

CROMWELL WATER POLLUTION CONTROL AUTHORITY  
 REGULAR MEETING  
 MONDAY, DECEMBER 8, 2008  
 7:00PM ROOM 224/225  
Minutes

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**1. Call to Order**

Vice Chair, Alice Kelly Calls the meeting to order at 7:03 PM

**2. Roll Call and Seating of Alternates**

Present: Vice Chair, Alice Kelly, Secretary/Treasurer, Eric Zeilor, Tom Gunn, Jonathan Beatty

Also Present: BOS Liaison, David Murphy, Sewer Administrator, Richard Peck, Commission Clerk, Sarah Voog, Town Attorney, John Bradley, Stearns & Wheler Consultant, Gary Dufel

Excused: Chairman, William Pie'

**3. Approve/Amend Agenda**

**Jonathan Beatty makes a motion to approve the agenda, 2<sup>nd</sup> by Eric Zeilor. All in Favor, Motion Passes**

**4. Approval of Minutes**

**a. November 17, 2008 Regular Meeting**

**Tom Gunn makes a motion to accept the minutes as present, 2<sup>nd</sup> by Eric Zeilor.**

**Vote: Yes- Alice Kelly, Eric Zeilor, Tom Gunn**

**Abstain: Jonathan Beatty (not present at the meeting the minutes represent)**

**5. Report of Chairman**

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

**6. Citizens Comment -None**

**7. Bills and Correspondence - None**

**8. Old Business**

**a. Financial Report**

- 1. Delinquent Assessment & Usage Account Updates - November
- 2. Budget Report Updates: a. Usage, b. Assessment, c. CNR:
- 3. EDU Report Budgeted 2008-2009 7196.60/Units @ 99% = 7124.63, Current EDU Report 7253.10 @ 99% = 7180.56
- 4. Current Bond/SIF Data - 12/08

Items 8.a. 1-4 were reviewed and no actions were taken.

- b. Assessment Study – Letter from Jack Bradley (Attending Meeting) & Memo from Gary Dufel

Attorney Bradley reviews with the Authority his letter to Richard Peck dated November 6, 2008. He explains that the Statutes do provide for a variety of revenue sources to pay for construction of sewers, which includes bonding funds, charges for connection, sewer user fee excess funds and assessment fund monies. He sites Section 7-249 as a reference for the legality to charge assessment fees based on the increased value of an unimproved property after sewers are constructed. He cautions the Authority to be certain that the property value is properly evaluated for its assessable value and that the figure arrived at is defensible in court, as all assessments have the potential for an appeal process. He also states that residential property cannot be assessed in the same manor as non-residential.

Gary Dufel of Stearns & Wheler discusses the sewer assessment memo to Richard Peck & Sarah Voog dated November 14, 2008. He reviews, in detail, the contents explaining that the intention is to keep the current system approved in 2007 in place with additional language to incorporate the statute provisions for the use of several different revenue sources to defray some costs of a Town installed sewer project. The language will allow for the Authority to determine on a case-by-case basis what, if any, funds will be used to make sewer projects more affordable to property owners.

- c. Sewer Line Rehab –Work Began on Monday 12/1  
Rich Peck says the sub-contractor for API, Monarca Building Contractors, have completed the sewer section replacements on Main & South Streets. He is concerned over a leak that is a result of the original lining process, which is not part of the scope of work that the subcontractor was to perform. He explains that appropriate monies currently held for the project will be retained once the costs for repair (relining) of that section are determined and he will contact API to inform them that the release of funds is contingent upon the repair's completion to the satisfaction of staff and the approval of the Sewer Authority.
- d. User Charge Study–Memo from Gary Dufel (Attending Meeting)  
Gary Dufel of Stearns & Wheler reviews the user charge system memo to Richard Peck & Sarah Voog dated November 14, 2008. The Authority members ask several questions and make recommendations for points to consider for the final document revision. A special meeting is scheduled for Friday, January 9, 2009 at 6:00 PM, which is intended to finalize the user study program and document proposals for the February public hearing and subsequent implementation for the April 2009 Billing Period.
- e. DEP - WPC Control Plan & Service Map, Memo from Craig Minor to CWPCA  
Rich Peck provides the letter he wrote, dated December 8, 2008, to William Hogan with the State of CT, DEP indicating his intention to comply with the Water Pollution Control Plan and Sewer Service Area Map requirements by the target date of September 2009. More discussion will be held at the January regular meeting.

- f. 48 Pasco Hill (4-Lots) - DP-A Pending Developer Approval/Signing – Reviewed, No Action
- g. Cobblestone Plaza – Project Progressing Forward- Reviewed, No Action
- h. Covenant Village “Hillcrest”- DP-A Pending Developer Approval/Signing – Reviewed, No Action
- i. Lowes Home Improvement – Project Progressing Forward - Reviewed, No Action
- j. Pond View Estates – DP-A Pending Developer Approval/Signing – Reviewed, No Action
- k. Newbury Estates – Memo, R. Peck Recommendation for Final Release  
**Eric Zeilor makes a motion to approve the release of Newbury Estates Maintenance Bond in the amount of \$12,500 and unexpended SIF maintenance fees, as recommended by Sewer Administrator, Richard Peck, 2<sup>nd</sup> by Jonathan Beatty.**  
**All in Favor, Motion Passes**
- l. Cider Hill – Letter, R. Peck to Mr. Snow Discussing Repairs Required for Release of Project.  
 Rich Peck indicates that the project has road washout issues over the sewer lines, but that the sewer lines are not affected at this time, however, he is not recommending release of the project from the typical 2-year maintenance phase until the matter is resolved. He indicates that the bond is in the form of cash and will not expire.

#### 9. New Business - None

#### 10. Miscellaneous

- a. 2009 Meeting Schedule Approved/Filed  
 Enclosed in Packet, No Action

#### 11. Adjournment

Vice Chair, Alice Kelly closes the meeting at 8:22 PM.

Respectfully Submitted By,

Sarah A. Voog  
 CWPCA Commission Clerk