

CROMWELL WATER POLLUTION CONTROL AUTHORITY
PUBLIC HEARINGS/REGULAR MEETING
MONDAY, MARCH 8, 2010
7:00PM ROOM 224/225

RECEIVED FOR FILING
03/10 2010 at 3:23 P.M.
TOWN CLERK'S OFFICE
CROMWELL, CONN.

Minutes

Gloria Prendergast, Asst.
TOWN CLERK

1. Call Hearing to Order

Chairwoman, Alice Kelly calls the Public Hearing to order at 7:08PM.

2. Introduction of Authority Members

Authority members introduce themselves to the public as:

Alice Kelly, Chairwoman, Eric Zeilor, Vice Chairman, Tom Gunn,
Secretary/Treasurer.

Sarah Voog reads the Call of the Hearing and the criteria for Citizens Comments into the record as follows:

3. Reading of the Call of Hearing

Notice is hereby given that a Public Hearing, at which all interested parties desiring to be heard will be afforded the opportunity to be heard, will be held by the Cromwell Water Pollution Control Authority at 7:00 PM on Monday, March 8, 2010, in Room 224/225 of the Cromwell Town Hall, 41 West Street, Cromwell, Connecticut for the purpose of:

1. Establishment of the 2010/2011 Sewer Use Rate at \$175.00
2. Consideration of the proposed 2010/2011 Sewer Usage Budget
3. Consideration of the proposed 2010/2011 Sewer Assessment Budget
4. Consideration of the proposed "Sewer Benefit of Assessment Rule of Apportionment" (ROA) Language Revision

Copies of the proposed Sewer User Rate, Usage/Assessment Budgets and "Assessment Rule of Apportionment" (ROA) Language Revision are on file in the office of the Cromwell Town Clerk and will be available for inspection by the public during normal business hours on Thursday, February 25, 2010.

Dated at Cromwell, Connecticut this 23rd day of February 2010

4. Citizens Comments

The purpose of this hearing is to receive comments on the Item(s) in the call only, comments on other matters will not be allowed. To be fair to all those in attendance a time limit of five (5) minutes for each comment will be established, a person speaking that has met the limit will have to wait until all others have commented to be recognized again. All persons commenting must identify

themselves by name and address so that their comments can be recognized in the tape recordings.

Bob Jahn of 3 Woodside Rd asks why the summary figure for Usage Line Item 72000 is different from the budget detail. Sarah Voog explains that the figure in the detail is correct and the bottom-line stay the same. She says she will correct the error before filing the document. Mr. Jahn also inquires about the two different CNR line items shown in the summary, discussion is held. Mr. Jahn and Liaison Newton both agree that there needs to be clarification made in the budget detail for Line Item 79260, Ms. Voog says she will make changes to the description for clarification before filing.

5. Read Any Correspondence Into Record- None

6. Close Hearing- Thank all in Attendance

Alice Kelly thanks all in attendance and closes the hearing at 7:35PM.

Regular Meeting

1. Call to Order

Chairwoman, Alice Kelly calls the regular meeting to order at 7:35PM.

2. Roll Call and Seating of Alternates

Present: Chairwoman, Alice Kelly, Vice Chairman, Eric Zeilor,
Secretary/Treasurer, Tom Gunn

Also Present: BOS Liaison, Richard Newton, Sewer Administrator, Richard Peck,
Commission Clerk, Sarah Voog

3. Approve/Amend Agenda

Rich Peck recommends that the agenda be amended by moving Item 8.g.
Northwoods Estate – Request from Attorney Petrella for Assessment Payment
Delay to Accommodate Phases, DP-A Pending Developer Approval/Signing to
follow Item 4.a. Approval of Minutes.

**Eric Zeilor makes a motion to approve the recommended amendment to the
agenda, 2nd by Tom Gunn.**

All in Favor, Motion Passes

4. Approval of Minutes

a. February 22, 2010 Special Meeting/Budget Workshop

**Eric Zeilor makes a motion to accept the minutes as presented, 2nd
by Tom Gunn.**

All in Favor, Motion Passes

Item 8.g. Northwoods Estate – Request from Attorney Petrella for Assessment
Payment Delay to Accommodate Phases, DP-A Pending Developer
Approval/Signing

Attorney Salvatore Petrella of 630 Main Street, Cromwell representing Norman Nadeau of the Northwoods Estates presents a three-phase assessment payment request to the Authority. He explains that due to the economy banks are not lending money to developers in the way they did back in 2005 when the project was originally approved. He indicates that P&Z approved a three- phase development of the project with restrictive covenants placed independently on the three phases, which prevents any parcel in the development from being sold until the utilities and road infrastructures are completed. He reviews the development's maps showing the phase as approved by P&Z. Attorney Petrella asks that the Authority consider charging the assessments when each of the phases' restrictive covenants are lifted. He hands out a document that itemizes the project costs that include sewer bonding for the 1578' of force main sewer that will run down North Road from the Mountain View Estates project's terminate manhole to the development parcel.

Rich Peck comments that the CWPCA always considers costs for road reconstruction for the portion of the road that involve sewers so that the sewer main and the affected roadway can be constructed with funds that have been secured by the Authority. He says the itemized figure for sewers is not inclusive of the road reconstruction affected by the sewers and will need to be reviewed for adjustment.

Sarah Voog indicates that Statutes support the request to delay assessment payments as there can be no real benefit to the sewer system if a lot cannot be sold until the restrictive covenant is lifted.

Authority members ask Attorney Petrella a few question and a brief discussion is held.

Eric Zeilor makes a motion to approve the three-phase assessment request with the stipulation that when the restrictive covenants are lifted that phases' assessment becomes due and payable in full for each parcel in the phase, 2nd by Tom Gunn

All in Favor, Motion Passes

Eric Zeilor makes a motion to allow the DP-A bonding to be posted based on the Sewer Administrator's figures for sewer construction costs, with the stipulation that if the original DP-A figures change the changes are to be discussed with the board prior to the execution of the project DP-A, 2nd by Tom Gunn.

All in Favor, Motion Passes

5. Report of Chairman

- a. Member's Report - None
- b. Staff Report - None

6. Citizens Comment - None

7. Bills and Correspondence – None

Jonathan Beatty arrives and is seated at 8:02PM.

8. Old Business

a. Financial Report

1. Delinquent Assessment & Usage Account Updates- February – Reviewed
No Action
2. Budget Update- a. Usage, b. Assessment, c. CNR – Reports - Reviewed,
No Action

d. Review & Establishment of the Proposed 2010-2011 User Rate, Usage & Assessment Budgets

Eric Zeilor makes a motion to establish the 2010-2011 Sewer Use Rate at \$175.00 per EDU (equivalent dwelling unit), 2nd by Tom Gunn. All in Favor, Motion Passes

Eric Zeilor makes a motion to approve the proposed 2010-2011 Sewer Usage Budget of \$1,488,738, 2nd by Tom Gunn. All in Favor, Motion Passes

Eric Zeilor makes a motion to approve the 2010-2011 Sewer Assessment Budget of \$212,560, 2nd by Jonathan Beatty. All in Favor, Motion Passes

Eric makes a motion to approve the proposed “Sewer Benefit of Assessment Rule of Apportionment” (ROA) language revision of L. Developer to include and who has executed a Developer’s Permit-Agreement with the Authority, including the “Commercial Developer’s Permit-Agreement” or the “Residential Developer’s Permit-Agreement., 2nd by Tom Gunn. All in Favor, Motion Passes

3. EDU Report Budgeted 09-10 7194.11/Units @ 99% = 7122.17
Current EDU Report 7232.35 @ 99% = 7160.03, Proposed Budget 10-11
EDU 7247.98 @ 99% 7175.50 – Reviewed, No Action
4. Bond/SIF Data - 03/10– Reviewed, No Action

b. FOG Program – March BOS Public Hearing – Reviewed, No Action

c. Phase II Sewer Rehab Project – Rec'd Draft Doc Sewer Rehab Phase 2
Rich Peck says he received the draft document and is reviewing it. He will inform the Chair when the agreement is ready for signing.

d. Covenant Village “Hillcrest”- DP-A Pending Developer Approval/Signing–
Reviewed, No Action

e. Cider Hill – Holding Cash Bond, Pending Road Repair– Reviewed, No Action

f. Northbrook Estates - Holding Cash Bond, Pending Road Repair & Sewer
Asbuilts. – Reviewed, No Action

- g. Northwoods Estate – Request from Attorney Petrella for Assessment Payment Delay to Accommodate Phases, DP-A Pending Developer Approval/Signing
Moved to follow 4.a. Approval of Minutes
- h. Pond View Estates – DP-A Pending Developer Approval/Signing – Reviewed, No Action

9. New Business – None

10. Miscellaneous – None

11. Adjournment

Alice Kelly adjourns the meeting at 8:12 PM.

Respectfully submitted by,



Sarah A. Voog
CWPCA Commission Clerk