

January 7, 2016
John E. Johnson Jr
11:55 AM

**MEMBERS OF THE WPCA THAT ARE UNABLE TO ATTEND THIS MEETING,
PLEASE CALL ETHER DIAZ, (860) 644-2511, EXT. 243, ON OR BEFORE 4:30 P.M. ON
THE DAY OF THE MEETING**

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

PUBLIC HEARING
COUNCIL CHAMBERS

TOWN HALL

6:30 PM
JANUARY 14, 2016

A G E N D A

1. Proposed sewer assessments for properties on Lawrence Road and Cliffwood Drive.

January 28, 2016 3:10 PM
John Stonoho

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

**MINUTES
COUNCIL CHAMBERS**

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**PUBLIC HEARING
JANUARY 14, 2016 at 6:30 p.m.**

ROLL CALL

Members Present: Richard Aries, Donald Antaya, Zaheer Sharaf, and Richard Siedman

Members Absent: Carol Fletterick, Vicki Paliulis, and William Vees

Alternates Present: Ed Havens, Jr. and Patrick Soucy

Staff Present: C. Fred Shaw, Superintendent of Pollution Control
Ether A. Diaz, Recording Secretary

Public Participation: Michael Smith, 208 Lawrence Road, South Windsor, CT
John Stonoho, 268 Lawrence Road, South Windsor, CT
Wayne Chalmers, 249 Lawrence Road, South Windsor, CT

Chairman Richard Aries called the meeting to order at 6:30 p.m.

1. Proposed sewer assessments for properties on Lawrence Road and Cliffwood Drive.

Chairman Richard Aries explained that the public hearing was conducted to present the proposed sewer assessments for properties located on Lawrence Road and Cliffwood Drive with a reduced interest rate and to provide an opportunity to the public to ask their questions or offer comments. He explained that in 1995 the first petition for sewers on Lawrence Road was submitted to the Authority. The Town at that time did not have the funds with which to extend sewers. The sewers were put in 2010/2011 time frame, after which an initial notice was sent out indicating that sewer assessments were being calculated and a public hearing was held in January 2011. At that public hearing one of the issues that arose was the possibility to review the assessments that have been calculated and reduce the interest rate from 6% to a lower rate. Unfortunately there was a delay in the decision making and in the continuance of the assessment process, said Chairman Aries. However, the interest rate has been reduced from 6% to 2.6% and a list of the proposed sewer assessments was provided to the residents of Lawrence Road and Cliffwood Drive.

Chairman Aries gave a basic background of assessments in general. He explained that they are basically authorized by both State statutes and town regulations which are authorized by state enabling legislation. The Water Pollution Control Authority has been given a variety of powers to make assessments but the State is actually the original statutory. He explained that the whole purpose of the sewer assessments is essentially to fund the sewer system in the town. This is a benefit assessment not a cost assessment, said Chairman Aries and explained that any property owner who is eligible for tax relief for elderly taxpayers may apply to the WPCA for approval of a plan of payment of such property owner's sewer assessment.

The Legal Notice (Exhibit A) was read into the record by Ether Diaz, WPCA Recording Secretary. Chairman Richard Aries opened the public hearing for public participation at 6:40 p.m. The following Town resident addressed their questions and/or concerns to the Authority:

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Mr. Michael Smith of 208 Lawrence Road asked what was the next step in process once the assessments are approved and when will the bill be sent out. Chairman Aries responded that the decision hasn't been made yet but the Authority is contemplating a one or a two payment

billing cycle. Mr. Fred Shaw responded that in the past, there was only one annual payment and was usually based upon a fiscal year basis which is July 1st through June 30th. If there will be two separate payments it will have to be discussed. He also explained that once the Authority approves the proposed assessments it needs to be published in the news paper twice. The first notice have to be published within five days of the decision being made. The approved assessments have to be filed in the Town Clerk's office.

Mr. John Stonoho of 268 Lawrence Road explained that his property is located on the north end of Lawrence Road at the intersection of Cliffwood Drive. He explained that sewers were extended about eighteen years ago on Cliffwood Drive to service his property and the adjacent property across the street. Since then he have connected to the sewer line and have been paying the sewer assessment fees. He explained that when he connected to the sewers he paid a fee and wanted to know how is that going to be translated to the proposed assessment for a frontage on the line for Lawrence Road.

Mr. Fred Shaw explained that the Authority was not aware of that property sewer connection. The Authority was aware that there was a lateral put in on Cliffwood Drive for one of the other properties but not for 268 Lawrence Road. Mr. Fred Shaw explained that the lateral was provided by the developer, and in that case Mr. Stonoho would in any event be due for a sewer assessment as he did connect to the sewer.

Mr. John Stonoho stated that he believes that he paid for the sewer assessment when he connected to the sewer. Mr. Shaw responded that the payment Mr. Stonoho made was for the connection to the sewer but not for the sewer assessment as there is no caveat of sewer assessment against his property for connection to that line that was put in by the developer. However, he should have been assessed at the time of connection. Mr. Shaw explained that an assessment for a sewer installed by the Town is due and payable at the time of installation whether or not the property owner connects to the sewer. But if a developer installs the sewer, the property owner is not required to connect to the sewer and is not assessed until such time as they do connect to that sewer. In this case, Mr. Shaw explained that Mr. Stonoho will be assessed for the rate that was in effect at the time he did connect to the sewer. Mr. Shaw will determine what that rate was and will advise Mr. Stonoho.

Mr. Wayne Chalmers of 249 Lawrence Road asked why it took so long for the WPCA to notify residents of Lawrence Road and Cliffwood Drive of the proposed sewer assessments. Chairman Aries responded that yes at that time upon the completion of the sewers on Lawrence Road and Cliffwood Drive a public hearing was held on January 2011. At that public hearing information was suggested that there was an opportunity to actually lower the interest rate from 6%. The Authority had to look in to that; that was one aspect of the delay, said Chairman Aries. However, unfortunately "it fell through the cracks" to some degree, said Chairman Aries. Chairman Aries apologized on behalf of the Authority for such a delay and explained that the only prejudice he can see from that having occurred is that the

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residents did not have to pay until now and the assessments were not sent out. Chairman Aries asked Mr. Chalmers if he felt he was prejudice in any way as a result of the lengthy delay that because of that he has any kind of additional burden.

Mr. Chalmers responded that no, he do not feel that he have an additional burden, however, he was just curious as because like most home owners having that type of a bill hanging over their head is kind of a heavy weight. Mr. Chalmers also asked if the total assessment due is available for review. Mr. Fred Shaw responded that the interest rate decreased from 6% to 2.6%. The principle didn't change, however, the interest rates has reduced the total assessment. Chairman Aries responded that a list is available listing the proposed sewer assessments for each property including 249 Lawrence Road with the break down of principle, interest rate and what the annual payment would be (see Exhibit B).

Mr. Chalmers explained that he does not understand the formula used to calculate the sewer assessments. He knows what his assessment was going to be in 2011 (\$7,795). He connected to sewer and paid the connection fee which was a substantial payment (\$1,100), said Mr. Chalmers. The sewer tax went up about 120% from what he first paid in the matter of three years. These sewer fees increases were at the time when the economy was poor, said Mr. Chalmers. Chairman Aries responded that during the recession the Authority did lowered the user fees one year and then maintained it; the following year the Authority returned the sewer fees to its prior amount. The Authority has been very sensitive to the need to keep it as low as possible, and each year they do their best to keep it as low as possible in order to run a system that no one ever hears about it or reads about it in the news. The Authority attempts to do a good job to get the proper funding but at the same time keeps a very close eye on their budget in order to maintain the sewer user fees at their lowest possible level.

Mr. Shaw responded that the user fee is still lower than the average throughout the state. He responded that the \$1100 that Mr. Chalmers paid is a one time connection charge that needs to be paid at the time of connection. The fee is paid by everyone that connects to the sewer at the time of connection and it has nothing to do with assessments. The connection charge is not for that short stub of pipe serving an individual lot, but is also intended to cover the down stream cost for the larger pipes that have to carry a greater flow not just from a single house but from many houses, explained Mr. Shaw.

Chairman Aries thanked the public for their comments and their attendance this evening and explained that everyone was welcome to attend the WPCA special meeting this evening as a decision will be made on this subject matter.

Mr. Wayne Chalmers of 249 Lawrence Road returned to expressed that in looking at the proposed sewer assessments, the only change in the payment is only if the property owner is making an annual payment. His principle in the amount of \$7,795 did not change. Chairman Richard Aries responded that the principle hasn't changed, only the interest rate changed from 6% to 2.6%. He explained that he will like to see an additional column on the list of the proposed sewer assessments with the rate at 6% interest so that everyone can compare the difference between the 6% interest rate and the 2.6% interest rate. Mr. Shaw explained that

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the formula for determining the principle balance was based upon the rates in effect back in 2011 which hasn't changed; and that's why the principle hasn't changed. The only thing that has changed is the interest rate and the monthly payments if someone chooses the installment plan.

Mr. Chalmers asked when he should expect some kind of a notice in the mail with the final sewer assessment to be paid. Mr. Shaw responded that it will be very soon, this winter or spring time. It will be based upon when the WPCA decides to make the first payment due date. With no further comments from the public, Chairman Aries declared the Public Hearing closed at 7:02 p.m.

Respectfully Submitted,

Ether A. Diaz
Recording Secretary

Rec. 01/04/2016 @ 11:55am
Theresa E. Samuel, ATC

**LEGAL NOTICE
TOWN OF SOUTH WINDSOR**

Exhibit A

**PROPOSED SEWER ASSESSMENTS FOR PROPERTIES ON
LAWRENCE ROAD AND CLIFFWOOD DRIVE**

Pursuant to Chapter 103 Section 7-250 of the Connecticut General Statutes, notice is hereby given that the South Windsor Water Pollution Control Authority will hold a Public Hearing on Thursday, January 14, 2016 at 6:30 p.m. in the Town Council Chambers in the Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut to establish proposed sewer assessments for properties on Lawrence Road and Cliffwood Drive.

A copy of the proposed sewer assessments will be available January 4, 2016 for review in the Town Clerk's Office in the Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut.

Richard Aries, Chairman
Water Pollution Control Authority

Lawrence Road Sewer Assessments

Dec-15

Residence		Lateral	Base Chg.	Frontage	Total	Annual Payment (15 yrs.@ 2.6%)
#64	Front Line	225				
	Rear Line	230				
	Frontage	227	\$997	\$1,993	7491	\$10,481
						\$831.14
#74	Front Line	111.25				
	Rear Line	90				
	Frontage	102.75	\$997	\$1,993	3366	\$6,356
						\$504.03
#96	Front Line	150				
	Rear Line	150				
	Frontage	150	\$997	\$1,993	4950	\$7,940
						\$629.64
#139	Front Line	175				
	Rear Line	192.68				
	Frontage	181.8	\$997	\$1,993	\$5,973	\$8,963
						\$710.77
#152	Front Line	187.19				
	Rear Line	190.08				
	Frontage	188.346	\$997	\$1,993	6204	\$9,194
						\$729.08
#140	Front Line	186.13				
	Rear Line	184.2				
	Frontage	185.358	\$997	\$1,993	6105	\$9,095
						\$721.23
#190	Front Line	134.47				
	Rear Line	216.17				
	Frontage	167.15	\$997	\$1,993	5511	\$8,501
						\$674.13
#208	Front Line	135.51				
	Rear Line	124.63				
	Frontage	131.158	\$997	\$1,993	4323	\$7,313
						\$579.92

Lawrence Road Sewer Assessments

Dec-15

Residence				<u>Lateral</u>	<u>Base Chg.</u>	<u>Frontage</u>	<u>Total</u>	<u>Annual Payment (15 yrs @ 2.6%)</u>
#220	Front Line	150						
	Rear Line	119.01						
	Frontage	137.604	137	\$997	\$1,993	4521	\$7,511	\$595.62
#232	Front Line	150						
	Rear Line	134.18						
	Frontage	143.672	143	\$997	\$1,993	4719	\$7,709	\$611.32
#278	Front Line	221.42						
	Rear Line	182.94						
	Frontage	206.028	206	\$997	\$1,993	6798	\$9,788	\$776.19
#244	Front Line	150						
	Rear Line	150.59						
	Frontage	150.236	150	\$997	\$1,993	4950	\$7,940	\$629.64
#256	Front Line	150						
	Rear Line	150						
	Frontage	150	150	\$997	\$1,993	4950	\$7,940	\$629.64
#268	Front Line	161.42						
	Rear Line	150						
	Frontage	156.852	156	\$997	\$1,993	5148	\$8,138	\$645.34
#279	Front Line	137.12						
	Rear Line	110						
	Frontage	126.272	126	\$997	\$1,993	4158	\$7,148	\$566.84
#269	Front Line	136.6						
	Rear Line	136.6						
	Frontage	136.6	136	\$997	\$1,993	4488	\$7,478	\$593.01

Lawrence Road Sewer Assessments

Dec-15

Residence

			<u>Lateral</u>	<u>Base Chg.</u>	<u>Frontage</u>	<u>Total</u>	<u>Annual Payment (15 yrs.@ 2.6%)</u>
#259	Front Line	136.6					
	Rear Line	140					
	Frontage	137.96	137	\$1,047	4795	\$7,935	\$629.25
#249	Front Line	136.6					
	Rear Line	130					
	Frontage	133.96	133	\$1,047	4655	\$7,795	\$618.14
#239	Front Line	150					
	Rear Line	150.29					
	Frontage	150.116	150	\$997	4950	\$7,940	\$629.64
#225	Front Line	200					
	Rear Line	195					
	Frontage	198	198	\$997	6534	\$9,524	\$755.25
#215	Front Line	155.44					
	Rear Line	150.59					
	Frontage	153.5	153	\$997	5049	\$8,039	\$637.49
<u>Cliffwood Drive</u>							
#23	Front Line	167					
	Rear Line	169.97					
	Frontage	168.188	168	\$1,048	5880	\$9,023	\$715.52
#33	Front Line	116.84					
	Rear Line	270					
	Frontage	178.104	178	\$1,048	6230	\$9,373	\$743.28

Lawrence Road Sewer Assessments

Dec-15

Residence		<u>Lateral</u>	<u>Base Chg.</u>	<u>Frontage</u>	<u>Total</u>	<u>Annual Payment (15 yrs.@ 2.6%)</u>
#36	Front Line					
	Rear Line					
	Frontage	226	\$1,048	\$2,095	7910	\$11,053
						\$876.50
#43	Front Line					
	Rear Line					
	Frontage	213	\$1,048	\$2,095	7455	\$10,598
						\$840.42
#54	Front Line					
	Rear Line					
	Frontage	193	\$1,048	\$2,095	6755	\$9,898
						\$784.91
#59	Front Line					
	Rear Line					
	Frontage	267	\$1,048	\$2,095	9345	\$12,488
						\$990.30
Assessment Totals					<u>\$172,728</u>	
						<u>\$18,648</u>
Estimate Construction Cost					\$384,803	
Sewer Fund Capital Reserve Expenditure					<u>\$212,075</u>	