

**WATER POLLUTION CONTROL AUTHORITY
TOWN HALL MEETING ROOM B
WEDNESDAY, FEBRUARY 8, 2012**

PRESENT: William Brennan, Eric Fanwick, Don Grunewald, Andy McNee, Richard Tomasetti, Al Stauderman

OTHERS: Sandy Dennies, (CFO), Tom Thurkettle, (Director of DPW), Mike Ahern, (Field Engineer, DPW), Pete Lucia (Management Analyst), Jonathan Bowman (Cohen & Wolf), Chris Kerin (Kerin & Fazio, LLC), David Fiori (Marcus Partners), Mathew Mason, (Gregory & Adams)

Call to Order

Chairman Brennan called the meeting to order at 5:03 pm.

Discussion of Proposed Amendments to WPCA Rules and Regulations

Chairman Brennan said that since they are amending the WPCA regulations, one of the questions raised is the effective date of the assessment. They have been told by their attorney and consultant representing the Town, that the date of the sewer assessment is the date of the final CO (certificate of occupancy).

Mr. Bowman explained this is to be distinguished from when the assessment on the property is actually completed, adding that there could be a variety of reasons for an unforeseeable delay.

Chairman Brennan asked Mr. Kerin to explain the “special benefit analysis” for commercial properties, since those need to be handled on a case-by-case basis, unlike the formula for residential properties, which will remain the same. Mr. Kerin said that the way an appraiser arrives at the “special benefit” to a property is by determining the benefit to that property by virtue of a sewer line, as of a certain date. In the event that the sewers are already in place, it is the date of the C.O. for that property. In the event of a new sewer line, then it’s the date that they can connect to the new sewer line. He added that you are taking “one day in time”, which is called a “before and after” approach; evaluating the property before the sewers are in place and then evaluating the same property after the sewers are in place. The difference between those values is the benefit to that property by virtue of the sewers. Mr. Kerin went on to explain that in cases where there are existing sewer lines, a building that was built on one of those lines would require going back to when that sewer was built, which is part of the “look back” provision in the Connecticut State Statutes.

A discussion ensued.

Chairman Brennan asked if the Members had any changes or questions regarding the proposed amendments to the Regulations. Chairman Brennan asked if the word “residential” on page 2, “Page 7, No.: 36” (second line), should be in boldface and Mr. Bowman said that it should.

Chairman Brennan asked for a motion to approve the amendments to the Wilton WPCA Rules and Regulations regarding the capital assessment formula, adding that there would be a Public

Hearing at the next WPCA Meeting after which a final vote would take place. Mr. Fanwick made the motion and it was seconded by Mr. Tomasetti and carried unanimously.

Mr. Mason, the attorney from Gregory & Adams representing Mr. Fiori of Marcus Partners, asked if any public comment could be made and was told by Chairman Brennan that if he had any comments to please proceed.

Mr. Mason said that he was puzzled by the proposed changes and what they are trying to accomplish, sighting some examples. Mr. Bowman responded to Mr. Mason by discussing cost recovery and “special benefit”, which are covered in the State Statutes.

A discussion ensued around project costs and assessments.

Mr. Fiori said that he felt he should have received a sewer assessment on his property when they received the initial certificate of occupancy at 40 and 60 Danbury Road in 2008.

A discussion ensued.

Mr. Fiori asked if the definition of project costs is going to include a reserve for future costs. Mr. Bowman replied by saying that the answer is in the General Statutes; §7-249 and §7-251.

Approve Minutes of the December 14, 2011 Regular Meeting

Chairman Brennan made a motion to approve the Minutes of the December 14, 2011 Regular Meeting. The motion was seconded by Mr. Grunewald and carried.

Approve Minutes of the January 19, 2012 Special Meeting

Mr. Grunewald moved to approve the minutes of the January 19th Special Meeting it was seconded by Mr. Tomasetti and carried.

Status of Fats, Oils and Grease (FOG) Program Registration Update

Mr. Ahern gave an update of the FOG program. He said that so far 58% of facilities had registered and 55% of the total was in compliance. He added that they are going to be doing some more follow-up with the facilities who are struggling to deal with the costs as well as those who haven't responded at all.

Other Business

Chairman Brennan suggested that the Public Hearing on the proposed amendments to the WPCA rules and regulations be held before the next WPCA meeting on March 14th.

There being no further business the meeting adjourned at 6:05.

Respectively submitted,
Mariana Corrado
Recording Secretary