

**WATER POLLUTION CONTROL AUTHORITY  
REGULAR MEETING  
TOWN HALL MEETING ROOM B  
WEDNESDAY, DECEMBER 14, 2011**

PRESENT: William Brennan, Al Stauderman, Eric Fanwick, Richard Tomasetti

ABSENT: Andy McNee

OTHERS: Sandy Dennies, (CFO), Tom Thurkettle, (Director of DPW), Mike Ahern, (Field Engineer, DPW), Barbara Schellenberg (Cohen & Wolf), Chris Kerin (Kerin & Fazio, LLC)

**Call to Order**

Chairman Brennan called the meeting to order at 5:02pm.

**Approve Minutes of the November 9, 2011 Regular Meeting**

Mr. Fanwick made a motion to approve the Minutes of the November 9, 2011 Meeting. The motion was seconded by Mr. Stauderman and carried.

**Miller Driscoll School Project Update**

Mr. Thurkettle said that the extension for the sewer line on River Road to Horseshoe Drive has been completed. The cost came in at \$123,220. The extras included some pressure testing, the TV camera, a change in the lateral chimney design and some additional pavement that added up to the extra charges. The original bid was around \$117,000. Mr. Fanwick asked if Mr. Thurkettle felt the extra charges were justified and he said that he did. Chairman Brennan said that the Statement of Requirements had been submitted for the Miller Driscoll School project and the Council on Public Facilities was reviewing it.

**Status of Review of Regulations**

Ms. Dennies said that when they looked at how they would pay for the Miller Driscoll sewer project and applied the formula (in the WPCA Regulations), they realized that it wouldn't pay for the project. Ms. Dennies said that she had invited Barbara Schellenberg from Cohen and Wolf and Chris Kerin from Kerin & Fazio to talk to the Authority about ideas they might consider to see if there is a proposal to revise the Regulations, making it possible to cover the costs of this project and others. She added, that the other areas that Mr. Kerin would be addressing are commercial properties, as they have yet to do an assessment on 40 and 60 Danbury Road and Avalon.

Mr. Kerin said that he had looked at the homes that would be along the Miller Driscoll sewer line and there is a State Statute that says that an assessment cannot be greater than the benefit to that property. He wants to be sure he is not putting an assessment on the properties that would be greater than the benefit those properties will receive as a result of the sewer line.

He said that he had done this and that the average benefit to the properties is \$20,500.

He said that he looked at the assessments, and handed out a document showing what the assessments would be on the various homes, using the formula outlined in the WPCA Rules and Regulations. He said there are 27 homes involved and using the assessment by formula, the average amount would be \$16,500. This would be below the benefit of \$20,500 allowed by the State Statutes. He discussed alternatives to the formula by changing the unit rate or the assessment rate but concluded that the existing formula has been working and recommended not making a change.

He discussed the three commercial properties that he had been asked to look at. He explained that these properties are along existing sewer lines. The properties in question were originally assessed 30 or 40 years ago and the way the law is currently written, you have to assess the property as though it were being constructed when the sewer went into place, which in this case would be 1974. So these properties would be assessed as if they were built in 1974. A brief discussion ensued.

Mr. Kerin said that with regard to commercial properties, every commercial property is different, particularly when you are looking back 30 to 40 years. He added that there is a large gap between what the formula says you can charge a commercial property and what the special benefit is to that property. He said that there had been a discussion on this and the recommendation was to pull out the commercial property from the formula and have them assessed on an ad hoc basis as they come up.

He explained this analysis would work by looking at it as before and after, e.g. what the properties were worth before the sewers and what they were worth after the sewers. He added that for these properties he would look at what they were worth currently and then trend back to the 1974 values.

Mr. Fanwick asked how they would change the Regulations to allow for this change. Ms. Schellenberg said that they were working on refining the language and giving the WPCA discretion to assess up to the maximum amount of the special benefit.

Chairman Brennan suggested inviting the local legislators to the next WPCA Meeting in January to suggest changes that could be made to the State Statutes that would enable municipalities to recover their sewer costs. Ms. Schellenberg agreed, saying that this way the legislators could hear what the problems are and discuss possible solutions.

Chairman Brennan said he would invite Senator Toni Boucher, Representative Gail Lavielle, and Representative John Heatherington to the next meeting and asked Ms. Schellenberg to draft suggested revisions to the Statutes, keeping them as broad as possible, to help with the recovery of sewer costs. The members agreed with this course of action.

Ms. Dennies added that when she receives the bill from Norwalk, the WPCA will need to talk about the user charges, because they need to create a repair and replacement fund that would come from user charges. She explained that the assessment funds can only be used for the acquisition of property or new sewer construction.

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

Mr. Ahern gave an update of the FOG program. He said that so far 48% of facilities had registered and 43% of the total was in compliance.

### **Meeting Calendar for 2012**

Mr. Tomasetti made a motion to approve the proposed WPCA Meeting Calendar for 2012. The motion was seconded by Mr. Fanwick and carried.

There being no further business the meeting adjourned.

Respectively submitted,

Mariana Corrado  
Recording Secretary