

Kevin Gough, CFA, FSA
5 Bear Ridge Drive
Bloomfield, CT 06002-1107

Public Hearing on Friday, March 11, 2016

Support for S.B. 422 (the substitute bill, with revisions)

An Act Concerning Residential Water Rates, Public Drinking Water Supply Emergencies and Sellers of Bottles Water

Dear Senator Cathy Osten, Representative Philip Miller, and Planning and Development Committee Members:

I come to you today deeply troubled by the actions, and inactions, of my Connecticut government in protecting our public natural resources, in this case water, in pursuit of the chimera of “economic development.”

Water bottling companies are an extractive industry, not “economic development.” They remove large amounts of a limited, valuable resource, bottle it in millions of environmentally damaging plastic bottles (most of which are never recycled, thereby ending up in our landfills or water bodies) while wasting copious amounts of energy on this pointless activity, and sell it to citizens who buy it because of aggressive marketing and advertising campaigns. While some jobs are provided, the manufacturing is largely robotic and the majority of jobs are low quality.

At the local level, the town I live in, Bloomfield, surreptitiously and without public participation courted Niagara Bottling Company in order to bring “economic development” to the community. If Niagara Bottling does locate in Bloomfield despite widespread opposition, it will not help the community but harm it: Bloomfield government has abated most of their taxes for seven years, the jobs provided are few and poor, due to its operations and location the business will have virtually no ‘multiplier’ benefit for the community, the Town will have another big-box eyesore on (formerly) valuable agricultural land, and none of the costs – increased pollution, truck traffic, road wear, noise, etc. – are borne by Niagara Bottling. Those costs, as usual, have been passed on to the community.

Another troubling example of “privatize the gains, socialize the losses” is exhibited by the behavior of our public water utility, The Metropolitan District Commission (MDC). While the MDC has repeatedly stated publicly that it has no control over who gets water in its service area provided the MDC has the capacity to provide it and Niagara Bottling is simply asking for service, the hidden record, obtained under a FOIA request, reveals a different story (I’ve attached copies of the material cited):

- When Niagara Bottling resumed its Connecticut search in 2015 after abandoning Ulster, NY due to public opposition, Niagara asked the MDC in March for

capacity information in Bloomfield. CEO Scott Jellison's reply: "No info without face to face. They must show us they are committed."

- Since Niagara was committed, negotiations with the MDC resumed. On August 20 Todd Uhlick, Director of Expansion and Real Estate at Niagara, sent a memo titled "Niagara Bottling, LLC General Business Matters: Exemption for Special Sewer Service Charge" to MDC CEO Scott Jellison stating directly: "At this stage, the Special Sewer Service Charge ("SSSC") imposed by the MDC, if not mitigated in some way [emphasis added], makes our move to an area within MDC jurisdiction essentially cost prohibitive." (The Niagara Director then "take[s] the position that the SSSC does not apply to our operations." I'm sure many residents of the MDC towns would like to take the same position!)
- This sent the MDC scrambling. In a series of e-mails from August through Sept., the MDC created ordinances to "relieve" Niagara of the SSSC burden. Once that was done, Niagara asked for water rate relief too. The MDC complied – at the end of September MDC CEO Scott Jellison tells Niagara that "We are working on a new water rate for users who exceed 500,000 gpd...I need to develop logic to support [the rate]."

Regardless of the MDC's public statements and presentations, the reality is that they did not dispassionately reset water rates to "promote industrial use" with the goal of increasing revenues but rather they changed their rates to 'land' Niagara. The tail wagged the dog.

Rebecca Nolan, a MetroHartford Alliance "development" leader on the Niagara project, stated in an e-mail "Art [Ross – Real Estate broker for the Niagara transaction] told me the MDC had a public hearing to make the two ordinance changes to accommodate Niagara but they still need to go up in front of the MDC board for final approval. He did not seem to think this would be an issue. The MDC is doing everything they said they would."

Also note that, until asked at the public forum on Feb. 24, 2016, they did not reveal that they had changed the SSSC to give away \$1.5-\$1.6 million annually to Niagara Bottling – and no one else. Of course, since water bottling companies see the great deal that the MDC has created for Niagara, they may flock to the area to grab some of the gains – it could be open season on MDC water!

In my view this is not "economic development" but the worst type of corporate welfare along with jaw-dropping mismanagement of public resources by the MDC.

And what about Connecticut state government – are they absolved because they were not the ones luring Niagara Bottling?

No, state government is not innocent here. First, we know that DEEP, DPH, and other state agencies knew about the proposal – but alerted no one and have taken no actions to stop the Niagara Bottling proposal.

Second, it has been known publicly for years that there are problems with the structure and actions of the MDC – consider the UConn Pipeline proposal several years ago – but, because they are deemed to be “politically powerful” no one has challenged them.

Finally, state stewardship and regulation of water (and other public natural resources) is weak. As an example, the MDC and water bottlers are capitalizing on a loophole in Connecticut’s current fractured and inconsistent state water policy: while water diversion between service areas or basins using pipes require diversion permits and engender state oversight, setting up a spigot in a town served by the utility and letting water bottlers fill bottles and ship it out by trucks does not! This loophole must be closed.

So what must be done? Today and in the following weeks some immediate changes must be made in state water regulation. SB 422 needs to be passed and signed into law with the following provisions:

- 1) PROHIBIT the discount of water rates for water bottling companies. Rates for water bottlers should NOT be discounted from consumer rates. In fact, rates should increase at higher usages to promote water conservation and to pay for the water infrastructure from which the profit of high-volume commercial users derives.
- 2) PROHIBIT discount or modification of the Special Sewer Service Charge (now relabeled as the Clean Water Project Charge on the MDC’s website) for water bottling companies. Rates for water bottlers should NOT be discounted from consumer rates.
- 3) RESTRUCTURE the MDC. The MDC needs a new operating model and a new way of thinking – their job is to responsibly manage our water, not function as a growth-driven enterprise selling a public resource for private profit. As a first step in this restructuring, ESTABLISH a citizen/natural resources advocate at the MDC. The advocate would be involved in all water-use decisions that met certain criteria, e.g. selling to water bottlers, and could veto MDC actions. (Under this scenario, the advocate would have responded directly to Niagara’s August 20 memo that “all customers pay the SSSC and Niagara Bottling is no exception.”)
- 4) IMPOSE a moratorium on issuing any water capacity letter, or allowing action on any water capacity letter issued post Jan. 1, 2015, over 250,000 gpd until completion of the State Water Plan.
- 5) STRENGTHEN state water regulation by CLOSING the loophole for water bottlers and REVISING the composition of the State Water Plan committee to assure that the private interests of water utilities do not dominate.

Thank you for your time and consideration on this issue crucial to residents of Bloomfield, residents of MDC towns, and all citizens of the state.



RESIDENTS OF MDC TOWNS: DO YOU KNOW ABOUT THE METROPOLITAN DISTRICT'S SWEETHEART PRICING FOR NIAGARA BOTTLING?

Do You Know About the MDC's Water Rate Giveaway?

- The MDC amended water rates on Dec. 14, 2015. They raised your rate from \$2.53 per centum cubic feet (ccf) to \$2.66 per ccf (a 5% increase!). They also established a discounted rate of \$2.16 per ccf for the excess of "large users". Large users are those using over 668 ccf (~500,000 gallons) per day. Customers using over the 668 ccf will pay \$0.50 less per ccf on water used in excess of the first 668 ccf.
- That same day it was revealed that Niagara Bottling planned to build a plant in Bloomfield and tap MDC water. Niagara anticipates 4 bottling lines, each using ~450,000 gallons per day, up to 1.8 million gallons per day at full production. When more than one line is operational, Niagara would be the MDC's only large user eligible for the special discount.
- How much is this giveaway worth? Over a year, with 4 lines, this could accumulate to over \$317,185 savings for Niagara (and lost revenue to offset MDC customers' charges)! This is Corporate Welfare!

Do You Know About the Special Sewer Service Charge (SSSC) Giveaway?

- The MDC also stealthily changed the rate structure on Dec. 14, 2015. While the giveaway on the water rates is bad enough, this appears to be where the real money is.
- The MDC amended their rate structure so that "large users" (differently defined than for the water rate, but the same outcome: only Niagara qualifies) pay a lower SSSC than normal users. For "large users", their monthly charge is a blend of the normal special sewer service charge, \$3.25 per ccf (what you pay), on the first 20,000 ccf and then a charge reduced by the ratio of actual sewage to water used on the excess.
- How would this apply to Niagara? If Niagara runs 4 bottling lines at 1.8 million gallons per day and their sewage water to consumed water ratio is 20% (as stated by the MDC to the Bloomfield Town Council on 1/11/16), Niagara would pay a blended rate of \$1.37 (versus your rate of \$3.25) on their total water usage. This would amount to a monthly savings of \$135,700! Over a year this would accumulate to \$1,628,388 savings for Niagara (and lost revenue to offset MDC customers' charges)! This is Corporate Welfare!
- The MDC does not mention the reduction of the SSSC at all in the "Water Rates" (or any other) section of their "Facts" document.

Did You Know About the Public Hearings for these Giveaways?

- The MDC is required to provide notice and hold a public hearing on these rate changes. This happened in November 2015. But no one knew what the hearing was really about, so no one showed up or commented per the minutes of the hearing.
- In a Nov. 20, 2015 e-mail, Rebecca Nolan of MetroHartford Alliance states "Art [the real estate broker for Niagara] told me the MDC had a public hearing to make the two ordinance changes to accommodate Niagara but they still need to go up in front of the MDC board for final approval. He did not seem to think this would be an issue. The MDC is doing everything they said they would."

Selling Water to Niagara is an Inappropriate Activity for the MDC!

As a regional non-profit company tasked to supply clean water to its eight member towns, the MDC should not be selling area drinking water to a business whose intent is to export it. BloomfieldCitizens.org believes bottling our water is a legal loophole to allow unauthorized expansion of the MDC's service area and unregulated state interbasin water transfers.

Follow Bloomfield Citizens FACEBOOK page to get Action Alerts. Like Us on FACEBOOK. BloomfieldCitizens.org
Or contact us at: BloomfieldCitizens@gmail.com



From: [Jellison, Scott](#)
To: [Banker, David](#)
[Negrelli, Susan](#)
[Curley, Michael](#)
Date: 3/31/2015 7:10:21 PM
Subject: RE: Niagara Bottling

No info without face to face. They must show us they are committed

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Banker, David" <DBanker@themdc.com>
Date: 03/31/2015 3:34 PM (GMT-05:00)
To: "Jellison, Scott" <SJellison@themdc.com>, "Negrelli, Susan" <SNegrelli@themdc.com>, "Curley, Michael" <MCurley@themdc.com>
Cc: "Bard, Carl" <CBard@themdc.com>, "Blardo, Carrie" <CBlardo@themdc.com>
Subject: Niagara Bottling

Everyone,

See attached for an RFI from Niagara for a potential site on Woodland Avenue in Bloomfield. As discussed in the 2/18/15 email, their previously selected site fell through.

David Banker, P.E.

Project Manager, Technical Services

555 Main Street

Hartford, CT 06142-0800

Ph: (860) 278-7850 ext. 3650

Fax: (860) 525-5013

From: Ross, Arthur [<mailto:A.Ross@ngkf.com>]
Sent: Tuesday, March 31, 2015 3:20 PM
To: Banker, David
Cc: Bard, Carl
Subject: FW: Woodland A venue; Bloomfield - MDC #'s

Hi David:

Niagara Bottling is in the market again, and the Sponzo site on Woodland Avenue is under consideration. Attached is an updated RFI for the project. Could you reconfirm the water and sewer numbers for us, for this site? Are there are other (shovel ready) sites in the area that have adequate water and sewer service, that we should consider? Griffin Land remains not interested in entertaining the bottling plant development on Griffin Road North.

Thanks in advance for your help!

Art Ross, SIOR

Newmark Grubb Knight Frank

Senior Managing Director

Hart Industrial Group

C 860.803.9938

aross@ngkf.com

Save a Tree - Think Before You Print, Sustainably Newmark Grubb Knight Frank.

3/9/2016



August 20, 2015

VIA EMAIL

Attn: Scott Jellison
Metropolitan District Commission
555 Main Street
Hartford, CT 06103
SJellison@themdc.com

RE: NIAGARA BOTTLING, LLC GENERAL BUSINESS MATTERS
Subject: Exemption from Special Sewer Service Charge

Dear Mr. Jellison:

Niagara Bottling, LLC (“Niagara”) is considering expansion into the Northeast, which would involve construction of a new manufacturing facility and would require the consumption of up to 1.8 million gallons of water per day. Since water is our main resource, its cost can be a significant factor in our decision to select one site over another. At this stage, the Special Sewer Service Charge (“SSSC”) imposed by MDC, if not mitigated in some way, makes our move to an area within MDC jurisdiction essentially cost prohibitive. The projected cost of the SSSC, based on the attached MDC chart, averages approximately \$4.30/ccf of water consumption over the next 40 years. This increases our projected water costs (currently \$2.53/ccf) by 170%.

Niagara is taking the position that the SSSC does not apply to our operations, or at the very least should be drastically reduced, for the following reasons:

1. The Project being funded by the SSSC is designed to decrease nitrogen being discharged from the District treatment facilities, but our operations do not affect nitrogen levels in the system.
 - a. Section S12x of the Ordinances of the Metropolitan District Relating to Sewers (the “Ordinance”) refers to the SSSC as being applied directly toward funding the Clean Water Project “relating to the reduction of nitrogen discharged from District Wastewater Treatment Facilities.” Since our process discharge has the same composition as the incoming water, just with higher levels of TDS, we would not be impacting the nitrogen levels in the wastewater system.
2. The MDC has the discretion to reduce the SSSC for operations serviced by on-site wastewater collection, treatment, and disposal, and our operations qualify for such a reduction.
 - a. Incoming water is processed through reverse osmosis prior to filling the bottles, and any amount discharged is also subject to other treatment, including pH neutralization, prior to its introduction into the wastewater system. The Ordinance clearly states that the MDC may “allow for a reduction in the special sewer service charge” in such a situation.
3. Our discharge accounts for approximately 15% of our water consumption, since most of the water is used in filling bottles to be shipped out as product.
 - a. Our unique operations yield discharge volumes which are much lower than those of other water users, since most of our water inflows end up leaving our facility as product.



Therefore, our impact on the sewer system is accordingly lower than similar water users, which warrants at least a reduction in the SSSC, perhaps only assessed on actual metered discharge.

Feel free to contact me via phone (951-300-3299) or email (tuhlick@niagarawater.com) with any questions.

Sincerely,

Todd Uhlick
Director of Expansion & Real Estate
Niagara Bottling, LLC

cc: Art Ross, Newmark Grubb Knight Frank
Paul Earnhart, Lee & Associates
Geoff Kamansky, Niagara Bottling, LLC

From: Jellison, Scott
To: Geoff Kamansky
Date: 9/29/2015 7:50:50 PM
Subject: RE: Niagara/MDC - Call Follow-up

Geoff sorry I missed you. We are working on a new water rate for users who exceed 500000 gpd,. I need to develop logic to support an amount consistent for any user who may qualify. I will have something late this week or early next. I will send you something asap. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: "Jellison, Scott" <SJellison@themdc.com>
Date: 09/28/2015 1:08 PM (GMT-05:00)
To: Geoff Kamansky <gkamansky@niagarawater.com>
Subject: RE: Niagara/MDC - Call Follow-up

Agreed. Fair question

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Geoff Kamansky <gkamansky@niagarawater.com>
Date: 09/28/2015 12:53 PM (GMT-05:00)
To: "Jellison, Scott" <SJellison@themdc.com>
Subject: RE: Niagara/MDC - Call Follow-up

Scott, in our discussion, we are looking for outside the box thinking to make this site more attractive. One of the ideas discussed was potentially lowering water rates, since you conveyed that the Sewer rate couldn't be reduced. You were going to look into and get back to me...

Thanks,
Geoff

-----Original Message-----

From: Jellison, Scott [mailto:SJellison@themdc.com]
Sent: Monday, September 28, 2015 9:49 AM
To: Geoff Kamansky
Subject: RE: Niagara/MDC - Call Follow-up

We initially discussed the sewer ordinance Changes. I can't guarantee there will be support for changing the water rate as well. Is the water rate a deciding factor

Sent from my Verizon Wireless 4G LTEsmartphone

----- Original message -----

From: Geoff Kamansky <gkamansky@niagarawater.com>
Date: 09/28/2015 11:46 AM (GMT-05:00)
To: "Jellison, Scott" <SJellison@themdc.com>
Subject: RE: Niagara/MDC - Call Follow-up

Hi Scott,

So are you saying that Niagara needs a full commitment prior to any available water rate reduction? I need to understand the process. Thanks again,

Geoff

From: Jellison, Scott [mailto:SJellison@themdc.com]
Sent: Monday, September 28, 2015 8:35 AM
To: Geoff Kamansky

3/6/2016

Subject: RE: Niagara/MDC - Call Follow-up

No I will be meeting thru ought this week with leadership. I have identified a number of customers which exceed 20,000 CCF in a month, but not on an annual average. We need to analyze the impacts to the revenues.

Do you have a time line as to if and when Niagara will be able to provide a formal commitment. I will need this before we submit this language to our board for consideration.

Scott W. Jellison, P.E.
Chief Executive Officer
The Metropolitan District
555 Main Street, Hartford Ct 06103
Office phone 860-278-7850 x 3200
Cell phone 860-982-5015

From: Geoff Kamansky [mailto:gkamansky@niagarawater.com]
Sent: Monday, September 28, 2015 11:26 AM
To: Jellison, Scott
Subject: RE: Niagara/MDC - Call Follow-up

Thanks, hope you had a great weekend, any movement on lowering the water rates?

Thanks,
Geoff

From: Jellison, Scott [mailto:S.Jellison@themdc.com]
Sent: Monday, September 28, 2015 8:08 AM
To: Brandon D Howard; 'Ross, Arthur'; Todd J. Uhlick; Geoff Kamansky
Cc: Banker, David; 'Bart Halloran'; Katie Booher; 'Derek Salfia'; 'Paul Earnhart (pearnhart@lee-assoc.com<mailto:pearnhart@lee-assoc.com>); 'Kaitlin Halloran (khalloran@halloranlawct.com<mailto:khalloran@halloranlawct.com>); Negrelli, Susan; 'Chris stone (crs@chadwickstone.com<mailto:crs@chadwickstone.com>)
Subject: RE: Niagara/MDC - Call Follow-up

Geoff as discussed, see attached for the revised Niagara billing projection based upon 250,000 gpd water consumption (in lieu of 450,000 gpd) and 50,000 gpd sewage discharge per bottling line. This assumes the draft ordinance change would not begin to provide a financial benefit until bottling line 3 is activated and the water consumption would begin to exceed the 500,000 gpd.

Scott W. Jellison, P.E.
Chief Executive Officer
The Metropolitan District
555 Main Street, Hartford Ct 06103
Office phone 860-278-7850 x 3200
Cell phone 860-982-5015

From: Jellison, Scott
Sent: Tuesday, September 22, 2015 12:20 PM
To: 'Brandon D Howard'; 'Ross, Arthur'; 'Todd J. Uhlick'; 'Geoff Kamansky'
Cc: Banker, David; 'Bart Halloran'; 'Katie Booher'; 'Derek Salfia'; 'Paul Earnhart (pearnhart@lee-assoc.com<mailto:pearnhart@lee-assoc.com>); 'Kaitlin Halloran (khalloran@halloranlawct.com<mailto:khalloran@halloranlawct.com>); Negrelli, Susan; 'Chris stone (crs@chadwickstone.com<mailto:crs@chadwickstone.com>)
Subject: RE: Niagara/MDC - Call Follow-up

Resend with attachment;

Brandon, attached is the draft ordinance language which would facilitate the projected financial savings submitted to you Friday. Again I would reiterate, MDC Board approval of this change to the ordinance is required prior to giving any formal commitment to Niagara. I would be happy to schedule a meeting or conference call with you to discuss the details at your convenience.

Thank you

Scott W. Jellison, P.E.
Chief Executive Officer
The Metropolitan District
555 Main Street, Hartford Ct 06103
Office phone 860-278-7850 x 3200
Cell phone 860-982-5015

From: Jellison, Scott
Sent: Thursday, September 17, 2015 4:58 PM
To: 'Brandon D Howard'; 'Ross, Arthur'; Todd J. Uhlick; Geoff Kamansky
Cc: Banker, David; 'Bart Halloran'; Katie Booher; Derek Salfia; 'Paul Earnhart (pearnhart@lee-assoc.com<mailto:pearnhart@lee-assoc.com>); Kaitlin Halloran (khalloran@halloranlawct.com<mailto:khalloran@halloranlawct.com>); Negrelli, Susan; Chris stone (crs@chadwickstone.com<mailto:crs@chadwickstone.com>)
Subject: RE: Niagara/MDC - Call Follow-up

Brandon attached is a draft of the projected annual charges for both water and sewer consumption based on the flows provided by Niagara. Please review and we can discuss tomorrow any questions you may have. If the ordinance change was agreeable to Niagara, and the Board was to approve, this would reflect an approximate total saving of \$1.5 million with 4 bottling lines operational.

The Draft Ordinance language will be forthcoming tomorrow.

Thank you for your patience.

Scott W. Jellison, P.E.
Chief Executive Officer
The Metropolitan District
555 Main Street, Hartford Ct 06103
Office phone 860-278-7850 x 3200
Cell phone 860-982-5015

From: Brandon D Howard <mailto:brahoward@niagarawater.com>
Sent: Tuesday, August 25, 2015 3:13 PM
To: Jellison, Scott; 'Ross, Arthur'; Todd J. Uhlick; Geoff Kamansky
Cc: Banker, David; 'Bart Halloran'; Katie Booher; Derek Salfia; 'Paul Eamhart (peamhart@lee-assoc.com<mailto:peamhart@lee-assoc.com>)'
Subject: RE: Niagara/MDC - Call Follow-up

Scott,

Thanks for the call last Friday. We would like to get a gauge on what might be possible in terms of tax abatement or some other way to reduce the amount we would be paying in the form of the Special Sewer Service Charge.

Here is our estimate, which is quite similar for each site under consideration in CT:

Real Estate Transfer Tax

\$ -

Annual Property Taxes

\$ 927,236.51

(annual)

Business Property Taxes

\$ 100,000.00

(annual)

Construction RE Tax

\$ 988,218.75

(one-time)

Sales Tax

\$ 685,800.00

(one-time)

TOTAL for all taxes in Year 1: \$ 2,701,255.26

Thanks,
Brandon

Brandon D. Howard | Expansion Project Manager & Associate Corporate Counsel | Niagara Bottling | 2560 E. Philadelphia St. | Ontario, CA 91761
USA | Mobile 909.260.2055 | Office 909.230.7957 | brahoward@niagarawater.com<<mailto:brahoward@niagarawater.com>>

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-----Original Appointment-----
From: Brandon D Howard
Sent: Friday, August 21, 2015 10:04 AM

From: Banker, David
To: Martin, Kerry
Date: 11/5/2015 11:50:38 AM
Subject: RE: Niagara Bottling UPDATE

10/13/2015 – Niagara Coordination Meeting held at Bloomfield Town Hall – Discussed Utility Coordination/Permitting Needs
10/23/2015 – Received Availability & Capacity Request Letter from Niagara
10/26/2015 – Conference Call held with Niagara – Discussed MDC Rates
10/28/2015 – Received draft site plan for Niagara development at 380 Woodland Avenue in Bloomfield

To date, we have drafted an Availability & Capacity Letter response to Niagara and addressed comments from Niagara on this draft.

Comments regarding draft site plan will be provided to Niagara’s engineer by end of day Friday 11/6/2015

Niagara water sampling personnel will be on-site on Tuesday 11/10 to collect water samples to verify water quality from MDC water distribution system.

Board to discuss ordinance updates. Public Hearing for Ordinance update tentatively scheduled for mid-November (**Not sure how much you want to say**)

Let me know if you have any questions

David Banker, P.E.
Project Manager, Technical Services
555 Main Street
Hartford, CT 06142-0800
Ph: (860) 278-7850 ext. 3650
Fax: (860) 525-5013

From: Martin, Kerry
Sent: Tuesday, November 03, 2015 10:17 AM
To: Banker, David
Cc: Negrelli, Susan; Blando, Carrie
Subject: Niagara Bottling UPDATE

Dave,

Below is the historical info and update Scott provided to the Board at the Oct meeting. Can you please provide a current update for Scott’s report to the Board for Nov?

Thanks,

Kerry E. Martin
Assistant to the CEO
The Metropolitan District
555 Main Street
Hartford, CT 06103
W (860) 278-7850 ext 3203
F (860) 724-2679
kmartin@themdc.com

Niagara Bottling UPDATE

¥u10146 ? Niagara expresses concern to MDC regarding rates, with focus on Special Sewer Service Surcharge. Niagara and District staff discussed feasibility of discharging filter water effluent to surface water. Potential DEEP permitting timeline for surface water discharge did not meet Niagara’s development schedule.

¥u10146 ? August 21, 2015 – Held conference call with Niagara to discuss water and sewer rates and concerns, review potential alternatives for rate adjustment as Niagara will only be discharging approximately 20% of the water purchased from MDC.

OCT UPDATE

¥u10146 ? September ?? – CEO conf call with Niagara

¥u10146 ? Drafted new ordinance to provide relief of the SSSS once over (1 line 450,000gpd) 4 lines 1.8 million) 500,000 gpd discharge only 20% to sewer

¥u10146 ? MDC working the numbers for reduced consumption, possible rate adjustment

¥u10146 ? Next Niagara public meeting Wed, Oct 13th from 8:00 – 11:30 AM at Town Hall in Bloomfield

Jose Giner

From: Rebecca Nolan <rnolan@metrohartford.com>
Sent: Friday, November 20, 2015 5:17 PM
To: Philip Schenck; Jose Giner; Dave Driver
Subject: RE: Niagara Bottling

Art told me the MDC had a public hearing to make the two ordinance changes to accommodate Niagara but they still need to go up in front of the MDC board for final approval. He did not seem to think this would be an issue. The MDC is doing everything they said they would. Official capacity letter is going back and forth and I'm told they are making good progress.

For the land deal - title issues are being worked through on the property – there are some lot-line and title issues for the subdivide.

Environmental concerns – hope that will not amount to anything – there is a pile of farm debris that has been there for many years and they are working thought that.

DEEP permitting – Ed Lally is working on it.

Hope that answered the question. I'll get more information to you but I believe Niagara is still feeling positive with the site and will keep moving forward.

Keep you posted.

Becky

From: Philip Schenck [mailto:pschenck@Bloomfieldct.org]
Sent: Friday, November 20, 2015 4:59 PM
To: Rebecca Nolan; Jose Giner; Dave Driver
Subject: RE: Niagara Bottling

Becky: FYI Niagara had requested a copy of the draft abatement agreement two weeks ago which we sent them. I had it on the Town Council Finance Subcommittee Agenda Monday evening, but Katie wanted it withdrawn as premature. That was done. The item was on the Agenda based on Niagara's short time line, but perhaps we were too quick. In any case, I am wondering about the MDC issue of water "in" wastewater charges "out", there seemed to be a need to get that resolved. Are you aware of any progress on that situation. Otherwise, Bloomfield is ready to sit down and negotiate as soon as Niagara makes it a priority. Phil

From: Rebecca Nolan [mailto:rnolan@metrohartford.com]
Sent: Friday, November 20, 2015 4:52 PM
To: Philip Schenck <pschenck@Bloomfieldct.org>; Jose Giner <jginer@bloomfieldct.org>; Dave Driver <ddriver@gomanyork.com>
Subject: Niagara Bottling

Hello everyone,

I just received a call from Art Ross who stated that the town meeting went well last night and he was encouraged with the progress and approvals.

I'm still working with Katie on workforce and state incentives and feeling confident that is also moving along well.