

**WATER POLLUTION CONTROL AUTHORITY
TOWN OF SOUTH WINDSOR**

DRAFT MINUTES

WPC FACILITY

1 VIBERT ROAD, SOUTH WINDSOR, CT

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REGULAR MEETING

SEPTEMBER 7, 2021 AT 7:00 PM

Chairman Thomas Ruby called the Regular Meeting to order at 7:00 p.m. The following actions were taken during the September 7, 2021 Regular Meeting.

A. Roll Call

Members Present: Thomas Ruby, Carol Fletterick, Toby Lewis, Bala Ramasamy, and Stephen Wagner

Members Absent: Erik Dabrowski

Alternates Present: Shawn Jacobaccio

Alternates Absent: Vicki Paliulis

Staff Present: Tony Manfre, Superintendent of Pollution Control
Ether Diaz, Recording Secretary

Others Present: John Filloramo, Appellant
Paul Vitaliano, P.E., Project Manager from VHB
Murphy Kandhapa, Applicant
Daniel Jameson, P.E., Project Manager from Design Professionals, Inc.

B. Acceptance of Minutes of Previous Meetings

1. June 6, 2021, Regular Meeting

Motion to accept the minutes of the June 6, 2021 Regular Meeting as amended.

The motion was made by Mr. Toby Lewis and seconded by Mr. Shawn Jacobaccio. Chairman Ruby made a minor grammar correction. The motion carried unanimously.

Motion to recess the regular meeting to convene WPCA Hearing Board.

The motion was made by Mr. Toby Lewis and seconded by Mr. Stephen Wagner. The motion carried unanimously.

The regular meeting was recessed for the members and alternates present to convene as a hearing panel in the matter of a sewer user fee appeal regarding 310 Nutmeg Road, South Windsor, CT.

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C. New Business

1. 15 Burnham Street, Manchester, CT – Approval to Connect

Mr. Paul Vitaliano, P.E., Project Manager from VHB presented the application on behalf of OM Foundation, Inc. Included with the Agenda packet was a Narrative Report for this project (see Exhibit D). This is a proposed approximate 10,000 sf Hindu Temple building located at 15 Burnham Street Extension in Manchester, CT. Mr. Vitaliano explained that all the physical improvements of this project are in the Town of Manchester, however, the wastewater flows to the Town of South Windsor via a 15” sanitary line in Chapel Road. Based on the planned occupancy of 300 people, the anticipated sewer flow would be 300 gallons per day for worship service or a maximum of 1500 gallons per day for a social event. Mr. Vitaliano was seeking approval to connect the proposed property to the Town’s sanitary sewer system.

With regards to the proposed kitchen shown on the plans to be built at a later date, is there a grease and oil separator plan proposed, asked Mr. Jacobaccio. Mr. Vitaliano responded that there isn’t. This matter has been reviewed by the Town of Manchester Fats, Oils, and Grease Coordinator and an external grease/oil separator is not required. However, they will be installing a grease trap unit under the sink.

Mr. Wagner asked Mr. Manfre if the proposed 1500 gallons is an issue with the sewer line. No, responded Mr. Manfre and explained that it will connect to the manhole on Clark Street and then it will be a direct flow to the Treatment Plant.

For point of clarification, Mr. Vitaliano explained that for purposes of calculating the benefit assessment they used the frontage of the site which is in the Town of Manchester. Mr. Manfre responded that the benefit assessment has been calculated based on the fact that this property is on a rural residential zone. He will confirm with the Town of Manchester the zone code for this property and if the property is in a commercial zone the benefit assessment fee will be revised.

Mr. Manfre pointed out that in the June meeting there was a similar potential property located in Manchester and tying into the same sewer line. There’s an intertown municipal agreement with the Town of Manchester where South Windsor can collect the connection charge, capacity charge and benefit assessment charge. This property is in Manchester, however, based on the intertown agreement South Windsor is able to collect those fees.

Motion to approve the connection of 15 Burnham Street, Manchester subject to the following conditions:

1. Technical approval by the Town of Manchester;
2. The sewer line is installed in substantial conformance with the design plans;
3. Project as-builts are provided to the South Windsor Engineering Department;

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4. Payment of the following charges will be due at the time of connection, the rates for which will be in effect until June 30, 2022:
- a. Connection Charge in the amount of \$17,513.90 for 4.3 buildable acres;
 - b. Capacity Charge in an amount of \$8,442.00 for 1 – 1.5” water meter equivalent to 3 EDUs;
 - c. Benefit Assessment for a minimum zone frontage of 200’ in the amount of \$17,000.

The motion was made by Mr. Toby Lewis and seconded by Mr. Shawn Jacobaccio. The motion carried unanimously.

4. Brochure Insert

Included with the Agenda packet was a draft copy of the brochure to be included with the residential sewer bill (see Exhibit E).

Motion to approve the presented brochure with the residential billing.

The motion was made by Mr. Toby Lewis and seconded by Mr. Stephen Wagner. Mr. Wagner expressed that the brochure includes a lot of important information for citizens to know about. The motion carried unanimously.

5. CIP Account Review and Project Close Out

Included with the Agenda packet was a Memorandum dated September 7, 2021 from Mr. Tony Manfre (see Exhibit F) regarding the annual review of the WPCA’s open capital improvement project accounts. Currently there are 8 projects that are open. The total revenue of \$4.4 million, total expenditures is \$2.3 million and there is a total of account balance among all eight projects of \$2,120,663. At this point, Mr. Manfre read the memo into the record.

Motion to balance and close out the following capital improvement project accounts by transferring \$2,858 from the Replacement Reserve to the Plant Outfall account; transferring \$1,230 from the Replacement Reserve to the Manhole Raising account; and transferring \$50,000 from the Pump Station Upgrades account to the Replacement Reserve; and to transfer \$618,948 from the Operating Reserve to the Replacement Reserve.

The motion was made by Mr. Stephen Wagner and seconded by Mr. Shawn Jacobaccio. The motion carried unanimously.

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2. 591 Pleasant Valley Road Davis Subdivision – Approval to Connect

Mr. Daniel Jameson, P.E., Project Manager from Design Professionals, Inc. was in attendance this evening seeking approval to connect a proposed subdivision recently approved by the Planning & Zoning Commission and the Inland Wetlands Commission. Included with the Agenda packet was a Narrative Report for this project (see Exhibit G). This is a proposed subdivision to divide a single residential lot into three new residential lots. Mr. Jameson stated that the proposed development will utilize the existing lot lateral (591 Pleasant Valley Road) for one of the new lots, and add two new lateral connections; one to the sewer main in Pleasant Valley Road and another to the existing cross country sewer main that also ties into the Pleasant Valley Road sanitary main as well.

Mr. Wagner explained that the plans show a paved driveway going over the sewer line. He asked Mr. Manfre how he feels about that. Mr. Manfre responded that it is a private line and he is okay with it as it shouldn't be any difference than having a roadway over the sewer line.

Motion to approve the connection of 591 Pleasant Valley Road, Davis Subdivision subject to the following conditions:

1. Technical approval of the Engineering Dept.;
2. The sewer line is installed in substantial conformance with the design plans;
3. Payment of the following charges will be due at the time of connection, the rates for which will be in effect until June 30, 2022:
 - a. Lot 1 (Original Lot)
 - i. Capacity Charge in the amount in an amount to be determined by the quantity of bedrooms;
 - ii. The benefit assessment and connection charge have previously been paid in full and,
 - b. Lot 2
 - i. Benefit Assessment in the amount of \$4,400;
 - ii. Capacity Charge in the amount an amount determined by the number of bedrooms;
 - iii. Connection Charge in the amount of \$1,255.
 - c. Lot 3
 - i. Benefit Assessment in the amount of \$4,400;
 - ii. Capacity Charge in the amount an amount determined by the number of bedrooms;
 - iii. Connection Charge in the amount of \$1,255.

The motion was made by Mr. Toby Lewis and seconded by Ms. Carol Fletterick. The motion carried unanimously.

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3. 591, 623, & 647 Ellington Road, Pleasant Valley School

Mr. Daniel Jameson of Design Professionals, Inc. was in attendance this evening on behalf of the Town of South Windsor seeking approval to connect the new 102,150 sf Pleasant Valley Elementary School to the town's sanitary sewer system. Included with the Agenda was a copy of the Narrative Report for this project (see Exhibit H).

Motion to approve the connection of 591 Pleasant Valley Road, Davis Subdivision subject to the following conditions:

1. Technical approval of the Engineering Dept.;
2. The sewer line is installed in substantial conformance with the design plans;
3. The WPCA shall waive the Benefit Assessment (\$0.00), Capacity Charge (determined by size and quantity of the water meter(s), and Connection Charge (\$100,063.47) for a Town building.

The motion was made by Mr. Shawn Jacobaccio and seconded by Mr. Toby Lewis.

Mr. Wagner asked if part of this motion is to waive all sewer charges or just the benefit assessment. Mr. Manfre responded that in the past the Authority has waived charges for town facilities.

Mr. Lewis expressed that if the Authority is trying to set standards and be equitable and fair to the citizens, and commercial and private businesses then it seems reasonable for the Town to also have their fair share as part of a process. It doesn't seem appropriate to the Town to add that burden on paying for these schools. We've step up big as citizens to provide an education system and buildings that may already be too small before they were built, said Mr. Lewis and it's the cost of doing business. It seems that they are kind of taking from one pocket and into another but as the WPCA they are trying to provide a foundation in the future for sewage and "not to be good guys all the time and shoot ourselves in the foot". Does that make any sense, he asked. Chairman Ruby responded that it certainly raises the question as to whether the Authority should continue to waive the fees for what he categorized as municipal institutions; the Board of Ed and the Town. The WPCA does not charge them a user fee or connection fees and that's historically been true. However, he has not identified anything in the regulations that authorizes the Authority to do so.

Mr. Wagner pointed out that the Town has been carrying the debt burden for the sewer plant upgrade in 2012 so there's a give and take in that aspect. Previously he has brought the matter up that they can definitely improve the rate structure if they start charging the town for using the sewers but there's that other consideration.

Mr. Jacobaccio stated that it is his understanding that there's a give and take with the town as well when it comes to some services that they pay for the WPCA. Mr. Manfre responded that the Pollution Control Department do partner with the Streets Department. They also assist the Parks and Recreation Department with the pool. The Streets Department will call the Pollution Control Department to check catch basin pipes, storm pipes with the camera system and jet truck. Yes, there's shared resources.

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Do we want to establish clear lines when it comes to each body finances and expenditures or are we comfortable with the way things are which is a give and take, asked Mr. Jacobaccio. He stated that he is comfortable with the give and take as is working well for everyone.

Chairman Ruby explained that the motion being discussed indicates that the Authority is waiving the fees. Whether the Authority would want to change that will be a discussion for another day. If they were to do that, he suggested to have some sort of workshop with the Board of Education and the Town Council to discuss the matter.

With no further discussion, the motion carried unanimously.

D. Communications and Reports

1. Superintendent Report

Mr. Tony Manfre presented his report (see Exhibit I).

Regarding the **Weather Events** reported by Mr. Manfre, Chairman Ruby noted that during the recent weather events the Pollution Control staff did an outstanding job in maintaining the plant and pump stations. In his view they were as prepared as they can possibly be to deal with the primary or secondary incidents, both at the plant and the pump stations. Mr. Manfre added that Mr. Jeff Lemay should be highlighted as well. He did a well job in organizing and planning for the storms. A great deal of gratitude goes to Mr. Lemay and the staff on behalf of the Authority.

Regarding the **Treatment Plant and Collection Systems**, Mr. Wagner asked Mr. Lemay to provide him with the daily flow records for the sewer plant so that he can provide that for the Sustainable CT program. There were no further comments on the Superintendent's Report.

2. Miscellaneous Industrial User General Permit Subcommittee Update

Mr. Tony Manfre explained that the WPCA Subcommittee has been meeting on a monthly basis since April 2021. The Subcommittee consist of Carol Fletterick, Vicki Paliulis, Jeff Lemay and Mr. Manfe. Over the last five months the Miscellaneous Industrial User (MIU) notification policy has been drafted and covers Qualifying Discharges, Effluent Limits, Monitoring and Reporting, WPCA Authority and Obligations, Due Dates, Permit Fees, Reporting Requirement, Violations and Enforcement Actions. Included with the Agenda was a draft copy of the Policy for Administration of the General Permit for Discharges from MIUs (see Exhibit J) and a copy of the Policy Implementation Schedule (see Exhibit K) in an effort to obtain feedback from the Authority and further discuss this matter at the October WPCA meeting. A Public Hearing will need to be held to approve the application and renewal fees. Once the fees are adopted the Policy will be implemented to begin with the permitting system in January 2022.

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Mr. Stephen Wagner asked for more time to review the draft policy and also asked what is it that they are trying to accomplish with the policy. Mr. Manfre explained that this policy has been drafted after the Department of Energy and Environmental Protection (DEEP) transferred their permitting responsibility on the small industrial users on to the towns to maintain their permitting process. They are trying to create a policy that will be sustainable and comprehensive for the potential MIU's.

Mr. Ramasamy asked if this policy is in lieu of the current process. Mr. Manfre responded that currently there's no current process or policy; this is new. Chairman Ruby added that the State passed on the permitting responsibility to the Town and therefore, a subcommittee was formed to implement a permitting process policy.

Chairman Ruby asked if this could be done with the existing resources or do they need to expand staff. I think we could do this with existing resources, said Mr. Manfre.

Mr. Jacobaccio asked how many MIU's are in Town. Mr. Manfre responded that so far he has only received six notifications, however, he believes there's more than six.

Chairman Ruby asked members of the authority to review the draft policy and provide to Mr. Manfre any feedback or comments. This item will be in the October meeting agenda for approval.

3. American Rescue Plan Act Funding

Included with the Agenda was a copy of the letter from Mr. Michael Maniscalco, Town Manager to Chairman Tom Ruby dated August 17, 2021 confirming the allocation of \$2.5 million dollars of federal funds to the WPCA for capital improvements to the Town's sanitary sewer system (see Exhibit L). Included with the Agenda was also a copy of Chairman's response letter to Town Manager Maniscalco (see Exhibit M). Chairman Ruby explained the need to schedule a special meeting to identify and prioritize appropriate projects for the expenditure of the funds.

Motion to accept the allocation \$2.5 million dollars of federal funds to the South Windsor WPCA for capital improvements to the Town's sanitary sewer system.

The motion was made by Mr. Toby Lewis and seconded by Mr. Bala Ramasamy. The motion carried unanimously.

Chairman Ruby called a Special Meeting of the WPCA in the Madden Room on Monday, September 27th at 7:00 pm to discuss and approve the American Rescue Plan Act Fund capital improvement priority list.

E. Public Participation (Items not on the agenda)

None

F. Bills, Change Orders, Disbursements

1. Refund of Sewer Use Payment

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Included with the Agenda was a request from the Tax Office for a refund in the amount of \$336.82 for an overpaid sewer user fees (see Exhibit N).

Motion to approve refunding 134 Woodland Drive \$336.82 for overpaid sewer user fees.

The motion was made by Mr. Shawn Jacobaccio and seconded by Mr. Toby Lewis. The motion carried unanimously.

G. Unfinished Business

1. Review of South Windsor Water Pollution Control Authority Rules and Regulations Section 5.3 – (Discussion – Stephen Wagner).

Included with the Agenda packet was a copy of Section 5.3 of the SW WPCA Rules and Regulations (see Exhibit O). Mr. Stephen Wagner explained that at the May meeting a general discussion ensued regarding the homeowner responsibility to repair their connecting line to the sewer main when it crosses beyond their property to the roadway, which is on town property. The question raised was, is it fair for the town to require an owner to provide repairs for something that happened on town property? The discussion ended with the suggestion for home owners to obtain a linebacker coverage or a sewer line coverage with regards to the property. Mr. Wagner explained that he called his insurance company and it turns out that the linebacker coverage ends at the property line, it will not cover anything past the property line. Therefore, he requested having a general discussion to further review and change the language on the policy whereby the property owner would need to prove that the sewer problem is on the property and not on town property. A discussion ensued identifying a number of concerns regarding the current regulation, ramifications of alteration of the existing arrangements, the practice of other jurisdictions and potential budgetary impacts. A majority of the members present did not believe any changes were necessary.

H. Executive Session

None

I. Adjournment

Motion to adjourn at 9:22 p.m.

The motion was made by Mr. Toby Lewis and seconded by Mr. Shawn Jacobaccio. The motion carried unanimously.

Respectfully Submitted,

Ether Diaz, Recording Secretary

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310 Nutmeg Road, South Windsor, CT

This record of the contested case hearing should be separate from our meeting minutes as it was a separate proceeding. A contested case hearing record is distinct from minutes of a public meeting. While the record is, in fact, public, should it be necessary to revisit any portion of the hearing, or produce an administrative record for further appeal to the Superior Court, a verbatim transcript would need to be produced.

At 7:03 p.m. Chairman Thomas Ruby called the meeting to order as a hearing panel in conformance with Chapel 103 of the CT General Statutes, Town Ordinance 98, and Section 11 of the South Windsor WPCA Rules and Regulations and Sections 176e through 181 of the Connecticut General Statutes. The purpose of this hearing is to consider the appropriateness and accuracy of the calendar year 2020 sewer user fee for 310 Nutmeg Road, South Windsor, CT. Chairman Ruby explained that on August 26, 2021 a pre hearing conference was held between Mr. John Filloramo, Appellant, Mr. Tony Manfre, Superintendent of Pollution Control, and Chairman Ruby for the purpose of identifying and pre-marking exhibits for this hearing. Chairman Ruby provided the Authority with a list of exhibits of which have been marked for id and included in the Agenda packet (see Exhibit A and B). The exhibits have been labeled numerically for Mr. Filloramo and alphabetically for the Pollution Control Department. Each exhibit was identified for the hearing record and confirmed as being present in the packets of the hearing panel members and the respective parties. Without objection Chairman Ruby entered all the documentation as full exhibits for the hearing. Mr. Filloramo and Mr. Manfre were asked to present their case. Mr. Filloramo read his statement into the record and provided a typewritten copy for the record (see Exhibit C).

Mr. Manfre stated the following: The Governors Square Business Center Condominium was created in 1988 as a 36-unit industrial condominium. Condominiums are a legal entity with common ownership. The land and/or the whole building are common areas while the units are owned individually. Using 310 Nutmeg Road as an example, when it was a condominium, there were 4 buildings consisting of 36 units, each unit could have been sold individually. On December 1, 2020 all the units from the condominium complex were removed and it is now owned as a single commercial property with 4 buildings and 36 units but the units cannot be sold individually.

On February 3, 2021 a letter from Attorney David Barry (Exhibit C) was sent to the Town of South Windsor's Assessor's Office, Collector of Revenue, and the Water Pollution Control Authority advising the sale of Governors Square Business Center Condominium to Osprey Associates, LLC and the withdrawal of the property as a condominium. The letter stated that all tax and/or sewer bills should reflect this change going forward. This was around the same time that Commercial/Industrial sewer bills were being prepared. As a result a commercial sewer bill for 36 units in the amount of \$14,940.00 was sent to Governors Square Associates and Mr. Filloramo.

On March 17th a letter from Tony Manfre was sent to Attorney David Barry (Exhibit F) acknowledging the change in the property status and explaining that a revised sewer user bill

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will be sent to his client. The revised bill would charge 310 Nutmeg Road as a condominium with 36 units from January 1, 2020 through December 15, 2020 and beginning December 16th through December 31st the bill will be assessed based upon the average daily flow rate of the property as determined by water usage (178.55 gpd) reported by the Metropolitan District Commission (MDC). Using this formula a revised bill was sent in the amount of \$14,333.53 and this is reflected in (Exhibit H).

The WPCA's Sewer User Rate sheet (Exhibit I) defines the sewer user rate for Commercial/Industrial properties to be \$415 per 79,000 gallons which is also the minimum charge for businesses or condominium units. It is to Mr. Manfre's belief that 310 Nutmeg Road has been billed consistent with the WPCA billing procedures and recommendations to the property owner. Exhibit 5 advises Osprey Associates to reverse the condominium declaration which occurred in December 2020. The bill was prorated from the time of transfer and is in line with the WPCA's review of the account in January of 2018. Moving forward, 310 Nutmeg Road sewer user bill will be based on water consumption as a single commercial property.

At this time Chairman Ruby opened the hearing to any questions from the hearing panel.

Mr. Stephen Wagner asked if there's currently any language in the WPCA policy as to what happens or how bills are to be prorated when the status of a property changes. Is there any wording showing how to do the calculation for the prorated use, he asked. We do not have anything official written down in our documents for that, responded Mr. Manfre and explained that the Assessor's Office in regards to taxes follow the statutory date of October 31st of each year whereby the property won't see the tax benefit until the following October when it's charged for the previous year.

Mr. Wagner asked if there's been similar instances in the past where there's a property change status. No, not like this one, responded Mr. Manfre. However, the property was billed as a condominium through December 15th and then the bill was prorated based on the average water bill for the month.

Mr. Wagner asked Mr. Filloramo if he notified the water company when they changed the property to obtain a meter reading. Mr. Filloramo responded that the meter reading comes monthly from the MDC and no he didn't have a special meter reading.

Mr. Wagner explained that if Mr. Filloramo didn't have a special meter reading done on December 15th, if they were to prorate the fee the only choice is to base it on the average or monthly bill. Mr. Filloramo responded that the monthly bills are subject to the use and they could vary in the course of the year. They determine the tax based on twelve months.

Mr. Wagner also asked Mr. Filloramo to describe how the facility was being used in 2020. Mr. Filloramo explained that the original developer was delinquent to the bank and the property liquidated. He and Osprey Associates were partners in 1992 they purchased the property as such. There was one owner of a unit and ever since it remained that way and the

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rest of the units that were occupied were rental units of which the developer tried to salvage some income to pay his debt. They carried that tradition and continued to use it as rental units. In 2015 or 2016, Mr. Filloramo and Osprey Associates bought out the only owner and three years later Mr. Filloramo bought the property from his partner.

Mr. Wagner asked if in the year 2020 he have any other owners of condominiums and was he renting any of the condominiums. We were renting some, yes, responded Mr. Filloramo.

Mr. Wagner asked if in December 2016 they were operating the same way. Mr. Filloramo responded that they continued to operate the same way as partners, however, the ownership changed and now he's the only property owner.

What defines commercial versus condominiums; who decides that, asked Mr. Bala Ramasami. Mr. Manfre responded that condominiums are declared with the Assessor's Office and on the land records. Currently there's fourteen properties that are listed as commercial/industrial condominiums. On the other hand, the residential condominiums are set up where there is a condo property and each unit can be sold individually; that's separate from apartments where it's owned and managed by a property owner and are rental units. Therefore, that's why the condominiums are treated a little different because there is a potential for ownership, however, the town staff don't know who's occupying each unit. Each unit could be occupied or each unit could be vacant. We don't know, we don't investigate that, said Mr. Manfre. But we are still responsible to provide access to water and sewer, stated Mr. Toby Lewis. That is correct, said Mr. Manfre and explained that the department provides sewer service whether it is used or not and that's why there's a minimum user charge. If the flow exceeds 79,000 gallons then they are charged the half percent that Mr. Filloramo mentioned earlier in his statement.

Mr. Lewis asked Mr. Manfre that what he heard him saying is that they've followed all the procedures and guidelines and appropriate processes set up by the Assessor's Office, the Tax Office and the WPCA rules and there's nothing exceptional about it. Correct, we've prorated the sewer bill in accordance with the transfer of the property being removed as a condominiums, said Mr. Manfre.

Mr. Lewis asked Mr. Filloramo if his appeal is based on the Authority doing something wrong or he's just appealing as a citizen and not to have to suffer the debt of this. Mr. Filloramo responded that he's appealing most in that behalf but second because the WPC bylaws and the WPCA base everything by the amount of water use; the number of gallons used. In going through the 64, 65 pages of the rules and regulations there's nothing that says that the property owner have to segregate the class of the development to a different type of tax. In his opinion the Town of South Windsor is looking for more tax money. I'm a little upset about that, he expressed. Mr. Lewis stated that the policies and procedures were in place before Mr. Filloramo had a partnership for the property and also the same policies and procedures existed during that partnership and continues to exist today. There's no change and that's been true for everyone and that's as fair as they can try to be, said Mr. Lewis.

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Mr. Filloramo explained that they've paid the tax bill since 1992 for everything there. In 2017 he brought this matter up and appealed it. He does not have the amount of water that was used from year to year but it was nowhere near 79,000 gallons times the 36 units. Mr. Lewis responded that his hope is to be fair to him and also to the citizens of the town and be impartial as possible.

Mr. Wagner explained that he has heard two issues on this matter. One issue is whether the Authority have applied the rates structure correctly according to the way the structures is written and given that there's no part of in the regulation explaining how to prorate when a property changes. It seems like that was handled in a reasonable way, and that they've applied their rate structure correctly in a sense. The other issue is whether the rates are fair to business condominium owners which is really a question that has come up every year when the Authority reestablish the sewer rates for the following fiscal year. However, he believes that they've applied the rates correctly according to the rates structure that they approved for fiscal year 2020/2021. He'll like to look at this issue in the near future to discuss whether is fair to charge every doorway on a business condominium the full 79,000 gallons.

There was no further questions at this time. Chairman Ruby asked for a closing statement from Mr. Filloramo and Mr. Manfre. Mr. Manfre closing statement was that they've applied the procedures of the sewer billing as equable as possible. He understands Mr. Filloramo's position. However, in Exhibit I, is the rate structure and specifies business and condo units for \$415 minimum. As soon as the property changed in December 2015 the billing cycle started to be based on the monthly average that is provided by MDC. Thank you for your time, said Mr. Filloramo.

Chairman Ruby informed Mr. Filloramo that the Authority will take a vote on this matter in the October WPCA meeting. Between now and then a draft decision will be developed and circulated to members of the hearing panel for discussion and vote in October. At this point Chairman Ruby closed the hearing.

Motion to reconvene the WPCA Regular Meeting at 7:33 p.m.

The motion was made by Mr. Toby Lewis and seconded by Mr. Shawn Jacobaccio. The motion carried unanimously.