a demographic study of the Town of Mansfield.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Okay, fair enough. Thank you Senator, I appreciate that. The thing that I would cautious of, Mr. President, is this, is that this while a great idea, it's something that may catch on like wildfire, not just in the issue or in the area of sewage treatment, but in a variety of other services that towns and municipalities provide to their residents and their citizens. And if we do see additional massive growth well down the road in UConn's program as well as in the Town of Mansfield for whatever reason that might exist at the time, I think there needs to be some kind of provision in this special act

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in the language that calls for how disputes will be resolved going forward. I think that's just good prudent business in terms of creating legislation or in this case a special act, to create some positive synergies amongst different towns, and in this case, a town and a university. With that, thank you, Mr. President, I appreciate it.

THE CHAIR:

Thank you, sir.

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Through you, a few questions to the proponent of the bill.

THE CHAIR:

Senator Meyer.

SENATOR KANE:

Senator Meyer, I do rise in favor of this bill. I do believe that if there is an effort for us on the state level to help the Town of Mansfield figure out this sewage problem that they're having in this, I guess it's the Four Corners area of town -- you mentioned all the septic issues that a number of homes and residences were havings.

My question though, we do a lot of these things

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up here on the state level without potentially seeing the history or background at the local level. I, as you may know, served six years on the local town council in my hometown and we had a number of issues like this come and we tried to handle as much as we could. So my question to you, because you said that you spent time with the Town Manager in the Town of Mansfield, is -- did this project, this sewage treatment project, did it have a public hearing in the Town of Mansfield? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I don't know about a public hearing in Mansfield. It had a public hearing in Hartford, a General Assembly public hearing.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And through you, Mr. President, does the Town of Mansfield now, because -- if this goes through, do they need to go out to referendum to pay for this, do they have bond this, any idea? Through you, Mr. President.

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THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I have not studied the charter and bylaws of the Town of Mansfield. I have no idea what their charter and bylaws provide, and I don't think it's relevant to this bill.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Through you, Mr. President, how about the local water and sewer authority? Had the local water and sewer authority been -- have any input in this at all? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, the last time I met with the Mansfield Sewer Authority -- I haven't met with them. I have no idea what the Mansfield Sewer Authority, if there is even a sewer authority. That is not the purpose of this bill. What we're trying to do because we have to do as a matter of state law, is provide a very important wastewater service to a town that's got

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a contamination problem. And very fortunately we can do it through our university, which will get paid for it.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Through you, Mr. President, how about the inland wetlands commission, was it -- was it through the inland wetlands commission locally in the Town of Mansfield? Through you, Mr. President.

THE CHAIR:

Senator Kane, I believe based on the answers that Senator Meyer has answered -- I believe that you said you've only spoken to the selectman there. You have not spoken to any of the municipal authority, and never -- have any knowledge of discussing this.

SENATOR MEYER:

That is correct.

THE CHAIR:

I think any question relating to municipal authority, sir, have already been answered by Senator Meyer.

SENATOR KANE:

Okay. Thank you, Mr. President, I respect that.

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The reason for my questioning is because we do a lot of these things up in Hartford and we pass these laws that we think on the surface seem good or seem well-intended, but then they're never thought through on the local level. So at the local level, I know, having served on the local town council, as I mentioned, we'd have public hearings, we put it out to referendum, it would be through the local water and sewer authority, it would go through inland wetlands, it may 8-24 approval locally, it may have to have an environmental impact study.

I mean there are so many things behind the scene before this bill becomes a law, so we pass a law here in the State Connecticut at this level, and then those things are never taken care of on the local, what have we done? We've circumvented the local process, and that was the reason for my questioning, Senator Meyer. I do not want to circumvent the local process. And that's why I think we're putting the cart before the horse in this piece of legislation. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Witkos.

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SENATOR WITKOS:

Thank you, Mr. President. I rise in support of the legislation. I just have a couple of questions, if I may, to Senator Meyer, but before I do that I had the opportunity to quickly go on the CGA website and look at the testimony during the public hearing for this bill. And the only testimony I saw on there was from the First Selectman of the Town of Mansfield, and it seems like they've done their due diligence in trying to draft all that they've had and they've met with many different folks -- to rest at ease Senator Kane's mind -- that all the possibilities that are available to them.

And however, it also stated in the testimony that there would need to be approvals from several different communities as well as the State of Connecticut. And I'm wondering, Mr. President, through you to Senator Meyer, if he's aware of the status of all those other approvals through the other various communities that would need to take place in order for this water treatment plant to happen? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

Through you, Mr. President, I have not been informed about local approval processes. I felt that the primary responsibility of the General Assembly was to get this contract between town and university validated. I don't know what the local approval process has been.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. I thank the Senator for the answers. I guess I'm also concerned in that, where does the General Assembly or this body serve in that line of completion that we need to -- should we be in the forefront to try to set the example or the tone of the debate amongst the various communities saying, well the State of Connecticut has now granted approval, so everybody else should fall in line and grant those approvals necessary so this project can happen? Or should be at the tail-end of it, because none of us, except for one or two in this circle who represent those community have a vested interest, other than the public policy of the State of Connecticut? And I think it's more important for

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those other communities to have the same debate that we're having today, to say either yea or nay to this project as it passes through their community before we in the General Assembly agree to allow that hookup to the University of Connecticut program.

I found it interesting one of the lines that -- in the testimony it said that, it would be beneficial for the UConn water treatment system plant because of during the summer hours the wastewater that's coming into the plant would, I guess, reach a certain level or standardize the amount of flow coming through. And I'm not so sure if I understand that, because if during the summertime if it's beneficial because the majority of the students aren't there, then the opposite side would take effect when the students are in session we'll have an abundance of wastewater going through with the same amount of flow from all the communities going through. And I'm not sure if that's been addressed or has been looked at, Mr. President.

And I would ask, Mr. President, through you to Senator Meyer, has our state agencies, the Department of Public Health, Department of Environmental Protection, have they weighed in on this decision? And if so, what were their conclusions? Through you,

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Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator Witkos, I'm not aware of any involvement of the state agencies, none of them testified at the public hearing. There was no opposition and so I'm not -- not aware of any involvement by the State other than the General Assembly, through this bill.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. Is it customary that the state would get involved in something like that or at least the AG's office in drafting any type of a contract that's binding between the University of Connecticut and the Town of Mansfield? Was that something that the Attorney General's office eventually would have to get involved with? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

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It is my understanding the University of Connecticut has it's own counsel, and I would assume that the any contract between Mansfield and UConn would be negotiated with university counsel, not the Attorney General.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. That's a first for me. I have not heard that, the AG's office does not -- I thought that office was responsible for at least reviewing all the contracts that are binding to the State of Connecticut. And I wasn't aware that if it's from a -- well I guess the University of Connecticut, I don't know if it's a subdivision of the State of Connecticut or it's a private entity.

So I guess, through you, Mr. President, who is responsible for administering the wastewater treatment plant on the University of Connecticut? And are public funds used for that in its current state? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

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Mr. President, I'm sorry, I don't know the answer to that question.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. Hopefully through monitoring the CT-N or listening to the debate, those questions can be answered by the appropriate person, whether it be from the University of Connecticut or the Attorney General's office or the other neighboring communities where the pipelines will pass through in order to get to that wastewater treatment plant. Because I think it's -- as we all know, it's better if everybody that has a vested interest is seated at the table, so there's no surprise from someone to say, well the State's already approved it, and all the other communities have approved it, so that means you, the last one, for whatever reason, you need to approve it, otherwise, you know, difficulties could befall upon you.

And I hope that that's not the process that we're looking at. I don't believe that it is. Those persons had the opportunity to testify at the public hearing as I stated earlier, and the only person or

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agency that spoke was the members of the Town of Mansfield, which was in support of the project. So at this point, I guess I will sit and listen to the remainder of the debate. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. If I may, I have some questions, through you to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR CALIGIURI:

Thank you, Mr. President. Perhaps I'm misreading something, but when I look at the legislation Senator Meyer, and I compare the one section, the seven lines, to the OFA fiscal note, I don't see anything in the legislation that actually explicitly talks about who's responsible for payment of what. The OFA fiscal note seems to have a lot of knowledge about the payments of costs, et cetera, that's not dealt with explicitly anywhere in the legislation.

My question, through you, Mr. President, is

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twofold. Number one, am I missing something in the legislation? And number two, assuming I'm not, why is it that the legislation doesn't address explicitly the payment of cost?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, it's very normal in this kind of legislation, which is enabling legislation, not to spell out all the terms of the agreement, but to do in effect what this bill does, which is enable UConn, which is a branch of the State government, to enter into a contract. And OFA, in its conscientious, had conversations with the two parties, UConn and Mansfield, and it became clear to OFA that the Town of Mansfield would be picking up the cost and not UConn, and therefore that was put into the OFA note.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Through you to Senator Meyer, let me ask this question, I don't see anything in the legislation that actually would impose a

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legally enforceable right on the State of Connecticut to actually get payment from the Town of Mansfield insofar as the legislation is concerned. Through you, Mr. President, is that correct?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

This bill does not relate to the cost, it relates to the validity of the contract. But it's very clear and I speak -- speak as an attorney who does these kind of contracts, is very clear that the -- UConn is not going to pick up these costs, they're going to be picked up by the town, which is benefit -- benefited from the use of the sewage system and that UConn is going to be able to charge the town for the benefit the town acquires. So it's -- it's not in the bill, it ordinarily would not be in the bill, terms of the contract would not be in the bill. But OFA cared to get into this, to be sure there were no costs that would affect the state, indeed that's the purpose of this note.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

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Thank you, Mr. President. Through you to Senator Meyer, you know, one of -- part of what we have to do is also protect our taxpayers and it's seems to me -- I mean where is the legally enforceable right that the State of Connecticut is going to have as a matter of law, apart from whatever agreement may eventually be negotiated, which hasn't yet been negotiated, to ensure that the University of Connecticut isn't stuck with a tab that we as a legislature are not intending to have Connecticut stuck with? Where, through you, Mr. President, as a matter of law, is the State of Connecticut protected as to cost? I don't see anything in the legislation that does that.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, Senator, you've been a public official, you've probably signed a number of contracts between your town and various vendors, and you know, you're going to protect your town against cost. And, what is very clear here, and I'm speaking now as both a lawyer and businessman myself, is that UConn is -- is providing a service for which it would not be in its best interest to pay the

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cost. And indeed, when OFA, the Office of Fiscal Analysis, looked into that, it got a confirmation that the contract, the ultimate contract, if we approve this bill today, will oblige the Town of Mansfield to pay these costs. And as a matter of drafting, you would prefer to have it state that right in the bill.

I understand your concern, but it's not in the bill. And in the opinion of me, as it's proponent, and the Environment Committee, it doesn't need to be in there, because we've got the obvious custom of a town to avoid a cost in a situation like this, and we have the back-up of the Office of Fiscal Analysis having talked with the parties and satisfy itself that UConn will have no cost burden.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. And I -- that didn't answer my question, Mr. President. Where, as a matter of law, is the State of Connecticut protected in this legislation, that in fact Mansfield will pay all of the costs that OFA believes that they will pay? Where, as a matter of law, is the State of Connecticut protected in this legislation? Mr. President, through

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you to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

That's been asked and answered, Mr.  
President.

SENATOR CALIGIURI:

Mr. President, with all due respect, Senator Meyer hasn't answered the question. If Senator Meyer's response is that we need to take UConn's word for it because their going to put it in the agreement, that's fine, I may not accept that. But my answer to Senator Meyer, through you, Mr. President, is where as a matter of law in this legislation is the State of Connecticut is protected that our costs will be fully paid by the Town of Mansfield? Through you, Mr. President. That, in my judgment, has not been answered directly by Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, the bill is just a few lines, that speaks for itself, thank you.

THE CHAIR:

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Senator Caligiuri, I can only assume by Senator Meyer's repeated answers to this that he -- wouldn't -- doesn't know the answer to your question, that's the only assumption I can make at this point, not to put words in your mouth Senator Meyer, if you'd like to correct it, but Senator Caligiuri --

SENATOR CALIGIURI:

Well, if I may, through you, does Senator Meyer agree with that characterization by the President of the Senate?

THE CHAIR:

Senator Meyer.

SENATOR CALIGIURI:

That Senator Meyer does not know the answer to the question.

SENATOR MEYER:

Let me be very clear, Mr. President, that this bill authorizes a contract between UCónn and one of our towns. It does not set out the terms of that contracts. It sets out the purpose, which is to provide clean water to one of our towns from our university. It doesn't otherwise set out the terms. In my experience as legislator and as a lawyer and as a business man this bill is very customary, because

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the details of the terms will be worked out.

The Office of Fiscal Analysis was sensitive enough about the question that Senator Caligiuri was raising that it went to the parties and discovered that it is -- it's going to be a condition of the agreement that the Town of Mansfield pay all associated costs. And that is an important conclusion for us, because as Senator Caligiuri is saying, we don't want the University of Connecticut to get stuck with costs. Not that in the negotiation it would be in their interest to accept any costs, but that -- that custom together with the assurance by OFA indicates that the University of Connecticut is going to be held harmless.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Through you to Senator Meyer, is it Senator Meyer's opinion then that the OFA fiscal note is legally binding onto the parties as to what the understanding of the legislation is? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

I don't -- I'm not going to play lawyer. I'm not going to -- I don't know the answer to that question.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Through you to Senator Meyer, assuming that the fiscal note is correct, the fiscal note does not deal with how the benefit assessment or the calculation of the assessment to be paid by the residents of the Four Corners section of the Town of Mansfield is going to be calculated. And if I heard Senator Meyer correctly earlier in his responses to Senator Debicella's question, UConn and its sewer treatment facility is not currently servicing customers other than UConn.

And assuming I heard that correctly, my question through you to Senator Meyer, Mr. President, is how is it that UConn is going to come up with the calculation of the user rate for those individuals and businesses that would be using the system that we're putting in place here? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

Through you, Mr. President, I don't know how that calculation will be made. All I know is that OFA was conscientious in its work and has told the General Assembly that the Town of Mansfield will assume and I'm quoting, the full cost associated with this agreement.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Senator Debicella had asked Senator Meyer a question earlier, and I'd like to revisit the issue from a different perspective with Senator Meyer.

Senator Debicella had asked Senator Meyer whether he was aware -- whether UConn 2000 state bonds had been used in order to build any part of the wastewater treatment facility that's going to be utilized here. And Senator Meyer's response, if memory serves correctly, is that he was not aware of that. My question, through you to Senator Meyer is, Mr. President, if it turns out that UConn 2000 state bonds were used to build this facility and that the extension of the use of this facility to the Four

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Corners section Mansfield would result either a violation of the bond covenant or in some type of private use, which may ruin the tax exempt status of the bonds that were issued, assuming that they were issued on a tax-exempt basis, through you, Mr. President, can Senator Meyer address what the intention of the Legislature would be with respect to that? I can only assume that it is not our intention to have any of those things occur, and I'd like to see if Senator Meyer would agree with that, through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, the question is totally hypothetical, but assuming that some -- there was some violation of law as a result of an agreement between the Town of Mansfield and University of Connecticut, and it was within our jurisdiction, the General Assembly's jurisdiction, to address that violation, we will address that violation on another day.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. And I thank Senator Meyer, for that response. You know, I'm all for helping the folks in this area, but I have to tell you, I can't remember the last time we passed legislation in Connecticut that had so little in the way of safeguards to ensure that what our intentions as a state were actually codified in the law. And I say this with all due respect to my friend, Senator Meyer, for whom I have a world of respect, but the notion of relying on the OFA fiscal note for protecting Connecticut taxpayers is absurd.

And I don't believe -- I mean this could be fixed so easily by simply building into the legislation language which says what the OFA fiscal note says is the understanding of the parties. And yet, without language in the legislation to that effect, if the parties choose to change their understanding for any reason, we will not, my friends and colleagues, have in my judgment a legal, enforceable right to enforce what we all thought we were doing here today.

And so I think that's a really bad idea, as much as I want to help the folks in this area. And you know, what should be a very easy slam dunk, for a lack of a better term, solution to a very legitimate

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problem, that we have a resource to help with, we're doing in my judgment, in a very incomplete way, and without adequate safeguards to ensure that the understanding of the parties are adequately memorialized here. We don't have to write the agreement for them, but if we thought it was necessary to make it clear that UConn could grant easements, why isn't it equally necessary for us to make clear that we expect to be fully paid for this and indemnified and held harmless, to quote Senator Meyer. We don't do that and I think that's a problem. I thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator Boucher. Ladies first.

SENATOR BOUCHER:

Thank you very much, Mr. President. Always a gentleman.

THE CHAIR:

Well, thank you.

SENATOR BOUCHER:

I -- in reading the fiscal note, it is -- clearly states that the Town of Mansfield will assume the full

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cost associated with constructing the collection system, any associated lift stations, meters, and related equipment machinery. It also states that it will assume all costs incurred by the university to facilitate the connection, will guarantee payment of rates charged other nonuniversity customers based on an amount; and provide assurances that industrial users, should there be some, that would require additional treatment beyond what's currently provided by the university's plant, would not be allowed to connect or that the town or the user would be required to pay for any plant-related upgrade that might be required to process such waste; and therefore, there's no fiscal impact. So that gives us some amount of comfort.

From previous questions -- or answers to some questions posed, it established as such that the Town of Mansfield would assume the cost for this expansion of the current system in capacity of UConn's wastewater treatment facility. My question would be that if the town assumes these costs, through you, Mr. President, to the proponent of this legislation, does it also assume the liability for any failure of the system? In other words, is UConn or the state, given

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that we're supporting this, on the hook for any failure of the system or anything else going wrong?

Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, if you take the bill and OFA note in context, the Town of Mansfield is assuming the full responsibility for the whole system. And that would include not only the cost, but as you properly point out the liability as well, if any.

SENATOR BOUCHER:

Thank you, Mr. President. I am pleased with that response given that I unfortunately have had a personal experience with a system failure some years ago, and it certainly isn't a pretty experience to go through for sure. There are all of things that can occur and when individuals are looking for a solution, they will certainly often times pick the group that is most able to pay.

I do have one other major concern however with this bill, as it might affect the future wellbeing of UConn and its water supply, given it's plans for development. And I speak as an alumni of UConn, one

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that always supported all of their plans for -- whether it's a football field, whether it's UConn 2000, whether it's UConn 2001 -- prior even to being here and serving with the rest of you. But I am concerned because there are future plans -- and I have to say that I am delighted with its popularity and its ability to grow and become, again, our state's premier institution, university -- and its future plans are terrific and we all look forward to those enhancements.

I understand that Storrs Center is being planned, which will be a mixed-use town center and main street corridor at the crossroads of the Town of Mansfield and its Four Corners. And that it also is located around a regional high school and a community center; Storrs Center will include a town square across from the university's proposed fine arts center, designed by, I guess, a renowned architect, Frank O. Gehry, in association with Herbert Newman & Partners of New Haven, Connecticut -- which is great, right here in our own state. The new town center will occupy approximately 17 acres of the overall 47.7 acre site, and it will include a new town square and smaller market square across from town hall.

And I'm explaining this because my concern, again, is about water and capacity. The remainder of the site will be preserved for open space and conservation, which will enhance certainly the beauty and the quality of the university itself. The town plan is supposed knit architecture and pedestrian-oriented streets and small lanes and public spaces into a series of small neighborhoods that will make up the new fabric of a town center. This is extraordinary when your actually developing a whole new town and a town center. The ground floor is supposed to have retail and commercial uses opening into beautiful landscaped sidewalks and beautiful streets, with -- hopefully which will encourage a lot of activity and shared community spaces, which should be supported by all of those residents above that we spoke about and throughout the neighborhood.

So its combining the kind of growth that we want to see, retail, restaurant, office spaces -- really making it a hub, a center, and so forth. This however, in my few might increase the amount of sewage treatment at a facility and that would require an increase in the amount of water used by that facility.

Through you, Mr. President, given then plans for

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the future, does the proponent have any concern that we may -- this plan may require an increase in the amount of water being used at this particular facility given the plans that are afoot for the University of Connecticut? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I -- you know, we did not take into -- those contingencies or hypothetical situations into account in this bill. We merely were confronted with a problem, a request by the town, consent by the university to benefit each other with an agreement and we're validating the agreement. We're not -- we're not masters of the amount of water supply. We're not masters of the amount of sewage in the Town of Mansfield. We're really trying here to be helpful in getting the two sides together, because they need approval -- legislative approval to do a contract.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you very much, Mr. President. I understand

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from the answers that the issue of the limiting of water supply did not go into the decision-making of facilitating this legislation for the town and the university to work together. However, water and water scarcity is now becoming a very big hot button issue. You just have to look our neighboring states of Georgia and even across the country, where it is renowned that the states are literally almost at war with each other given the scarcity of water, and it will become, if not already a very, very big issue.

And I -- I would say that even further that it was brought to my attention that we have a new representative from this area, Representative Susan Johnson, who represents the 49th District, who just this year testified in one of our committees. And she stated her concern when she stated, we have been running out of water in Mansfield, and the river has been running dry because of the use of the University of Connecticut, the students, the population is expanding, and I see some of this area has a potential for water needs in the future. So one of the current Representatives has called this to our attention, and again, my concern as we move this bill forward -- and I understand that if these parties are in agreement,

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it is something that we may be wanting to support. But I am concerned, because there may very well be a water problem.

It has been brought forward because in the past there was a issue already of the flow level of the Fenton River, which is a significant source of water for UConn. When they built significant new housing on campus, the increase in water demand caused a drop in the water level on the Fenton River, and it -- in fact, it went dry in 2005.

So this is not a small matter, it is a matter of concern. It's something we should be focusing on when we entertain a bill such as this, and think about what potentially could happen in the future. We have to ask ourselves, will the increase in water demand by the sewage facility result in the further drain on the Fenton River, which is a major supply of water to UConn, or any other water sources?

And as I said, just in listening to some of the previous testimony by Representatives of that area, it did call this to light and make this become an issue that we should all be focusing on as well. So with that, I'm going to listen further to the discussion on this bill, and weigh the needs of all parties in this.

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But we should at least be cognizant of some of these potential concerns for the future, particularly with water supply. Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am.

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. If I may, through you, a couple of questions to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR RORABACK:

First, Mr. President, I want salute Senator Meyer for his strength and his -- strength of character, and his strength of body, he's had a long afternoon. I don't know how his luck was that the Environment bills were coming up this afternoon, but he has responded admirably and patiently to the questions from many of us, like myself, who are less than well-versed in some of these issues.

Mr. President, the questions that I have go to the State's Plan of Conservation and Development. And through you, Mr. President to Senator Meyer, is he generally familiar with the State Plan of Conservation

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and Development, and some of the principles that it tries to achieve? Through you, Mr. President, to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you Mr. President, Senator Roraback, I appreciate your comment, I'm fine. And we had the Senate Democratic Caucus as a lovely lunch, which I partook of while Senator Stillman was arguing a bill, so I'm doing fine, thank you.

You know, that is a plan that I have not read, the Plan of Conservation and Development. I've read about it. Clearly, as the Chair of -- Senate Chair of Environment, I should be reading that shortly. I think that sounds like some -- some important summer reading. So the answer to your question is not an expert on it, I've just read about it.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And I will share my copy with Senator Meyer, so that when -- if he's fortunate enough to be on a beach somewhere this

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summer he can better understand just how much thought has gone into our State Plan of Conservation and Development. But the reason I asked Senator Meyer about the State Plan of Conservation and Development is because embedded in that plan is a general state policy against extending sewers in the areas that don't have sewers.

And Mr. President, through you, I don't know if Senator Meyer has run into the phenomenon, but sometimes members of this circle have sought grants for their towns to extend sewers to areas that are not currently sewerred and the state frowns on that, because its not consistent with the State Plan of Conservation and Development.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, actually this is not that situation. The Four Corners section of Mansfield does have sewers. And its got a number of -- its a whole sewer system and the sewer system we were told by the town manager, both orally and in -- in writing, in his report to us, was that the sewer system was actually breaking down. So you have an existing sewer

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system that just hadn't been working, and they had -- they said that more than 25 serious breakdowns of the existing sewage system.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And I'm given to understand that this particular system serves all or part of the University of Connecticut's needs, as well as some of the needs of the Town of Mansfield, is that correct? Mr. President, through you to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I think it serves that branch of the university, and not other branches.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And one of the concerns, I'm not familiar enough with the geography of Mansfield to know if you're going to take the line from -- presumably the current plant will be closed down because it's broken, and this bill will allow a

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new line to be brought to a more modern plant that has the capability to process the sewage. Through you, Mr. President, to Senator Meyer, is that generally conceptually how this is intended to work?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, that indeed is -- is the way plan was outlined to the Environment Committee.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And so one of the concerns, Mr. President, is if this new line goes through a part of the Town of Mansfield that might not today have sewers -- well first of all, through you, to Senator Meyer, does Senator Meyer know many feet, or miles of line will need to be constructed in order to accomplish this fix?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, we were not told how

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long this pipeline will be. It's clear that much of it will be on UConn property and none on Mansfield property because of the reference to easements. UConn is agreeing to give some easements so that this sewer pipeline can be constructed. Again, and I'm making an assumption here, that the distance is probably not too long or it couldn't have been done -- accepted by the Town of Mansfield, the cost would have been too great. I've been told in another town in my district that's considering a sewage pipeline extension, that the cost of construction is about \$1 million per mile.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And the reason I'm asking these questions is because if this sewer line were going to be going over hill and dale, there's a risk that it could invite development at more dense levels than the community might deem desirable. And through you, Mr. President, it also could potentially implicate our State Plan of Conservation and Development, which has an express disdain for bringing sewers to areas that are not now sewerred -- and so that's why I asked the questions, Mr. President.

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And through you, to Senator Meyer, it's not clear to me why does the Legislature need to pass a bill in order for Mansfield to correct a broken sewer plant and bring that sewage to a new sewer plant that's working or a newer sewer plant that works? Mr. President, through you, to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I was -- the reason we're doing a bill is that Mansfield's Town Manager, First Selectman told us that authorization -- state authorization was necessary. Also, because UConn is a creature of the state government, and is highly subsidized by the state government, it seemed to me that -- that Mansfield told us about the necessity of authorization from the State Legislature made good sense.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And so through you, Mr. President, to Senator Meyer, it wasn't UConn who came knocking on the Environment Committees' door, but rather it was the

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Town of Mansfield. And through you, Mr. President,  
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had someone told them that they couldn't do this  
unless they got our blessing? Mr. President, through  
you, to Senator Meyer, if he knows the answer to that  
question.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I did not get into that. I  
accepted Mansfield's representation that it needed  
state authorization, and I -- I, if I've been asked  
about it, I would probably said it would need  
authorization because our creature, the University of  
Connecticut, would be taking on a responsibility and  
entering into a contract, and just to seemed to me to  
make sense that it would need approval from the  
General Assembly.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And so I listened to a  
little bit of the debate earlier, it was my  
understanding -- I thought that the cost for this  
solution were not going to be borne by UConn, but

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rather were going to be borne by the Town of Mansfield. Through you, Mr. President, did I miss hear Senator Meyer or do I have my facts straight?

THE CHAIR:

Senator Meyer.

SENATOR RORABACK:

And it is entirely plausible that I wasn't paying as close attention as I should of and I misheard Senator Meyer, through you, Mr. President.

SENATOR MEYER:

Through you, Mr. President, basically in fact, Senator Roraback, on this we did this discuss this in some length. And you know, it seemed -- it seemed obviously that when UConn would be negotiating a contract it was going to make Mansfield pick up costs. But here we got assurance of that because the Office of Fiscal Analysis contacted the parties and in the OFA fiscal note its states, and I'm quoting, the Town of Mansfield will assume the full costs associated with this project.

THE CHAIR:

Senator Roraback:

SENATOR RORABACK:

Thank you, Mr. President. And I only ask that

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question because Senator Meyer indicated that UConn might need to be protected in this bill, or UConn had interests that were worthy of consideration by the General Assembly. Through you, Mr. President, does Senator Meyer know what the capacity of the newer plant in Mansfield is?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

No; through you, Mr. President; and just so Senator Roraback understands prior answers I've given these questions. I -- neither I nor other members of the Environment Committee, as far as I know, are familiar with the town charter of Mansfield, the bylaws, the local authorities, what the local authorities will require. We are just filling narrow function of validating this contract.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And I -- you know, I think we all have seen the pictures of the Fenton River in the middle of August dry as a bone. And through you, Mr. President, to Senator Meyer, is he

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familiar with those images which have been -- I think it was two summers ago that the Fenton River at the University of Connecticut was really -- had no flow. Through you, Mr. President, to Senator Meyer, was he familiar when that was taking place, it got quite a bit of publicity around the state.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, no I'm not, but Senator Roraback, if you think we should take a visit, I'd be happy to go with you.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And the reason I asked the question is because I don't know where the existing plant, whether it discharges -- to we have to be -- well, through you, Mr. President, to Senator Meyer, is diversion permit going to be required for this transfer of sewage from one area to another, Mr. President, does it represent more than 50,000 gallons a day such that a diversion permit would be required?

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Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I am -- I'm the familiar with the diversion permit, because it actually occurs in my district with the Durham State Fair has to have a -- we got a long-term permit there. I don't know the state of law on this subject, I would expect that wastewater systems are not subject to that -- to that 50,000 gallon limit. It just makes sense that it would be outside -- outside of that limit.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And the reason I asked the question is because I wouldn't wish for our approval of this bill to somehow compromise the Fenton River anymore, because obviously, there must be -- once this wastewater is processed it has to be discharge somewhere. I mean it presumably it's cleaned up to a degree that it's responsible for it to be released back into a waterway of the State of Connecticut. I didn't know if we were going to be taking a potential source of sustenance for the Fenton River and allowing it to be discharged elsewhere. And

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through you, to Senator Meyer, does he know where the broken sewer plant -- what it discharges into, or if it has any discharge at all?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

The only thing I know is the testimony of the Town Manager and conversations that we had with him, in which he indicated that there were more than 25 instances of the sewage system in Mansfield breaking down in this part of that town, and that's as much detail as I know about it.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And was there anyone from UConn who testified, Mr. President, at the public hearing in support of the Town of Mansfield's request?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, there was no representative from UConn testifying at the public hearing.

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And does Senator Meyer know approximately what percentage of UConn's sewage needs are accommodated in the broken plant? Through you, Mr. President, to Senator Meyer.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I did not inquire about the capacity of the UConn sewage. I didn't feel I qualified to do to that.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. I'm trying to understand whether this fix -- whether the broken plant receives the predominance of its sewage from Mansfield residents or whether most of it comes from the University of Connecticut, to me that -- that's important in terms of how we allocate the responsibilities with respect to creating the fix, but I understand that Senator Meyer only has the information that came to him and I'm grateful for the

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education. Through you, Mr. President, does Senator Meyer know how long it will take if this bill passes when it's intended to do the fix, Mr. President?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

There's nothing in the materials in front of me that indicate when they'll do, but from the conversations we had, if this bill passes and is signed by Governor Rell, the townspeople in Mansfield have the situation as an emergency and I would expect that they would go forward with great dispatch.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. And I can appreciate why this bill is before us, because there are certainly serious public health consequences that flow from -- and that's a bad pun -- but flow from a broken sewer plant. And those public health consequences can include obviously the smell, but also it attracts animals and insects and generally really can wreak havoc with public health.

So, Mr. President, I'm genuinely disposed to

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support this bill, because it's something that the people of Mansfield will be better with. And I thank Senator Meyer, for his answers and his patience.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Some questions, through you, to the proponent of the bill.

THE CHAIR:

Senator Meyer.

SENATOR KISSEL:

Senator Meyer, I actually have reference here to a document dated, I believe, February of 2009, and what it is -- is it's the minutes, I believe, of the Board of Trustees of the University of Connecticut. And it states here that several of the actions -- one of the actions that they were contemplating at this meeting is sewage treatment plant repairs for the University of Connecticut at Storrs. And there is a total budget of \$940,000 to repair their sewage treatment plant.

And so my first question is -- is that do we know

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where that stands right now? Because the notion is we're going to have the Town of Mansfield hook up to UConn's system. What I heard from the colloquy between you and Senator Roraback is that nobody from UConn has chimed in on this, and because we've had quite of bit time here in the circle, I was googling "UConn sewage treatment plant," lo and behold, it appears that there's a million dollar project that's in the works as of this winter to repair it.

And so my concern at the outset is, you know, we don't want to add to something that's already broken, and I'm just wondering if you have any information on that? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I have no information that -- that the Mansfield problem is in any way related to any deficiency in the sewage plant at UConn. It's clear from discussions that I had that Mansfield is proceeding in reliance of that fact that the sewage plant at UConn will be sufficient to fill the town's needs.

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Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Well, I think I'm going to probably end up voting no on this bill, because these are the minutes of the Buildings and Grounds Committee of the University of UConn dated February 6, 2009. So it's only a few months ago and they're embarking on a \$1 million project for their sewage treatment plant. So I -- my guess is that until, you know, that's concluded, we wouldn't want to hook this up.

Also, I was googling "Four Corners in Mansfield," is that the general -- where Route 44 is? I'm a UConn alum, I have a couple of degrees from the University of Connecticut and that is sort of where Kathy John's used to be, is that my understanding where Four Corners is? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I apologize, Mr. President, I don't -- I don't know enough about that area. The report that I received indicates that Four Corners, I think, is at the corner of Route 44 and 195. And that's -- that's

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about limit of my knowledge, I'm sorry.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Thank you, Senator Meyer. Well the good news is, because I know that area like the back of my hand and at least from Four Corners down to UConn it's all downhill, but it all is quite a distance. So what the town is contemplating is if they are going to embark from the Four Corner area down to UConn, that's going to -- at least a couple of miles for that particular activity.

The other thing is also, Senator Roraback raised some very important points. My understanding is that the University of Connecticut utilizes water from the Fenton River for utilization at the campus, but then after processing the effluent, discharges that to the Willimantic River, is that your understanding? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I frankly have no understanding of the water supply at the University of Connecticut and

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any of its branches. Sorry.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Okay. Well I don't want to be critical, but I think if we are going to utilizing a state asset to benefit a specific municipality, I think that we need to know the parameters of what that state asset are.

My understanding is that there has been concerns regarding water utilization at the University of Connecticut and it occurs when the Fenton River gets low. And the people out there in the Mansfield area are very concerned about both the Willimantic River and the Fenton River. There have been times when we are lacking in rainfall where the call is put out to individuals at the University of Connecticut, the students that go there, to conserve water; so water is already a huge issue at the University of Connecticut.

If we are going to be allowing the Town of Mansfield to hook into the University of Connecticut's sewage treatment plant, a couple of things spring to mind. My guess is that to process the effluent at the sewage treatment plant, there's going to -- by necessity, need to be more water utilized from the

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Fenton River and that's already a stretched resource. So I see that as problematic, that's A. B, most of the community out there utilize well water. So to the extent that the river is being used, there is not easy access to any other water sources for the processing of the effluent in the sewage treatment plant.

To be honest, I'm actually very much aware of issues regarding sewage treatment because Enfield has just gone through a similar situation and I had to work with the town leaders. And let me tell you what that situation was, it's the fact the corrections facilities both in the Town of Somers and Enfield, all send their sewage through the Town of Enfield's sewage treatment plant, it's similar, but it's the opposite kind of system. But I can tell you that it put a lot of stress on our municipality's sewage treatment plant; and actually there was an agreement regarding how much flow would go into that sewage treatment plant for the Town of Enfield and if the state went above and beyond that, the state would have to compensate Enfield. And with my friends, specifically Representative Tallarita in the House, several years ago, we were able to iron out that particular situation.

But what I learned in trying to negotiate it and being successful in negotiating an agreement between the State and the town, is that sewage treatment plants have finite capacity. And indeed, in the situation regarding the Town of Enfield, the problem was that with the added stress put on it by the correction facilities, it was maxing out the ability of our sewage treatment plant to handle any other kind of sewage, which had the effect of limiting the development that was able to be authorized for the town.

Similarly, regarding the University of Connecticut, it's my understanding and I believe that Senator Boucher brought this out, is that they are embarking on a program where they really want to work with the town, work with the Storrs section of Mansfield, and dress up that downtown section to make the University of Connecticut much more attractive to folks. And my guess is that initiative to change downtown as it directly linked to the University of Connecticut campus, that that's going require some new building, some new development, and indeed that's going to create some stressors on the sewage treatment as well, if it is linked into the University of

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Connecticut system.

What we have before us, in reading the fiscal note, is a special act. And it's my understanding that there's a -- a predilection by state legislatures throughout the United States in opposition to special acts, for a variety of reasons. A, laws should be passed that are general to all towns and so there is an inherent disposition against special acts. But B, by passing a special act you're carving out special treatment for one set of taxpayers as opposed to others. By allowing the Town of Mansfield to tap into the UConn sewage treatment plant, even if -- even if the state is reimbursed for all its costs associated with the build, I'm not sure that we as taxpayers who support the University of Connecticut will be compensated going forward for the added processing of the effluent in that plant. I read in the fiscal notes it says that the town would pick up the cost of this build. And I agree with Senator Caligiuri, I don't for the life of me understand why that language can't be put into the bill. I know that I would feel better about it. I know that my constituents would feel better about it and if they see this kind of legislation, what they do is they say, well what you

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can you get for the Town of Somers or what can you get for the Town of Enfield or what you can get for the Town of Granby? As far as the state picking up the tab for what is essentially something that is a local responsibility.

I am absolutely concerned about the utilization of water resources at the University of Connecticut, we are building a showcase -- one of the crown jewels of our public university system. It's been a couple of years since I went and walked around in a guided tour, but it's only been probably within the last year, just on my own, I just love to go back to my old alma mater and walk around the campus. It is so different -- it is so different from when I graduated in the centennial class in 1981 and later on was able to get another degree through the satellite campus in West Hartford.

But when we have invested over a billion dollars into the University of Connecticut system, we have got to make sure that the infrastructure of that beautiful, beautiful campus is -- is rock solid as the beautiful buildings that we've built for the students. We have new dormitories, we have new classrooms, and they continue to build.

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Through you, Mr. President, there unfortunately has been problems regarding oversight, some problems with fire safety code violations and the like. We did give the University of Connecticut an awful lot of latitude as far as being able to go out to bid and do their own work. My friend, and the late Representative from the Town of Enfield, and we all dearly miss him, sadly passed away several years ago, Fred Gelsi, was very concerned giving the University of Connecticut that kind of latitude. Do we know, through you, Mr. President, to the proponent, who's going to be supervising the construction of this sewage connection and who will be responsible?

THE CHAIR:

Senator Meyer, a question, sir.

SENATOR MEYER:

I think I heard something about whose going to be supervising the construction. I'm not involved -- the Environment Committee is not involved with construction details. We know -- we don't know a lot about construction of sewers. It's not our -- really our field; we do legislation.

THE CHAIR:

Senator Kissel.

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SENATOR KISSEL:

I accept that. I accept that, I guess -- but again, the point that I want to underscore is that the University of Connecticut being left to devices has run into some problems over the years regarding some of their building projects, and this legislation seems extremely open-ended.

So let's just go back over what is the situation out there at Storrs. The situation is we have a 900 -- over \$900,000 already committed in February of this year to repair their sewage treatment plant. And we don't have any from UConn able to testify as to where -- what the status of those repairs are. So that tells me in black and white that this sewage treatment plant is broken, that's number one.

Number two, it is common knowledge -- it is common knowledge in the Storrs area, I guess maybe you wouldn't know if you were in a different part of the state, but anyone who pays attention the Storrs area news knows that water is a huge issue at the UConn campus and you absolutely need water to process the effluent at the UConn campus. And already in the last few years, the Fenton River has gone bone dry, and the people in that part of the state are extremely

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concerned.

And UConn is both a blessing and curse, I guess, for the people who live around that campus, because it's a huge economic generator. It is a beautiful, beautiful facility, but it does stress the infrastructure of the surrounding community. And when the Fenton River goes dry, and when the Willimantic River runs low and the surrounding community gets concerned because they rely on well water and water table needs to be a certain level, they point to the University of Connecticut and they say, what are you guys doing, you're using too much of the resource. And by allowing the town to tap into the infrastructure, my guess is -- is that is going to add stress to the underlying University of Connecticut infrastructure.

If we continue to go along this road with this legislation, I'm concerned that at the end of the day we're going to wake up and we're find that our ability to attract students and continue to expand at the University of Connecticut might be compromised. It was not that long ago that a major pharmaceutical company, I think it was Pfizer, wanted to do a research facility. Unfortunately, they picked Horse

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Barn Hill Road, which is a pristine area of the campus and there was an outcry and nobody wanted to see development at that particular area of the campus. But that is not to say, and I would truly believe that the folks at the University of Connecticut are continuing to look at collaborative ventures with business and industry. Hopefully they would select a part of the campus that would be more accommodating and less objectionable to build those facilities. But again, if we're going to continue to encourage development at the campus, that's going to mean that they're going to need the ability to tap into the sewage treatment plant at the University of Connecticut.

So we have a plant that's already under repair, we don't know what the status of those repairs are, and we know that the water situation at the University of Connecticut is already stressed. We know that the Fenton River has already gone dry, and that there has been outcry of the community to ask folks at the University of Connecticut not to use as much water.

The other part of this legislation that causes me concern is not the fact that nobody from the University of Connecticut came and testified, but what

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kind of precedent does it set. You know, when we debating, for example the swine flu situation, as much as it was important to the people in the Town of Granby, we made that proposal to our colleagues here in the circle so that kind of policy change would apply to all schools and not just this year, but in years going forward. It didn't end up that way, but we wanted to try to craft legislation that would be equally applicable to everybody here in the circle. At the same time, what we have here, and again, referring to the fiscal note, is that this isn't even a general act, this is a special act. This is a special deal just for this community. The only people that testified was the Town Manager. Well that Town Manager is not going to testify about something that he or she wants and say negative things, they're just going to say the positive things and why this is something that they want.

And so by going forward with this particular legislation we're establishing a precedent, where what's the next town to come down the road? How can we go back to our constituents and say we're trying to be fair-minded, when we're essentially putting ourselves in a situation where we have created a state

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resource at the University of Connecticut and we're allowing a municipality to utilize that without compensating us for being able to utilize that. I understand the testimony is that the town's going to pick up the cost of the connection of the build. But I didn't see anywhere, any testimony that they're compensate us for utilizing the resource.

And so I don't want to belabor the point, but I think there is a variety of reasons to speak in opposition to this particular special act. And for those reasons, Mr. President, I'll be voting no.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Earlier I asked Senator Meyer about the process locally at the Town of Mansfield, and I took the opportunity to go on the computer as well, and the Town of Mansfield has a Four Corners Sewer Planning Advisory Committee that Senator Meyer would be interested in. But because of that, I was able to look at the minutes of some of their meetings, and through you, Mr. President, I have a few questions for the proponent of the bill.

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Senator Meyer.

SENATOR KANE:

Senator Meyer, I'm looking -- I went online and I'm looking at the Town of Mansfield, as I mentioned the Four Corners Sewer Planning Advisory Commission, and in the minutes of their December 9, 2008 meeting, a gentleman by the name of Terry O'Neill from Connecticut Water Company presented his company's proposal for supplying water to UConn from their existing system in Willington, through Tolland water system, then three miles to the UConn transmission main. This bill is a sewage project -- and I'm questioning, is the water project that their talking about in this Four Corners Sewer Planning Advisory Committee part of the same project? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, Mr. President, I have no idea.  
Sorry.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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The reason I ask -- because if you go to the December 2nd meeting, Mr. Nesbitt, who's the Chair of the Four Corners Sewer Planning Advisory Committee, states that the need for water along with sewer, and the consensus of the committee was that they should be done concurrently. So that's why I asked this question about the water portion, because according to their own sewer planning advisory committee, that the water project and the sewer project should be done concurrently. Just through you, Mr. President, if the Environment Committee took that into consideration, because it is Mansfield's very own sewer planning advisory committee that made this recommendation, through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I apologize, I don't know anything about the town's advisory committee on this, so I really don't have any details. I haven't read the minutes. I felt that the job of the General Assembly here was to validate a contract that appeared to be of service to both the town and UConn. And I just don't -- don't have information about the local

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committee work or the approval process in that town.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Well, and I can understand that except for the fact that Senator Meyer said he had conversations with the First Selectman in the Town of Mansfield, and I would assume that the selectman, or town manager, I think you said town manager, I apologize, would have said that we have a Four Corners Sewer Planning Advisory Committee and our recommendation, or the recommendation of that committee is to do the water project and the sewer project at the same time. I'm only reading from the minutes of a meeting by this very committee. But I'll move on.

One more question, through you, to Senator Meyer, I apologize before you get up, I'll grab you now. There's -- I'm looking at a minutes from February 24, 2009, which is, you know, very recently that says that Senator Lieberman and US Representative Courtney had been coming to their deadlines to submit projects for grants and that staff would be submitting the Four Corners project to them. Are you familiar with anything on the federal level that would override

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this, let's say, or provide us without the need for doing this, if something is happening on the federal, according to this minutes of February 24th? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I'm not aware of any federal efforts. The problem was presented to me by the Town of Mansfield. The problem was reinforced very recently by Mansfield's State Representative. And so I think if there is any federal involvement, it relates to something else.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. I appreciate the Senator's answers. I still think it leaves a little ambiguity in the bill, because obviously there was no conversations with this Four Corners Sewer Planning Advisory Committee. The committee who works on it, I would imagine daily, weekly, if not monthly, of course, came up with different recommendations than what we're seeing in this bill. So I'm very curious

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how we're able to get this far without the input of a very -- the very own committee that was created for this project, it just seems interesting to me. But I can understand, and I appreciate the Senators answers. I'm just concerned that this Four Corners Sewer Planning Advisory Committee and their efforts, obviously meeting, they're volunteers, they meet every month, not being considered as part of this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the bill before us?  
Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President, for the second time, and for purposes of an amendment. Mr. President, the Clerk is in possession of Amendment LCO Number 9076. I would ask that the Clerk call that amendment and that I be given leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, that amendment as not yet been brought into the chamber.

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THE CHAIR:

Senator Caligiuri, we do not have that amendment as of yet.

SENATOR CALIGIURI:

My apologies, it was my understanding that the Clerk had that. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the bill? Senator Guglielmo.

SENATOR GUGLIEMLO:

Thank you, Mr. President. I'm not opposed to this legislation, in fact, I favor it. But I am concerned a bit about the water at the University of Connecticut. I live about ten miles from the campus, I'm a UConn graduate myself, as is my wife, my youngest daughter, and my brother. And I -- because I'm so close to the campus, I'm up there quite a bit, and like Senator Kissel, been very impressed with what's been done there. It's a vastly different campus then when I was there, and I was there long before Senator Kissel. So it's a great improvement, we've invested really hundreds of millions of dollars on the campus. And you wouldn't want to see anything

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with the infrastructure that would render it useless.

And you know, the campus is growing by leaps and bounds. They have this new Storrs Center, which is going to be going under construction shortly. It's the one thing that they felt the university lacked because it was so far out in a rural area that it didn't have a downtown. And they're trying to develop a little city like they have so many universities, like Penn State, I've never seen it in person, but I've seen it on television. They have a beautiful downtown -- they're even more rural than the University of Connecticut, but they've developed their own downtown. They already got their first tenant signed up, the Vanilla Bean Restaurant, which is from another one of my towns, which is a quite popular small restaurant.

So, you know, I am concerned about it, from what I've read and I'm certainly no scientist, but the 20th century has been one of the wetness since we've been recording water levels. And some scientists fear that the 21st century is not going to be as kind to us, especially when we have growing population nationwide and worldwide, our resources are scarce. So it's something that is not a minor concern. Obviously, we

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can't do anything about it, we can't legislate rain flow or rainfall or water, but I did want to register the concern. I do favor the project, I would feel better about it, however, if we had a guarantee on the money side -- while we can't control the rainfall, we can control the fact that Mansfield pays the entire cost and that that's in statute. And I think I'd feel better if that was in there.

But overall, I just wanted to voice those concerns. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. I rise in support of this bill. I think that anytime that governments can work together in what are agreements to save money is a good idea. I do have a brief question, if I may, for -- who is busy at the moment.

THE CHAIR:

Senator Meyer.

SENATOR MCLACHLAN:

Senator Meyer, who is busy.

THE CHAIR:

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I'm sure if you ask him the question, he'll be right there.

SENATOR MCLACHLAN:

Through you, Mr. President, Senator Meyer, is this legislation similar to what's fairly common in the State of Connecticut, known as a "intermunicipal sewer agreement"? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

No, it's not.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. And through you, Mr. President, Senator, what would be the difference between this and an intermunicipal sewer agreement?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, the University of Connecticut is not a municipality.

THE CHAIR:

Senator McLachlan.

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SENATOR MCLACHLAN:

Yes, I understand. And so the operation or the actual effective agreement though would be similar even it's not a municipality, but it works the same way as I understand, through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

No, it doesn't.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

I'm sorry, I didn't hear the Senator's response.

THE CHAIR:

He said that it does not work the same way.

SENATOR MCLACHLAN:

It does not. Okay, thank you. I do believe that this is a good idea. I think that when the University of Connecticut can be a good neighbor with its local municipalities that is helpful to state government and local government. And I applaud the efforts of the Environment Committee, and the local officials, and that of the University of Connecticut to make this happen. Thank you, Mr. President.

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THE CHAIR:

Thank you, sir.

Will you remark further on the bill? Will you  
remark further?

Senator Debicella, for the second time.

SENATOR DEBICELLA:

For the second time, Mr. President. Mr.  
President, in looking at this bill, I think there's  
been some interesting discussion and debate about the  
actual fiscal note that is underlying it.

And seeing that Senator Caligiuri is back in the  
chamber and the amendment that he called, I believe,  
is now online with a fiscal note, I will yield to him  
for purpose of an amendment.

THE CHAIR:

Senator Caligiuri, do you accept the yield, sir?

SENATOR CALIGIURI:

Can we stand at ease for a moment, Mr. President.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease).

THE CHAIR:

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The Senate will come back to order.

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. I will not accept the yield, because I will not be offering the amendment, through you, Mr. President.

THE CHAIR:

Thank you, sir.

Back to you, Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. I simply wanted to make sure that Senator Caligiuri had a chance to offer his amendment if he would like given the nature of the physical discussion -- excuse me, fiscal discussion that we had around the potential agreement between Mansfield and UConn. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the bill? Will you remark further?

If not -- Senator Kissel, for the second time.

SENATOR KISSEL:

For the second time, Mr. President, in reviewing the background regarding this and seeing that my

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friend and colleague, Representative Merrill, is a co-sponsor of this particular legislation and having that assurances from Senator Meyer that the Town of Mansfield absolutely will be picking up the costs of this particular proposal. I've been swayed and I will vote in favor of this bill. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the bill? Will you remark on the bill?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate, will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate, will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted?

If all Senators have voted, please check your vote, the machine will be locked. The Clerk will call the tally.

THE CLERK:

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Motion on passage of House Bill 6087 in  
concurrence with the action of the House.

|                         |    |
|-------------------------|----|
| Total Number Voting     | 36 |
| Those Voting Yea        | 36 |
| Those Voting Nay        | 0  |
| Those Absent/Not Voting | 0  |

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if I  
might for immediate transmittal to the House of  
Calendar page 30, Calendar Number 355, Senate Bill  
569, acted upon earlier this afternoon.

THE CHAIR:

Motion on the floor for immediate transmittal to  
the House.

Without objection, sir, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would  
yield the floor to any members for announcements or  
points of personal privilege before calling for a  
relatively brief recess for purposes of caucus.

THE CHAIR:

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**CONNECTICUT  
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House A.

|                             |     |
|-----------------------------|-----|
| Total Number Voting         | 144 |
| Necessary for Passage       | 73  |
| Those voting Yea            | 130 |
| Those voting Nay            | 14  |
| Those absent and not voting | 7   |

SPEAKER DONOVAN:

The bill as amended is passed.

Will the Clerk please call Calendar 328.

THE CLERK:

On page 16, Calendar 328, House Bill Number 6087,  
AN ACT AUTHORIZING THE UNIVERSITY OF CONNECTICUT TO  
RECEIVE AND TREAT SEWAGE FROM THE TOWN OF MANSFIELD,  
favorable report of the Committee on Environment.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. Mr. Speaker, I urge  
acceptance of the joint committee's favorable report  
and passage of the bill.

SPEAKER DONOVAN:

The question is on acceptance of the joint  
committee's favorable report and passage of the bill.  
Will you remark, sir?

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REP. ROY (119th):

Thank you, sir.

Mansfield has got a problem with contamination in the four corners area, that's the Route 44 and 295, I believe it is -- 195, I'm told; and they're seeking relief. They've asked permission to tie into the University of Connecticut system and this bill would allow that to happen. I urge passage.

SPEAKER DONOVAN:

Thank you, Representative. Will you remark further on the bill? Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Through you, a couple of questions to the proponent of the bill, please.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. It would appear in looking at the fiscal note that any costs associated with any agreement that the University comes to with the town of Mansfield, any costs associated with agreement and the subsequent sewage collection works will be borne by the town of Mansfield and not the State of Connecticut. Is my understanding correct?

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Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker, that is correct.

SPEAKER DONOVAN:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and I know the good Chairman of the Environment Committee also serves on the continuing legislative committee that deals with interim changes to the State's plan of conservation and development. And it's also my understanding that when an inconsistency between the local BOCB and the State's plan occurs that there -- there's a possibility that clean water funding, for instance, could be jeopardized. If that is in fact the case and there is an inconsistency, would the town of Mansfield still be required to go through that process so they wouldn't lose their eligibility if they had access to those funds? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

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REP. ROY (119th):

Thank you. Through you, Mr. Speaker, it is my understanding that there is no problem, there's no inconsistency with the plan, no problem with the plan, so Mansfield does not face that issue.

SPEAKER DONOVAN:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Well, in the case that there was an inconsistency that occurred later on, or somebody came across one that they haven't found yet, this bill in no way usurps that requirement that consistency be in place to receive funding. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker, if an inconsistency is uncovered, Mansfield would be would be responsible for the costs, sir. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Chapin.

REP. CHAPIN (67th):

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Thank you, Mr. Speaker. Mr. Speaker, I certainly rise in support of this bill today. I thank the gentleman for his answers. They clarify some of the questions that were raised both during the public hearing process, during the debate on the bill and all points in between. I think it's a good bill and I encourage my colleagues to support it. Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Will you remark further on the bill? Remark further on the bill before us? Remark further on the bill? If not, staff and guests come to the well of the House. Members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? If all the members voted, please check the board and make sure your vote has been properly cast. If all the members voted, the machine will be locked and the Clerk will please take a tally. Will the

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Clerk please announce the tally.

THE CLERK:

House Bill 6087.

Total Number Voting 143

Necessary for Passage 72

Those voting Yea 143

Those voting Nay 0

Those absent and not voting 8

SPEAKER DONOVAN:

The bill is passed.

Will the Clerk please calendar -- please call  
Calendar 266.

THE CLERK:

On page 13, Calendar 266, House Bill Number 6076,  
AN ACT CONCERNING THE PURCHASE OF LAND OPTIONS BY THE  
ROUTE 11 GREENWAY AUTHORITY COMMISSION, favorable  
report of the committee on transportation.

SPEAKER DONOVAN:

Representative Jutila.

REP. JUTILA (37th):

Thank you, Mr. Speaker. I move acceptance of the  
joint committee's favorable report and passage of the  
bill.

SPEAKER DONOVAN:

**JOINT  
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to get their attention.

I appreciate where you're coming from but, we did question her quite extensively in appropriations. And having done a lot of this research in my graduate work, you know, I'm not a fan of command and control but, sometimes you need to take out the hammer to get somebody's attention. So I'll just put that out there but, I appreciate your testimony and thank you, Eric.

ERIC BROWN: Thank you, and I appreciate that. And you know, let me say I have nothing but, the highest respect and regard for Commissioner McCarthy. And I agree with you, that there are times you need to take up the hammer, and that's why we're fully supportive of the rest of this bill. And we've talked with DEP about trying to massage this a little bit. Could we not carve out, you know, minor violations from small businesses -- things like that. There seems to be no interest in that, at least at this time. So I'm left with, you know, they're painting with a broad brush so I'm kind of coming in here with a broad brush, too. But, I appreciate you -- what you're saying and, you know, hopefully, maybe we can continue some dialogue on this.

REP. ROY: Thank you. Any other questions or comments for Eric? Seeing none, Eric, thank you very much.

ERIC BROWN: Thank you very much.

REP. ROY: First Selectmen Matt Hart from Mansfield followed by Bob Crook.

MATT HART: Good afternoon, Mr. Chairman, members of the committee. My name is Matt Hart. I'm the town manager for the town of Mansfield. And I thank you for the opportunity today to

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speaking on behalf of house bill 6087, an act authorizing the University of Connecticut to receive and treat sewage from the town of Mansfield. Not a sexy topic to be sure but, an important one for our community. I have submitted copies of my written testimony, and I'll just touch on the high points here.

The town of Mansfield, as is the case with many rural communities in eastern Connecticut, we're served mainly by septic systems. There's a few exceptions where UConn and the town of Windham, WPCA, provide wastewater service. Generally those connections are in areas of civic or commercial use.

And one of the areas that's currently served by septic system is what is known as the four corners. And that's 500 acres near the intersections of -- near the intersection, excuse me, of Route 44 and 195. And that's really an important gateway to the community and to the University of Connecticut.

For the last several years, four corners has had documented water contamination and wastewater disposal problems. And there have been at least 25 instances of septic system failures, both residential and commercial. So at the urging of the DEP, the town has conducted a facility's plan to determine how to best address the problem, and a facility's plan has concluded that the four corners area be tied to the university's wastewater system. And this flow would be beneficial to the university's plant by stabilizing its workings during the summer. The town has begun the design of a sewage-collection system. Our town council has appointed a citizen advisory committee to assist with the project, and design is underway.

The public sewer system, it would have many benefits for our community. It would remove the potential for septic failure and costly repairs, eliminate surface and groundwater contamination, an important goal of the DEP. Also, allow us to address some of the health issues that are posed by the existing septic systems. And importantly, allow for the future sustainable economic development and redevelopment of the area. The net tax base would increase and additional goods and services would be available. This four coroners commercial area is designated under our plan of conservation and development as an area for public water and sewer. And it can support both commercial and mixed-use development.

That concludes my brief testimony. I encourage your support of the House Bill 6087, submitted by Representative Denise Merrill -- be happy to address any questions that you might have at this time.

REP. ROY: Well, I can -- a little name drop in there with our Majority Leader. Hmm. Any -- Representative Moukawsher.

REP. MOUKAWSHER: Thank you. I may have missed it but, have you already been in discussions with UConn about this? Are they willing to take that on?

MATT HART: Yes, sir. We do have members of the university staff on our advisory committee. They've been involved in this project since the outset. They have supported the proposed legislation. It would also benefit their plant, actually, to receive this sewage, particularly during the summer period, which is a low-flow period for them.

REP. MOUKAWSHER: Okay. Thanks.

REP. ROY: Thank you. Any other questions or comments for Mr. Hart? Representative Miller.

REP. L. MILLER: Thank you, Mr. Chairman. Good afternoon. This will be nothing more than like taking people who have septic systems and connecting to a town-wide sewage facility, is that correct, pretty much?

MATT HART: Yes Representative.

REP. L. MILLER: What costs and so forth.

MATT HART: What the plan calls for is to connect this area of town to the university's wastewater system. And the town would be responsible for bonding the debt and paying for the installation of those lines from that commercial area up to the university system.

Of course, we would bill the users accordingly but, it would not be -- there would not be a financial impact -- a negative financial impact on the university. They would only benefit in a positive manner from the increased flows to their plant.

REP. L. MILLER: They're beyond going costs associated with it from the commercial side. Thank you.

MATT HART: Correct.

REP. ROY: Thank you. Any other questions or comments for Mr. Hart? Seeing none, thank you very much, sir.

Thank you all. Okay. Our next speaker is Bob Crooke. This -- Mr. Hart was the last public

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**2009**

**Testimony in support of House Bill No. 6087 – An Act Authorizing the University of Connecticut to receive and treat sewage from the Town of Mansfield**

**House Committee on the Environment Public Hearing**

**Matthew W. Hart  
Town Manager, Town of Mansfield**

Thank you Mr/Ms. Chairman for the opportunity to testify in support of House Bill No. 6087, an act that would authorize the University of Connecticut to receive and treat sewage from the Town of Mansfield.

The Town of Mansfield is served mainly by septic systems with a few exceptions in areas where the University of Connecticut and the Town of Windham WPCA provide wastewater service. Generally, wastewater connections are provided in areas of high civic or commercial use. One of the areas that is currently served by septic systems is what is known as the Four Corners – a 500 acre site near the intersection of State Route 195 and State Route 44 in northern Mansfield. Four Corners is one of the main gateways to the community and the University of Connecticut and includes commercial (gas station, drug store, etc.), residential, and mobile home park uses. For the last several years, Four Corners has had documented water contamination and wastewater disposal problems. There have been at least twenty-five instances of septic systems failures –both residential and commercial. This has become a health and environmental issue that needs to be addressed. At the urging of the CT Department of Environmental Protection, the Town has conducted a Facilities Plan (completed in 2008) to determine how best to address the wastewater disposal problems. The Facilities Plan concluded that the Four Corners area be tied into the University's wastewater system. This additional flow will be beneficial to the University's plant by stabilizing the plant's workings in the summer.

The Town has begun design of a sewage collection system, and in the fall of 2008, a 9-person citizen advisory committee was appointed by the Mansfield Town Council to facilitate the project and interact with the affected property owners in the area. The committee has met several times and will hold a meeting with affected owners at the end of March.

A public sewer system will remove the potential septic failure and costly repairs associated with short life expectancy, and eliminate surface and ground water contamination from existing septic systems. In addition to the health issues that access to the University's wastewater system would address, it would also allow for future sustainable economic development and redevelopment in this area. The net tax base would increase and additional goods and services would be available in this main entryway to the community. The Four Corners area is designated in the Mansfield Plan of Conservation and Development as an area for public water and sewer, and can support both commercial and mixed-use development.

I encourage your support of House Bill No. 6087, and would be happy to answer any questions you may have at this time.