

CROMWELL WATER POLLUTION CONTROL AUTHORITY
REGULAR MEETING
MONDAY OCTOBER 18, 2010
7:00PM ROOM 224/225
MINUTES

1. Call to Order

Vice Chairman, Eric Zeilor, acting as Chair, called the meeting to order at 7:02 PM.

2. Roll Call and Seating of Alternates

Present: Vice Chairman Eric Zeilor, Secretary/Treasurer Tom Gunn, Peter Keithan, Alternate Robert Jahn

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

Excused: Chairwoman Alice Kelly, Jonathan Beatty

Eric Zeilor made a motion to seat Alternate Robert Jahn, 2nd by Tom Gunn.

All in Favor, Motion Passed

3. Approve/Amend Agenda

Robert Jahn made a motion to approve the agenda, 2nd by Peter Keithan.

All in Favor, Motion Passed

4. Approve/Amend Minutes

a. September 13, 2010 Public Hearing/Regular Meeting

Robert Jahn made a motion accept the minutes as presented, 2nd by Peter Keithan.

Vote: Yes: Eric Zeilor, Peter Keithan, Robert Jahn

Abstained: Tom Gunn (not present at minutes meeting)

Motion Passed

5. Report of Chairman

a. Member's Report - None

b. Staff Report -None

6. Citizens Comment - None

7. New Business

a. 31 River Rd, Hector O'Campo to Discuss Assessment

Mr. Ocampo of 31 River Road asked the Authority to consider waiving the \$7,800 lateral charge assessed to his property in 2005. He said that he purchased the property in 2009 and did not realize there was a sewer assessment. He said that as a result of the sewer line extension to his home that there are two additional lots that could have sewers available if they were developed in addition to the park down the road that in 2008 also connected to the sewer line that he has to pay for. He asked if they would consider prorating the unit charge if not waiving it and that he was willing to pay the outlet and unit charges in full if that would make a difference.

Tom Gunn asked Mr. Ocampo who did his title search. He said that he did the research himself and that he was not disputing that he missed it, so he did not know about the sewer assessment from 2005 before he bought the home.

Sarah Voog explained that when Mr. Ocampo came in 2009, after being granted a zone change from mixed-use to residential, she informed him of the sewer assessment. She

said that as soon as she realized that there was a zone change she added the matter to the next meeting agenda to determine what could be done to lower the assessment to reflect that of a single-family home and informed Mr. Ocampo when the meeting was. She explained that the CWPCA "Rule of Apportionment for Benefit Assessment" and State Statutes must be followed and that unfortunately because the original property owner requested the sewer extension exclusively to service his commercial building and also agreed to pay all costs associated with the extension to avoid the construction public hearing process that no other property owner could be charged costs associated with the sewer extension. She explained that because they were never given their due process as provided under the State Statutes they can never be assessed for any charges associated with the cost of the sewer infrastructure. She also said that all assessments are charged based on a defined charge structure and are determined uniformly so no special considerations are given to any one person or entity. She said that the reason for this is that in doing so it would set a precedent that would cause the assessment process to become inconsistent.

Eric Zeilor explained that in August of 2009 the Authority made the motion to reflect the only consideration that was within the realm of what could be done under the statutes by amending the 2005 Caveat/Final Assessments from \$16,514 to \$13,050. He indicated that this is a difference of almost \$3,500 to reflect a residential vs. a commercial assessment and that nothing more could be done.

Peter Keithan asked if the matter was closed and would not come before the Authority again and staff said as far as they were concerned yes.

**Robert Jahn made a motion to deny the request to remove or prorate the \$7,800 unit charge from the 31 River Rd Final Assessment, 2nd by Tom Gunn.
All in Favor, Motion Passed**

8. Bills and Correspondence

a. Request Approval of Payment to NEPCCO for Sewer Rehab Project Phase 2, Invoice #84249, in the amount of \$58,516.35.

Eric Zeilor asked Rich Peck if anything unforeseen has happened with the project. He indicated that a 12' section of pipe needed a shortliner so the contractor installed 14' feet of liner so that the pipe would be covered joint to joint. He said the project is going very well and that River Rd and Pleasant St are done and they are currently working on West St.

Robert Jahn made a motion to approve the payment of invoice # 84249 based on the recommendation of the Sewer Administrator, 2nd by Tom Gunn.

b. Request Approval of Payment of Weston & Sampson Inc, Project #2090639, Invoice #189054, in the Amount of \$2,260.00.

Rich Peck reviewed the percentage of work completed and he commented that both the consulting firm and the contractor are doing a very professional job.

**Tom Gunn made a motion to approve the payment of invoice #189054 based on the recommendation of the Sewer Administrator, 2nd by Robert Jahn.
All in Favor, Motion Passed**

9. Old Business

a. Financial Report

1. Delinquent Assessment & Usage Account Updates- September
2. Budget Update - a. Usage b. Assessment, c. CNR
3. EDU Report Budgeted 09-10 7194.11/Units @ 99% = 7122.17
Current EDU Report 7147.40 @ 99% = 7075.93

4. Bond/SIF Data - 10/10

The Authority members Reviewed Items 9.a. 1-4 with No Action.

- b. FOG Program – List of Franchises/Restaurants in Compliance
Staff handed out a list of FSE's that indicated which restaurants are compliant or non-compliant. Discussion followed.
- c. Phase 2 Sewer Rehab Project – Project Update
Item covered under Item 8. Bills and Correspondence
- d. Cider Hill – Project Update
Rich Peck said the Town crews have completed the site repairs. He indicated that he was called today and questioned by the Cromwell PD regarding the project.
- e. Northbrook Estates – Request to Reduce Bond, Letter to William Coons & Memo – R. Peck
Discussion was held on the project regarding the coordinated effort between Bill Coons of CAS Construction and the Public Works Department on the road paving project and the required asbuilt funds needed detailed in the letter to William coons from Richard Peck dated October 4 2010.
Tom Gunn made a motion to approve the release of unexpended sewer inspection fees to the developer as recommended by the Sewer Administrator, 2nd by Robert Jahn.
All in Favor, Motion Passed

Robert Jahn made a motion to approve the reduction of the Project's Maintenance Bond of \$27,600 to be reduced to \$5,600 and held until sewer as-built plans have been submitted and approved, with \$18,000 to be reimbursed to the Public Works - Highway Department for road pavement and \$4,000 to be released to William Coons for completion of sewer as-built plans as recommended by the Sewer Administrator, Richard Peck in the letter to Mr. Coons dated October 4, 2010, 2nd by Tom Gunn.
All in Favor, Motion Passed
- f. Woodside Estates – Sewer Project Under Construction
Rich Peck said that we are waiting on completion of manhole inverts and that the project will be ready for the maintenance phase for next month's meeting.

10. Miscellaneous – Filed Final Assessments/Caveat & Notice of Assessment
Reviewed, No Action

11. Adjournment

Robert Jahn made a motion to adjourn the meeting, 2nd by Tom Gunn.
All in Favor, Motion Passed

The meeting adjourned at 7:59 PM.

Respectfully Submitted By,

Sarah A. Voog
Commission Clerk