

received 09/01/2017 @ 11:30 am
Kari L. Aubrey, ATC

**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**

REGULAR MEETING
MADDEN ROOM, TOWN HALL

AGENDA

SEPTEMBER 5, 2017
7:00 P.M.

- A. ROLL CALL
- B. ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS
 - 1. July 11, 2017, Public Hearing
 - 2. July 11, 2017, Regular Meeting
 - 3. August 1, 2017, Special Meeting
- C. NEW BUSINESS
 - 1. Schoolhouse Drive, 755 Ellington Road (Approval to Connect)
 - 2. 43 Cliffwood Drive, Sewer Assessment (Discussion)
 - 3. Proposed Sewer Benefit Assessment Policy (Discussion)
 - 4. 74 Miller Road, Miller Road Gravity Sewer Extension (Discussion and Decision)
--Design Project (Discussion and Approval)
 - 5. Residential Sewer User Charge Billing FY2017/2018- (Approval to Bill)
- D. COMMUNICATIONS AND REPORTS
 - 1. Vegetative Management Plan Update
 - 2. Frontier Update
 - 3. Staff Achievements
- E. PUBLIC PARTICIPATION (Items not on the agenda)
- F. BILLS, CHANGE ORDERS, DISBURSEMENTS
 - 1. TaxServ/Uncollected Sewer User Charges
- G. UNFINISHED BUSINESS
 - 1. Lien Policy procedure (Review and Discussion)
- H. MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING CLAIMS
- I. ADJOURNMENT

John Z. Archibald, A.T.C.

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A. ROLL CALL

Members Present: Richard Aries, Erik Dabrowski, Carol Fletterick, Toby Lewis, and Patrick Soucy

Members Absent: Donald Antaya

Alternates Present: Ed Havens, Jr. sitting in for Mr. Donald Antaya

Alternates Absent: Vicki Paliulis

Staff Present: Tony Manfre, Superintendent of Pollution Control
Ether A. Diaz, Recording Secretary
Michael Gantick, Director of Public Works

Others Present: Benjamin Wheeler, Design Professionals, Inc.
Bernice Russo, 44 Miller Road, South Windsor
Sebastiano and Grace Matarazzo, 54 Miller Road
Joan Beaudry, 55 Miller Road, South Windsor
Tom Sgroi, 74 Miller Road, South Windsor
Nora Beaulieu, 84 Miller Road, South Windsor
Arthur Williams, 80 Miller Road, South Windsor
Bill Soucy, 43 Cliffwood Drive, South Windsor
Kathleen Daugherty, 12 Roy Road, South Windsor
Eric Slocum, Megan's Doughnuts

Chairman Richard Aries called the meeting to order at 7:05 p.m. The following actions were taken during the September 5, 2017 Regular Meeting of the Water Pollution Control Authority (WPCA).

Mr. Ed Havens, Jr. was appointed to sit in for Mr. Donald Antaya.

B. ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS

1. July 11, 2017 – Public Hearing

Motion was made to accept the minutes of the July 11, 2017, public hearing as presented.

The motion was made by Mr. Patrick Soucy and seconded by Mr. Erik Dabrowski.
The motion carried unanimously

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2. July 11, 2017 – Regular Meeting

There was an error in the Roll Call; members present were also listed as absent. The Recording Secretary was asked to revise the Roll Call.

Motion was made to accept the minutes of the July 11, 2017, regular meeting as amended.

The motion was made by Mr. Ed Havens, Jr. and seconded by Mr. Erik Dabrowski. The motion carried unanimously

3. August 1, 2017, Special Meeting

Motion was made to accept the minutes of August 1, 2017, Special Meeting as presented.

The motion was made by Mr. Ed Havens, Jr. and seconded by Mr. Erik Dabrowski. The motion carried unanimously

C. NEW BUSINESS

1. Schoolhouse Drive, 755 Ellington Road (Approval to Connect)

Mr. Ben Wheeler from Design Professionals presented the application. This is a proposed fourteen unit Designed Residential Development to be located on a private road to be known as Schoolhouse Drive. Mr. Wheeler was seeking to obtain sanitary sewer connection approval. A private sewer main was proposed within the roadway to service the 14 single-family house units. The private sewer main will be maintained by the association of the development, said Mr. Wheeler. The proposed sewer main will connect by gravity to the existing 12" sanitary sewer line located within Ellington Road; and from there it will flow to the Pleasant Valley Road pump station. Mr. Wheeler also explained that over a year ago, this proposed project was preliminary reviewed by Mr. Fred Shaw, Former Superintendent of Pollution Control. At that time, Mr. Shaw had some concerns with the idea of flow to the Pleasant Valley Road pump station. The calculations of the predicted peak flows for this site was provided to Mr. Shaw for his review. At that time Mr. Wheeler received a statement from Mr. Shaw that he was satisfied that the pump station will have the available capacity for this development. This application has not yet received final approval from the Planning and Zoning Commission, however, in order to keep this project moving forward, Michele Lipe, Director of Planning and Tony Manfre decided to put it on the WPCA's agenda for tonight.

Chairman Richard Aries asked Mr. Wheeler what's the status on the approval from the P&Z Commission. Mr. Wheeler responded that with the application, they failed to submit in a timely manner the affordability plan for this project. There was also a

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concern with an abutting neighbor about some storm drainage; however, there was no issues regarding the sanitary sewer involved. Mr. Wheeler explained that they have since submitted the affordability plan and they are working with the abutting neighbor to solve the drainage issue.

Chairman Aries asked Mr. Tony Manfre if he had the chance to see the response letter that was submitted by Mr. Shaw to Design Professionals. Mr. Manfre responded that he had not seen the letter. Mr. Wheeler responded that it was actually an email from Mr. Shaw; he gave a copy to Chairman Aries and Tony Manfre to read. The email was dated June 27, 2016 and reads as follows: "Ben, I reviewed the analysis prepared by Jim Bernardino and I am satisfied that the Pleasant Valley pump station have sufficient reserve capacity to accept flow from the proposed school house project."

Motion was made to approve the connection to the Town's sewerage system for proposed 14 single-family house units to be located on a 550' +/- private drive to be known as Schoolhouse Drive, and as more specifically shown on plans entitled Schoolhouse Drive, 755 Ellington Road, 760 Pleasant Valley Road; Map 24, Lot 164 & 184; South Windsor, CT, Site Plans-Designed Residential Development", Project No. 3574, Sheet No. C-UT1, Dated 6-29-2017, Revisions: 8/11/2017. This approval is subject to the following conditions: it is the responsibility of the development association to maintain the private sewer main and laterals.

The motion was made by Mr. Patrick Soucy and seconded by Mr. Toby Lewis.
The motion carried unanimously

2. 43 Cliffwood Drive, Sewer Assessment (Discussion)

Mr. Bill Soucy of 43 Cliffwood Drive and Ms. Kathy Daugherty of 12 Roy Road were in attendance this evening. Chairman Richard Aries explained that he had met with Andrew Lord, WPCA Attorney, and Mr. Tony Manfre, Superintendent of Pollution Control to discuss this matter. Attorney Lord has submitted a draft preliminary legal opinion (see Exhibit A). Chairman Aries explained that there is a principle involved of having every property owner pay for their fair share of the sewer system benefit; also the WPCA has the authority if is necessarily to put a caveat on the land record for the sewer benefit assessment. However, in this case there was no caveat on the land record to inform of the property owner of such an obligation. Therefore, Chairman Richard Aries recommended to waive and remove any caveats that may now be on the property known as 43 Cliffwood Drive in South Windsor, CT; the WPCA will not be making an assessment on this property.

Mr. Patrick Soucy recused himself from making any decision on this matter; he explained that his family member is involved on this matter.

Motion was made to waive the assessment on property located at 43 Cliffwood Drive and to remove any caveats on the property.

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The motion was made by Mr. Erik Dabrowski and seconded by Ms. Carol Fletterick. Upon a roll call vote, Chairman Aries declared the motion carried with a vote of 5 ayes (Richard Aries, Erik Dabrowski, Carol Fletterick, Ed Havens, Jr. and Toby Lewis) and 1 abstain (Mr. Patrick Soucy).

3. Proposed Sewer Benefit Assessment Policy (Discussion)

Mr. Michael Gantick, Director of Public Works was in attendance this evening. He explained that back in the spring there was discussion about taking a look at the current rules and regulations to change the benefit sewer assessment program. Included with the Agenda, was a draft copy of the proposed changes to the Sewer Assessment Program for review and discussion (see Exhibit B). Mr. Gantick explained that the current benefit assessment process has often been viewed by residents and businesses as confusing to understand and not fair in its distribution of costs. The assessment is calculated based on a "base" fee, a "frontage" fee, and a "lateral fee" which are approved by the WPCA annually. An assessment for a sewer installed by the Town at its expense is due and payable at the time of installation.

The proposed changes are an attempt to clarify, simplify and more equitable distribute the costs associated with connecting to the Town's Wastewater Facilities, said Mr. Gantick. The proposed revised assessment program recommendations is to use the Equivalent Dwelling Unit based system (EDU); this is based upon the Town Assessor's # of bedrooms for residential properties. Also, to use the EDU factor schedule for Commercial and Industrial (see Exhibit A of Exhibit B). Another recommendation is to call the Benefit Assessment a "Capacity Charge" for all new connections to the sewer system not previously assessed. The "Capacity Charge" is to be paid at the time of connection at the prevailing rate (see Exhibit B of Exhibit B). Mr. Gantick explained that this is a system that is used throughout the country and a system that people are going to understand better than the current policy. People can understand that if they have three bedrooms, their impact to the system will be equivalent to those three bedrooms occupied.

Mr. Gantick explained the Assessment options for Town installed sewers (See Exhibit C of Exhibit B). Mr. Gantick also explained that the assessments do not always reflect an equal share of the construction cost among neighbors. For example, Exhibit D of Exhibit B shows Lot 1, a 2-bedroom home paying 23% more than Lot 6, a 5-bedroom home; and paying 28% more than Lot 12, a 5 bedroom home. The current assessment charge formula is also used for the commercial/industrial properties and is irrelevant for the impact it has on the sewer system, said Mr. Gantick. There are large industrial buildings in Town that are charged based on the size of the lot, but it has nothing to do with the impact that they have in the system. On the other hand, there are smaller buildings in Town that have a larger process and impacts the system greater but they are paying less. Therefore, the proposed "Capacity Charge" is an economic development tool and is a fair way to distribute the impact to the Town's sanitary sewer system, said Mr. Gantick.

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Mr. Patrick Soucy stated that he's all for transparency and for people being able to figure out what their "capacity charge" will be, however, he is concerned because the Town does not have a "great track record of adjusting the accounts". For example, he said if he has a house with two bedrooms and refinished the basement, so the house now is a four bedroom house, who's going to adjust that. Mr. Gantick responded that the person will need to obtain a building permit for that purpose; and they'll have to go through the process for building modification. So that's how it'll get captured, said Mr. Gantick.

Chairman Richard Aries explained to residents of Miller Road in attendance this evening that this proposed change will impact them as well. He explained that it became apparent to him that some of the property owners with large property frontage are going to be facing a large assessment fee. Therefore, the Authority is looking to change the system to make it a little more equitable and easier for the town residents who are going to be facing a sewer assessment fee. He explained that there is always going to be one person who really needs sewers badly and a lot of people who don't want to incur the immediate expense. Mr. Gantick explained that the next phase will be to develop the proposed regulations for this change.

Motion was made that before the Authority move to a regulation change, they look at the proposed financial impact for the budget.

The motion was made by Mr. Patrick Soucy. He explained that he is not comfortable with making a change in policy until he knows what the financial impact is going to be. He also explained that yes, it provides citizens who can't afford the upfront cost the opportunity to connect at a later date when is more financially feasible for them, but he asked not to take the Town's aging pump stations and place them in jeopardy.

Mr. Michael Gantick responded that if Mr. Soucy is asking for the financial relatively to any new sewers, there is not a lot of areas where the Town needs to extend sewers in the future. Also, this is not going to do anything but improve the financials moving forward and it will also allow to recapture cost where there's been no assessment on vacant properties, said Mr. Gantick.

Mr. Toby Lewis expressed that the words he heard this evening are fees, revenue, budget, financial, charge, and collect. He asked which of these proposals will serve the Town's citizens the best; which one is the most feasibly and dependable as far as the cost. Mr. Gantick responded that this conversation about looking at this has been going on for a while. Since the spring, members of the Authority talked about looking at a different way of doing this. Currently the sewer assessment charge is based on the frontage of the lot. The proposed system is more understandable and equitable for everyone. Chairman Aries explained that with the proposed change they will be doing the very best promoting the use of sewer system. The current system has a strange calculation of frontage and the resident regardless of whether or not they connect they face an assessment charge. This new method is in large part an attempt to alleviate that problem, said Chairman Aries. He also explained that at the last

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WPCA special meeting, it was mentioned that this Town has been generous compared to other towns with regards to not requiring the sewers to be paid 100% by each resident which it passes through.

A lot of information has been reviewed this evening, said Chairman Aries and asked if there is a way to establish how much of a percentage the assessment paid compared to all other sources of revenue; what is the revenue derived from the assessments. Mr. Gantick explained that Exhibit D of Exhibit B is a comparison of the existing frontage cost distribution versus the proposed EDU. This is based on the number of connections in 2008.

Motion was made to develop the proposed regulations for this change with all the supporting facts for next meeting discussion.

The motion was made by Mr. Patrick Soucy and seconded by Mr. Erik Dabrowski. The motion carried unanimously.

4. 74 Miller Road, Miller Road Gravity Sewer Extension (Discussion and Decision)
--Design Project (Discussion and Approval)

Chairman Richard Aries explained that this matter is on the agenda again to discuss how to proceed forward with this project. The Authority is looking to create a little more equity in the system and to provide a little more relief in terms of no immediate payment requirements now, therefore, they are looking to change the current benefit of assessment policy. The current policy states that the sewer assessment fee is due at the completion date of the project; and the fee is calculated based on a formula that accounts for the frontage of the property. With the proposed change in the policy, the sewer assessment fee will be based on the number of bedrooms in the house and the fee will be due at the time the house is connected to the sewer system. Chairman Aries explained that the property known as 74 Miller Road is having a septic system failure and therefore a remedy is necessary. He also explained that they are trying to find a remedy without having individual connections to sewers and without causing undue hardship to anyone.

Chairman Richard Aries asked Mr. Tony Manfre to discuss the design of the proposed project. Mr. Manfre explained that there is three options in moving forward with this project. Option A is to install a gravity sewer, 450 feet, from Miller Road heading east to Cambridge Drive. This will serve three properties and any other properties that can pump up and connect at a later time. The estimated construction cost for this project is \$67,000; the assessment fee to collect is approximately \$27,000.

Option B is to extend the gravity sewers on Miller Road to service eleven houses from Brightman Circle to the top of the hill by house #99. This would be about 960 feet of sanitary sewer. The estimated cost for this gravity sewer is in the amount of \$192,000, and the assessment fee to be collected is approximately \$125,000.

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Option C is the original plan proposed by the property owners of 74 Miller Road. They are experiencing failure of their septic system, therefore, they proposed installing a private lateral to run from their house and connect to Cambridge Drive.

The issue with this approach is that if in the future the other eleven houses septic system fails, there will be eleven laterals running up Miller Road to Cambridge Drive, said Mr. Manfre. If members of the Authority move forward with Option A or B, the construction will begin in the spring time. If the Town is considering installing public sewer, they need to start testing for ledge in the area because that will drive up the project cost exponentially. Mr. Manfre contacted the WPCA Consultant Engineer, Wright-Pierce to get an estimate cost associated with the surveying of the land (see Exhibit B). He explained that for Option B which is to run sewer from Brightman Circle to serve eleven properties on Miller Road, the surveying cost estimate is \$9,000; the geotechnical which is searching for ledge or potential issues under the ground estimate cost is \$6,000 and the engineering design for the project cost is \$13,300. Write-Price proposes to complete the scope of work with an estimated not-to-exceed fee of \$28,300. These numbers may change as they are based on a recent survey they did for the Town on Sullivan Avenue.

Mr. Patrick Soucy raised concern in referencing to Exhibit B as there is a lot of "asterisk" in the proposal. Therefore, he asked if Wright-Pierce can provide a much firmer estimate than what's presented. He asked if the estimated amount is based on a recent project. Mr. Manfre responded that it is based on the Sullivan Avenue Syphon project which was completed last year. Mr. Soucy responded that this proposed estimated amount will cause significant sewer fee increases. Ms. Carol Fletterick explained that in the letter (Exhibit C) Wright-Pierce proposes to complete said scope of work with an estimated not-to-exceed fee of \$28,200.

Chairman Richard Aries opened the meeting for public participation.

Nora Beaulieu of 84 Miller Road was in attendance this evening. She stated that in the WPCA minutes from previous meetings it is stated that the septic system in place at 74 Miller Road is a health issue. This is a health issue for 74 Miller Road, not for the rest of the neighborhood, said Ms. Beaulieu. Also she explained that the minutes state that there is an option for an engineered system but the property owners of 74 Miller Road opted not to do it because it was costly and a lot of work. Therefore, Ms. Beaulieu asked when did the septic system fail and why are they bringing it up to the table now to rush into a quick decision. Mr. Manfre responded that he does not know the exact date as to when the septic system failed, however, this information may be obtained from the Health Department. He also explained that it is the Health Department that's requiring the property owners of 74 Miller Road to either fix the septic system or connect to the sanitary sewer system. Ms. Beaulieu expressed that she thinks that the septic system failed years ago in which the property owners of 74 Miller Road had time to bring it to the table. Therefore, she and the other neighbors should have sufficient time to obtain and understand the information provided, said Ms. Beaulieu. She still does not know how much the

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sewer assessment is going to be. Ms. Beaulieu recommended to the Authority to allow time to get more information before moving forward with the proposed project. Chairman Richard Aries responded that as mentioned in the previous meeting a letter was going to be sent to every resident stating their sewer assessment fees. Instead, a letter was sent stating that the Authority is going to be considering a change in the sewer benefit assessment policy including calculating the fee. Chairman Aries recommended sending a letter to the residents before the next meeting showing their new capacity charge for their property when it connects to sewer under any proposed change.

Ms. Deborah Migneault of 74 Miller Road was unable to attend this meeting. Her brother, Mr. Tom Sgroi was in attendance this evening. Mr. Sgroi explained that he is the Director of Engineering Department in Greater New Haven and the Liaison to the Water Pollution Control Authority. He applauds the South Windsor WPCA for doing the right thing and looking in this right direction. The fact that the Town of South Windsor is willing to absorb the project cost for many years is a great idea, said Mr. Sgroi; however, he explained that the longer it takes to connect to sewer, the higher the cost is. Mr. Sgroi explained, for the record, that the Health Department has basically condemned the property (74 Miller Road) if it doesn't connect to sewer. He explained that he looked at the option of installing an engineered system, however, it would include bringing in fill to raise the grade 5 feet high in the front of the yard. Nobody in the town wants to have that, and the property owners of 74 Miller Road don't want it either, said Mr. Sgroi. He understand that's not the problem of their neighbors, but he asked them to have some compassion.

If the Authority moves forward with this project, Mr. Sgroi recommended to Mr. Tony Manfre that during the project design look into having a low pressure sewer system instead. This will save money in the short and long term cost. He explained that this is an alternative method, especially for servicing a small amount of houses for sewer. He explained that a low pressure sewer system whereby each property could be connected with a grinder system to a small 2" or 2.5" force main; each property can be connected to one force main that can be very shallow, but it wouldn't require a lot of rock excavation.

Mr. Ed Havens, Jr. asked Mr. Sgroi if he knows the date that the Health Department condemned the property. Mr. Sgroi responded that he does not think there is an official condemned date. However, he does know that his sister has been dealing with septic problems for years. He explained that he can go back and find out the date that his sister had her basement cleaned; however, he feels it's really irrelevant to know when this issue started. Mr. Patrick Soucy responded that he does not think it's irrelevant when the septic system started to fail as this matter was put on the agenda for discussion three months ago, however, the neighbors are just hearing about it now. Mr. Soucy feels that the neighbors should be informed in the same time frame, or a reasonable time frame to explore their options as well. Chairman Richard Aries responded that he does not necessary feel that there is any kind of a

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mathematical precise time whereby "if they had "x" amount of months to deal with the issue, then we should have "x" amount before anything happens". He explained that he is not against the idea of having more knowledge, however, something needs to get done.

Mr. Tom Sgroi expressed that he feels that the septic system failed when the original design was done; when the septic system was put in. It was undersized but yet two variances were issued. Ms. Nora Beaulieu explained that the reason why she wants to know the date that the septic system started to fail is because during the last WPCA meeting, Ms. Debora Migneault commented that she needs to sell her house but can't sell her house. Therefore, Ms. Beaulieu feels that they are putting them under a time frame because they want to sell their house and that's not fair. Chairman Aries responded that he thinks that the other neighbors have the right to know and understand the information, however, he's not sure as to how important it is to know the exact date of when the system failed. He explained that this is a system that started to fail several times and it was fixed several times, but yet the system continues to fail.

Mr. Sgroi asked the Authority to find out if Miller Road is excluded from the sanitary sewer service area map on file at the CT DEEP, and at the CT Planning Conservation Development. If is not excluded, the Authority may be obligated to extend sewers on Miller Road to provide sewer service, said Mr. Sgroi.

Chairman Aries explained that neighbors affected by this project would like to get a very specific idea of how any new changes in the system would affect them and what the cost will actually end up being even if is not an immediate billing situation, but how will it impact them. He pointed out that it is the policy of the WPCA to try to find the opportunities to increase sewers throughout the town as it is a better way to deal with wastewater in his opinion. Therefore, he does not have any problem with moving forward and continuing to explore the options.

Motion was made to move forward and authorize any expenditures.

The motion was made by Mr. Patrick Soucy.

Ms. Joan Beaudrey of 55 Miller Road was in attendance this evening and expressed her concerns. She asked if the Health Department can visit the properties on Miller Road that are still on septic system and inspect the systems to show whether or not they are showing signs of failure. She explained that eight people have signed a petition are not interested in having sewers as they are satisfied with their system now. Chairman Aries responded that is a matter for the Health Department to handle. Mr. Michael Gantick, Director of Public Works responded to Ms. Beaudrey that she can ask the Health Department for a sanitary survey of the area, he also explained to them signs to look for when the system is failing.

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Chairman Aries explained that there will be a caveat on the land record stating that if and when any owner of the property connects to the sanitary sewer, a capacity charge will be assessed at that time with the new proposed policy.

Grace Matarazzo of 54 Miller Road was in attendance this evening. She expressed that she's been living in her property for a very long time and she plans on staying there. However, she has no idea how long her leaching field is going to last. Therefore, she applaud members of the Authority for looking into extending sewer on Miller Road. She likes the option to have sewer in front of her property if and when her leaching field fails she may connect to the sewer.

Chairman Richard Aries moved on to make a decision. Mr. Patrick Soucy explained that as he was thinking on his motion, he was thinking on the fact that there is a family with four children that can't even do laundry in their house, but yet their neighbors will potentially be facing a sewer assessment fees of \$11,000 to \$15,000 which they never anticipated. Therefore, he changed his motion to the following:

Motion to allow consideration of the original request from the resident at 74 Miller Road to run a private lateral that will connect to Cambridge Drive, which will allow the faster resolution for the family living at 74 Miller Road.

Mr. Sebastiano "Paul" Matarazzo of 54 Miller Road was in attendance this evening and asked what would happen if his septic system fails next year, does he need to install a private lateral and pump up to Cambridge Drive as well. Chairman Aries responded that yes, and he will need to do it at his own expense. Mr. Soucy responded that with his motion he is trying to address the concerns of the other residents of the street who are saying that they don't want sewer in the road. Mr. Matarazzo asked again what happens if next year he have problems with the septic system, and it costs him \$50,000, will the neighbors be going to share his cost. Chairman Aries responded that each person will end up having to put their own private lateral at their own expense. Mr. Sgroi responded that his original proposal didn't involve anybody, and he'll be happy to move forward with his plan. There will be a couple of driveways that they are going to have to go through. Also, he explained that he wants something legally written up between the Town and property owners of 74 Miller Road, stating that if the Town move forward with installing sewer on Miller Road within the same year, then the Town will reimburse 33% of the project cost to 74 Miller Road. Chairman Aries responded that his view is that Miller Road eventually will have sewer. It is going to happen because it is right in the heart of town, is a much commuted road that connects to lots of parts to the Town, said Chairman Aries.

Mr. Tony Manfre expressed that he believe that the biggest point of contention is the upfront payment in the benefit assessment fee. Yes, residents of Miller Road in attendance responded. Chairman Aries asked if they approve the proposed assessment charge policy change, will the opposition to the sewers disappear. Yes, residents of Miller Road in attendance responded. Chairman Aries asked members

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of the Authority if there is anybody who doesn't like the idea of postponing the benefit assessment fee collection to until after connection. No one responded, everybody agrees on it. With that said, Mr. Patrick Soucy changed his motion to the following:

Motion was made to approve the proposed design phase engineering services not-to-exceed \$28,200 as described in Exhibit B.

Motion was made by Mr. Patrick Soucy and seconded by Mr. Erik Dabrowski.

Chairman Aries explained that the Authority is going to move forward with the proposed sewer assessment change to be further discussed. More detailed information will be provided to the residents of Miller Road affected by the proposed sewer assessment program change.

The motion carried unanimously.

Motion was made to move to Item E - Public Participation.

The motion was made by Mr. Erik Dabrowski and seconded by Ms. Carol Fletterick. The motion carried unanimously.

E. PUBLIC PARTICIPATION (Items not on the agenda)

Mr. Eric Slocum, property owner of Megan's Doughnuts was in attendance this evening. He explained that his current location is at 400 Chapel Road, however, his lease is up at the end of this month and therefore he was hoping to move in 233 Sullivan Avenue.

Mr. Tony Manfre explained that Mr. Slocum was looking to get into this meeting agenda, however, his request was made after the agenda was sent out. Therefore, Mr. Manfre has asked Mr. Slocum to attend this meeting to request a special meeting. Mr. Manfre explained that the building at 233 Sullivan Avenue is currently connected to the sanitary sewer. This application needs approval from the WPCA as there is a change in nature of waste discharge; Mr. Slocum will be baking 150 dozen doughnuts per day. A three bay sink with a grease trap will be installed at this location. Chairman Aries asked if Mr. Slocum complies with the Fats, Oils, and Grease (FOG) regulations. Mr. Slocum responded that he has a contractor that comes and picks up the grease and dispose of it. Mr. Manfre will be inspecting the installation of the grease trap; he recommended obtaining a list of the vendors collecting and disposing the grease and the location of the disposal site.

Mr. Michael Gantick, Director of Public Works asked if there is an access manhole in the building. He asked Mr. Slocum what's his process for cleaning the materials that don't go down the drain. Mr. Slocum responded that he has a grease trap. Mr. Gantick stated that unfortunately these types of businesses produce sewage with a high total suspended solids

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and BOD that creates some issues at the wastewater treatment facility; therefore, it is preferably to get an access manhole in the building.

Motion was made to add new Item to the Agenda – Item C6

The motion was made by Mr. Patrick Soucy and seconded by Ms. Carol Fletterick. The motion carried unanimously.

6. Megan's Doughnuts, 233 Sullivan Avenue, Change in Nature of Waste Discharge

Motion was made to give conditional approval of the change in nature of discharge of the property located at 233 Sullivan Avenue. This approval is subject to Mr. Tony Manfre's review of the proposed plans and subject to obtaining a list of vendors collecting and disposing the grease and the location of the disposal site. This application is subject to final approval from the WPCA.

The motion was made by Mr. Toby Lewis and seconded by Mr. Erik Dabrowski. The motion carried unanimously.

5. Residential Sewer User Charge Billing FY2017/2018 (Approval to Bill)

Mr. Tony Manfre reported that during the past year there has been an increase of 66 new residential sewer connections and 4 disconnections. There are 91 accounts that qualified for the sewer user discount program costing a total of \$8,662.50.

Motion was made to approve the Residential Sewer User Charge billing list for FY2017/2018 as presented in the Memorandum from Mr. Manfre dated September 5, 2017 attached hereto as Exhibit D.

The motion was made by Erik Dabrowski and seconded by Mr. Patrick Soucy. The motion carried unanimously

D. COMMUNICATIONS AND REPORTS

1. Vegetative Management Plan Update

There has been a change in project managers, said Mr. Manfre. The heavy tree removal in Area 2 is complete and now the contractor is working on Area 2 punch list items. The mowing and vegetation spraying in Area 1 has started. The contract for Phase 2 is almost complete and the Town will be soliciting bid proposals for this project in late September/early October.

2. Frontier Update

Mr. Tony Manfre reported that Frontier's attorney requested information which was provided by the Town's attorney. The Town's attorney is awaiting their response.

3. Staff Achievements

Mr. Tony Manfre reported on three of the WPC staff. He explained that Jared Denardis and Mike Wood passed the CT DEEP Class III wastewater operator exams

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

**MINUTES
MADDEN ROOM**

PAGE 13

**REGULAR MEETING
SEPTEMBER 5, 2017**

which is the 2nd highest level of certification the operators can achieve. It requires 4 years of operational experience; 900 contact hours which are accumulated through course work and classes. Mr. Manfre also reported that Ms. Erin Randi has been recognized by Gateway Community College with the Hall of Fame Alumni award.

The award is "based upon faculty recommendations, leadership displayed in programs and activities during their Gateway academic career, and the knowledge and awareness of alumni accomplishments after leaving Gateway by achieving their educational goals or in the workforce and the community."

F. BILLS, CHANGE ORDERS, DISBURSEMENTS

1. TaxServ/Uncollected Sewer User Charges

Mr. Tony Manfre reported that TaxServ collected a total of \$10,113.95 in July and August. The Constables have collected a total of \$24,988.50 in July and August. Mr. Manfre was asked to obtain a copy of the monthly collection activity been made by TaxServ for discussion at the next WPCA meeting.

G. UNFINISHED BUSINESS

1. Lien Policy procedure (Review and Discussion)

Mr. Tony Manfre reported that Ms. Patty Perry, Director of Finance and Ms. Jennifer Hilinski, Collector of Revenue were unable to attend this meeting. However, he has met with them to discuss caveats and liens. A Standard Operating Procedure (SOP) is being drafted by the WPC and Finance to clarify roles and timelines. The SOP will be further discussed at the next WPCA meeting.

H. MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING CLAIMS

None

I. ADJOURNMENT

Motion was made to adjourn the meeting at 9:25 p.m.

The motion was made by Mr. Ed Havens, Jr. and seconded by Mr. Patrick Soucy. The motion carried unanimously

Respectfully Submitted,

Ether A. Diaz
Recording Secretary

DRAFT

Exhibit A

M E M O R A N D U M

TO: Mr. Anthony Manfre
Superintendent of Pollution Control

FROM: Andrew W. Lord, Esq.

DATE: July 31, 2017

RE: Sewer Benefit Assessment – 43 Cliffwood Drive

This memorandum provides a brief analysis of statutory procedural and notice requirements for establishing benefit assessments to recover capital costs for sewerage system construction in relation to a property located at 43 Cliffwood Drive in South Windsor, Connecticut (the “Property”).

Based on our discussions, I understand that the Town of South Windsor Water Pollution Control Authority (the “WPCA”) constructed a sewer line to serve the Property several years ago. At the time that the sewer was constructed, a dwelling was present on the Property. At some time after construction, the WPCA properly established a benefit assessment for the Property to recover the capital costs of constructing the sewer line, deferred the immediate payment of the benefit assessment, but did not record a caveat of the deferral on the Town of South Windsor Land Records. The purpose of such a caveat would be to provide notice to the current owner and subsequent purchasers that a benefit assessment would be due and payable upon a future event (for example, at the time of transfer of the Property, upon connection to the sewer or upon development of the Property). Please note that I have not reviewed the language of the benefit assessment. The Property is currently served by an on-site septic system and is not connected to the sewer line. The Property was recently sold. Although the seller was aware of the benefit assessment obligation, as evidenced by attendance at WPCA meetings at which the benefit assessment was discussed, that knowledge was, reportedly, not disclosed to the purchaser. The purchaser is now contesting the validity of its obligation to pay the benefit assessment, due to the fact that it was unaware of such an obligation, because there was no caveat on the land records to inform it of such an obligation.

By way of background, benefit assessments are commonly used to recover the capital costs of constructing a sewerage collection and or treatment system. The concept behind the applicable statutes is that each person that is “benefitted” by the system is to be assessed for the value of the benefit. The statutory authority for establishing benefit assessment is defined in Section 7-249 of the Connecticut General Statutes, which states, in part:

At any time after a municipality, by its water pollution control authority, has acquired or constructed, a sewerage system or portion thereof, the water pollution control authority may levy benefit assessments upon the lands and buildings in the municipality which, in its judgment, are especially benefited thereby, whether they abut on such sewerage system or not, and upon the owners of such land and buildings, **according to such rule as the water pollution control authority adopts**, subject to the right of appeal as hereinafter provided (emphasis added).

Thus, it would be allowable for a WPCA to establish a benefit assessment that defers the obligation to pay the benefit assessment until some triggering event, such as the actual connection to the sewer line. However, Section 7-249 also requires the recording of a caveat on the land records in certain specified circumstances. Specifically, Section 7-249 states, in part, that:

The water pollution control authority **shall** place a caveat on the land records in each instance where assessment of benefits to anticipated development of land zoned for other than business, commercial or industrial purposes or land classified as farm land, forest land or open space land has been deferred.

A strict reading of this section of the statute suggests that it only creates a mandatory filing of a caveat in situations where certain types of properties were not developed at the time that the WPCA established the benefit assessment. However, the principle of providing notice to subsequent purchasers of a springing obligation to pay a benefit assessment is discussed in the Connecticut Superior Court case, Silverbrook II LLC v. Water Pollution Control Authority of Orange, (December 29, 1999) ("Silverbrook"), attached. In that case, a developer appealed a benefit assessment levied on the property following the construction of a residential project. The basis for the appeal was that a caveat had not been filed on the land records of the Town to indicate that the property may possibly be subject to a benefit assessment. In a straightforward analysis of Section 7-249, the Court stated that the WPCA had a mandatory obligation to record a caveat on the land records to inform subsequent purchasers of the potential liability associated with a future benefit assessment.

In conclusion, the statute authorizes the WPCA to levy benefit assessments according to such rule as the WPCA adopts. However, the statute **requires** the WPCA to place a caveat on the land records when a benefit assessment for undeveloped land has been deferred. In this case, the land was developed at the time that the benefit assessment was established, but payment was deferred according to the WPCA's rule adopted at the time. Although the facts in this case do not fall squarely into the statutory parameters, an appeal of the benefit assessment on the grounds that a caveat was not filed on the land records would likely prevail, based on Silverbrook and general equitable principles.

If you have any questions or require additional information, please do not hesitate to contact me.

Silverbrook II Llc v. Water Pollution Control Auth. of Orange

Superior Court of Connecticut, Judicial District of Ansonia - Milford, at Milford

December 29, 1999, Decided ; December 29, 1999, Filed

CV 970060623S

Reporter

1999 Conn. Super. LEXIS 3535 *; 1999 WL 1566464

Silverbrook II LLC v. Water Pollution Control Authority
of the Town of Orange

Notice: [*1] THIS DECISION IS UNREPORTED AND MAY BE SUBJECT TO FURTHER APPELLATE REVIEW. COUNSEL IS CAUTIONED TO MAKE AN INDEPENDENT DETERMINATION OF THE STATUS OF THIS CASE.

Disposition: The undersigned Judge Trial Referee finds the issues for the defendant assignee and declares the assessment to be void.

Judges: By Curran, Judge Trial Referee.

Opinion by: Curran

Opinion

REPORT OF REFEREE

The plaintiff herein, Silverbrook II, has appealed from the levy of a sewer assessment by the Water Pollution Control Authority (WPCA) of the Town of Orange. The land which is the subject of the assessment consists of 13.98 acres of land upon which there have been constructed 58 units of elderly affordable housing. It should be noted that the ground lease by which the plaintiff obtains his interest in the property restricts the assigned to that use only.

The subject property is part of a 40+/- parcel of land upon which the Town has constructed a congregate housing project known as Silverbrook I. The parcel in question is subject of a ground lease for 150 years with an option to renew from the Town of Orange to Joseph and Louis D'Amato who immediately assigned the lease to the plaintiff, Silverbrook II. These projects were [*2] part of an overall plan of the Town of Orange to provide

affordable housing.

The property is located in a residential zone and is being constructed as part of a Planned Residential District (PRD). A PRD requires the use of municipal sewers. At the time the sewers were constructed and the Congregate Housing was built, no assessment was levied against the Town of Orange.

Subsequent to the execution of the lease and the commencement of the project, the plaintiff was notified by the WPCA of its intent to levy an assessment against the property. A public hearing was held on October 23, 1997. The WPCA levied a sewer assessment against the subject property in the amount of \$ 43,800.00. It is from this assessment that Silverbrook II has appealed.

The plaintiff relies heavily on the fact that the WPCA failed to place a caveat on the land records that would have alerted any subsequent purchaser of the possibility of a sewer assessment being levied.

Section 7-249 of the Connecticut General Statutes permits the WPCA, upon the completion of any sewer system or portion thereof, to levy a benefit assessment upon the land and buildings especially benefited thereby. The statute [*3] goes on further to permit the assessment of buildings or structures, constructed or expanded, as if they had existed at the time of the initial assessment. Furthermore, "the Water Pollution Control Authority shall place a caveat on the land records in each instance where assessment of benefits to anticipated development of land zoned for other than business, commercial or industrial purposes or land classified as farm land, forestland or open space land has been deferred." Section 7-249 Conn.Gen.Stat.

The court interprets the phrase "shall place a caveat on the land records" to be mandatory. A caveat is defined in Black's Law Dictionary, Fifth Edition, as "Let him beware. Warning to one to be careful." Thus, in this

Silverbrook II Llc v. Water Pollution Control Auth. of Orange

context, a caveat can be deemed to be a warning to a subsequent purchaser of the possibility or likelihood of a sewer assessment being levied against the property.

"In acting pursuant to a law permitting the levying of betterment assessments, however, municipal authorities must adhere strictly to its terms, for any material departure therefrom especially of a jurisdictional nature, is fatal to the validity of the assessment . . . In levying special assessments [*4] . . . due observance of all mandatory and jurisdictional provisions of the applicable law is indispensable. All limitations expressed or implied therein must be strictly observed. If applicable law prescribes the mode of exercising the power, the mode prescribed must be followed or the assessment will be void . . ." *Trivalent Realty Co. v. Westport*, 2 Conn. App. 213 at 217, 477 A.2d 140. (Internal quotations and citations omitted.)

It is clear that the failure of the WPCA to place a caveat upon the land records is prejudicial to the plaintiff. A title search of the land records does not disclose the deferral of any sewer assessment prior to its becoming a party to the lease. Silverbrook II had a right to depend on the Orange Land Records. While it does not constitute a lien on the property, it would have served as a warning of the possibility of a lien, upon the construction of the housing units thereon.

In *Hartford Federal Savings and Loan v. Lenczyk*, 153 Conn. 457, 463, 217 A.2d 694 (1966), the court held that "a sewer assessment caveat is not a lien but merely a warning that a right to perfect a lien would come into existence when the [*5] sewer project is completed. This warning is intended to inform and notify persons who contemplate buying or granting credit on the security of land that the caveat applies to. The caveat warns that the owner of the land will be liable for the payment of sewer assessments; that any unpaid assessment shall constitute a lien upon the land 'and that lien may be recorded . . . in the manner provided by the General Assembly for . . . recording property tax liens.' General Statutes Sec. 7-254. To be effective as a warning, the caveat must of course, be recorded on the land records by the ordinance. It is the policy of our law that all interests in land shall, as far as practicable, appear on the land records so that they may be easily and accurately traced . . . The maintenance of the effectiveness of our registry system requires that one who relies in good faith upon a record title apparently complete shall be protected against any claimed interests not appearing of record of which he has not notice . . ."

Thus, while the caveat would not have constituted a lien against the property, it would however serve as a warning to any purchaser that a right to perfect a lien existed. *Hartford Federal Savings & Loan Assn. v. Lenczyk*, 153 Conn. 457, 463, 217 A.2d 694. [*6] By failing to place a caveat upon the land records, the defendant had a right to assume that no such assessment would be forthcoming. Were he to find such a caveat, he would have been able to take such a cost into consideration at the time he purchased the assignment of the lease.

The undersigned Judge Trial Referee finds the issues for the defendant assignee and declares the assessment to be void.

The Court

By Curran, Judge Trial Referee

End of Document

Proposed Changes to the Sewer Assessment Program

Purpose

The current benefit assessment process has often been viewed by residents and businesses as confusing to understand and not fair in its distribution of costs. The changes described herein are an attempt to clarify, simplify and more equitably distributed the costs associated with connecting to the Town's Waste Water Facilities (which includes the collection sewer system, the pump stations, and the Waste Water Treatment Facility).

Current Assessment Program

The current assessment program consists of a front footage assessment formula for properties per Section 14 of the WPCA Rule and Regulations. The Assessment includes a "Base" fee, a "Frontage" fee and a "Lateral" Fee which are approved by the WPCA annually. The payment of these fees is due at times and for situations as described in Section 14.6 of the WPCA Rules and regulations.

Proposed Revised Assessment Program Recommendations

- Use the Equivalent Dwelling Unit based system(See Exhibit A)
 - EDU based upon Town Assessor's House # of Bedrooms for residential
 - EDU based upon schedule as shown in Exhibit A for Commercial and industrial
- Call revised Benefit Assessment a "Capacity Charge" for all new connections to the sewer system not previously assessed (See Exhibit B for Capacity Charge Fee Summary).
 - "Capacity Charge" to be paid at the time of connection at the prevailing rate
 - Rates adjusted annually based upon CPI
- Town Installed Sewers(See Exhibit C for Assessment Options) :
 - Option 1- would be to implement fee based upon "Capacity Charge "(use the EDU cost distribution formula) paid at time of connection at CPI adjusted rate
 - Option 3- would be to charge the traditional Benefit paid at time of connection at CPI adjusted rate
 - See Exhibit D for Example of Actual Benefit Assessment versus Proposed EDU Capacity Charge Method for Town Installed Sewer

	Frontage Method*		EDU # Bedrooms Method*		Equal Cost Share	New Straight EDU Method		EDU 66% Recovery	EDU 75% Recovery	EDU 100% Recovery
	Frontage	SIF	# Bedrooms	SIF			SIF	SIF	SIF	SIF
	227	\$11,088	2	\$5,522	\$13,733		\$6,464	\$ 5,545	\$ 6,301	\$ 8,402
	102	\$6,713	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	150	\$8,393	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	188	\$9,723	4	\$11,043	\$13,733		\$10,774	\$ 11,090	\$ 12,602	\$ 16,803
	185	\$9,618	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	167	\$8,988	5	\$13,804	\$13,733		\$12,929	\$ 13,862	\$ 15,753	\$ 21,004
	131	\$7,728	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	137	\$7,938	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	143	\$8,148	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	206	\$10,353	4	\$11,043	\$13,733		\$10,774	\$ 11,090	\$ 12,602	\$ 16,803
	150	\$8,393	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	150	\$8,393	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	156	\$8,603	5	\$13,804	\$13,733		\$12,929	\$ 13,862	\$ 15,753	\$ 21,004
	126	\$7,553	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	136	\$7,903	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	137	\$7,938	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	133	\$7,798	2	\$5,522	\$13,733		\$8,619	\$ 5,545	\$ 6,301	\$ 8,402
	150	\$8,393	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	198	\$10,073	4	\$11,043	\$13,733		\$10,774	\$ 11,090	\$ 12,602	\$ 16,803
	153	\$8,498	4	\$11,043	\$13,733		\$10,774	\$ 11,090	\$ 12,602	\$ 16,803
	168	\$9,023	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	178	\$9,373	4	\$11,043	\$13,733		\$10,774	\$ 11,090	\$ 12,602	\$ 16,803
	226	\$11,053	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	213	\$10,598	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	193	\$9,898	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
	267	\$12,488	3	\$8,282	\$13,733		\$8,619	\$ 8,317	\$ 9,452	\$ 12,602
Collected Project Charge		\$173,932	85	\$173,932	\$357,058		\$180,598	\$ 235,662	\$ 267,798	\$ 357,064
% of Actual Costs		49%		49%	100%		51%	66%	75%	100%

Sewer Impact Fee-SIF
Note: Costs recovered by respective method equal to current Benefit Assesment Method*
The % of actual cost shown is for the SIF minus the base charge

Exhibit A
EDU Based Calculation Table

USE	Residential		Commercial	Office	Restaurant		Industrial	
	Single Family	Multi family*						
EDU Size	SF Floor Space	# Bedrooms	SF Floor Space	SF Floor Space	Seats		Water Meter Size	EDU Ratio
0.75	<1400	2 or less						
1	1400 to <2000	3	< 5000	< 5000	< 20		<1 inch	1
1.25	2000<3000	4					1	2.5
1.5	3000 and above	5					1.5	5.8
2		6	5K to <16 K	4K to <16K	20 to <50		2	10
3		7 to 9	16K to <20K	16K to <24K	50 to< 80		3	23
4		10 to 12	20K to <32K	24K to <32K	80 to <110		4	41
5		13 to 15	32K to <44K	32K to <40K	110 to < 140		6	92
6		16 to 18	44K to <56K	40K to <48K	140 to <170		8	164
7		19 to 21	56K to <68K	48K to <56K	170 to < 200		10	253
8		22 to 24	68K to <80K	56K to <64K	200 to < 230		12	364
9		25 to 27	80K to <92K	64K to <72K	230 to< 260			
10		28 to 30	92K to <103K	72K to <80K	260 to < 290			
10 plus		1 per 3 BRM'S over 30	1 per 10,000 SF over 103K SF	1 per 8,000 SF over 80k SF	1 per 30 seats over 230 seats			

EDU=Equivalent Dwelling Unit

EDU Ratio=ratio of the cross-sectional area of pipe size relative one residential water meter size(less than 1 inch)

Capacity charge = base charge +(150 ft* \$40/ft) -Should it be revised?

* - should this include Apartments, Hotels, Long Care Facilities(considered Commercial under Zoning)?

9/1/2017

Exhibit B

Exhibit B
Connection to Sewer Fee Summary Table

	Connection to Sewer Senario	Connection Charge	Capacity Charge	When Paid
1	Town Installed Sewer-new	Yes	Yes*	At Time of Connection
2	Town Installed Sewer-no previous Assessment	Yes	Yes	At Time of Connection
3	Previously Town Installed Sewer with Previous paid Assessment	Yes	No	At Time of Connection
4	Developer Installed Sewer- Connect during construction	Yes	Yes**	At time of Connection
5	Developer Installed Sewer- Connect after Town Takes over	Yes	Yes	At Time of Connection
6	Modification of building size and/or use	No	Yes	At Time of building Modification
7	Developer Costs to Connect Sewer to Town Sewer Main	Yes	No	At Time of Connection to Town Sewer Main

* see Options for Town Installed
sewer Exhibit C

** - Only base Charge

Exhibit B

Exhibit C

Assessment Options for Town Installed Sewer Project

Option	Description	Formula for Assessment	Comment
1	Home Owners share equally all the costs (design, inspection, construction) associated with the extension of the sewers	a.) (Total Costs ÷ by the number of houses) + Base Charge b.) (Total Costs ÷ by EDU)+ Base Charge	Town Recovers 100% of costs
2	Home Owners share equally a percentage (predetermined by the WPCA) of all costs associated with the extension of sewers	(Total Costs of sewer extension X percentage) ÷ (number of houses) + Base Charge	Town only recovers a percentage of Total Costs
3	Home Owners pay the prevailing EDU plus equally share the difference between the Total Cost Percentage in Option 2 and the the EDU charge from all houses	EDU Charge + [(Total Costs X Percentage)-(Total EDU value for all houses)] ÷ Number Houses	Town may only recovers a percentage of Total Costs
4	Home Owners pay the prevailing EDU	EDU Charge only	Town only recovers a percentage of the Total Costs

Exhibit B

Exhibit D Assessment/Capacity Charge Comparisons

Lot #	Current Frontage Method*		EDU # Bedrooms Method*		Equal Cost Share	New Straight EDU Method
	Frontage	Fee	# Bedrooms	Fee		Fee
1	227	\$11,088	2	\$5,522	\$13,733	\$6,464
2	102	\$6,713	3	\$8,282	\$13,733	\$8,619
3	150	\$8,393	3	\$8,282	\$13,733	\$8,619
4	188	\$9,723	4	\$11,043	\$13,733	\$10,774
5	185	\$9,618	3	\$8,282	\$13,733	\$8,619
6	167	\$8,988	5	\$13,804	\$13,733	\$12,929
7	131	\$7,728	3	\$8,282	\$13,733	\$8,619
8	137	\$7,938	3	\$8,282	\$13,733	\$8,619
9	143	\$8,148	3	\$8,282	\$13,733	\$8,619
10	206	\$10,353	4	\$11,043	\$13,733	\$10,774
11	150	\$8,393	3	\$8,282	\$13,733	\$8,619
12	150	\$8,393	3	\$8,282	\$13,733	\$8,619
13	156	\$8,603	5	\$13,804	\$13,733	\$12,929
14	126	\$7,553	3	\$8,282	\$13,733	\$8,619
15	136	\$7,903	3	\$8,282	\$13,733	\$8,619
16	137	\$7,938	3	\$8,282	\$13,733	\$8,619
17	133	\$7,798	2	\$5,522	\$13,733	\$8,619
18	150	\$8,393	3	\$8,282	\$13,733	\$8,619
19	198	\$10,073	4	\$11,043	\$13,733	\$10,774
20	153	\$8,498	4	\$11,043	\$13,733	\$10,774
21	168	\$9,023	3	\$8,282	\$13,733	\$8,619
22	178	\$9,373	4	\$11,043	\$13,733	\$10,774
23	226	\$11,053	3	\$8,282	\$13,733	\$8,619
24	213	\$10,598	3	\$8,282	\$13,733	\$8,619
25	193	\$9,898	3	\$8,282	\$13,733	\$8,619
26	267	\$12,488	3	\$8,282	\$13,733	\$8,619
Collected Capacity Charge		\$234,668	85	\$234,668	\$357,058	\$241,334
% of Actual Costs		66%		66%	100%	68%

Note: Costs recovered by respective method equal to current Benefit Assessment Method*



August 29, 2017
W-P Project No. MCWWCT

Mr. Anthony Manfre, Superintendent Pollution Control
Town Hall
1540 Sullivan Avenue
South Windsor, CT 06074

Subject: Miller Road Gravity Sewer Extension
Proposal for Final Design Phase Engineering Services

Dear Mr. Shaw:

As discussed, the South Windsor Water Pollution Control Authority (WPCA) wishes to proceed with the design of a sewer extension from an existing manhole on Brighton Circle approximately 190-feet to Miller Road and then east up Miller Road approximately 770 feet to a manhole between #99 and #94 Miller Road. This sewer extension will serve a potential of 13 properties. This letter presents our proposed scope and budget to prepare contract drawings and specifications for the installation of approximately 960-feet of 8-inch gravity sewer including a site survey and subsurface geotechnical evaluation.

Our proposed scope for the preparation of a "bid-ready" set of contract document includes the following tasks:

Scope of Services

During the Final Design Phase, the ENGINEER shall:

- A. Prepare Final Design Documents consisting of final design criteria, drawings and specifications, and incorporate into construction Contract Documents.
- B. Coordinate and perform necessary field survey, sill elevations, topographic and utility mapping of approximately 1,200 linear feet of roadway along Miller Road and Brighton Circle for design purposes. This work will be subcontracted out to JR Russo at cost with a 5% mark-up.
- C. Coordinate and perform two soil borings and up to five geo-probes along the proposed sewer route to determine subsurface soil conditions and the presence of ledge for design purposes. Actual amount will be determined by how many probes can be conducted in one work day by the driller. This work will be subcontracted out to either Haley and Aldrich or Clarence Welti Associates at cost with a 5% mark-up.

- D. Prepare a construction sequencing plan including the development of contract allowances for ledge removal and traffic control requirements.
- E. Prepare and submit local permit applications that may be required to conduct the work including.
- F. Coordinate with the South Windsor Public Works Department to ensure that their respective roadway restoration requirements are included within the design if required.
- G. Prepare for review and approval by CLIENT, its legal counsel and other advisors, contract agreement forms, general conditions and supplementary conditions and (where appropriate) bid forms, invitations to bid and instructions to bidders (all of which will be generally consistent in form and substance with the forms and pertinent guide sheets prepared by the Engineers Joint Contract Documents Committee) and assist in the preparation of other related documents. Standard EJCDC front end specifications will be utilized.
- H. Furnish drafts of the Drawings and Specifications to, and review them with, CLIENT at the 60%, 90% and 100% submissions.
- I. Assist the CLIENT with public meetings, as desired.
- J. Make such revisions to the Construction Contract Documents as may be necessary to comply with State or CLIENT requirements.
- K. Submit four (4) copies of the final documents, Drawings and Specifications and a final construction cost estimate after receiving the CLIENT's and all other reviewing agencies comments.
- L. Determine the scope and fee for subsequent phases of the project including bidding, construction administration and field inspection services if desired.

Proposed Fee

Wright-Pierce proposes to complete the above scope of work on a time-charge basis with an estimated not-to-exceed fee of \$28,300.00 without written authorization from the Town of South Windsor.

Task Description	Fee
Engineering Services	
• Survey Subcontractor	\$ 9,000 **
• Geotechnical Subcontractor	\$ 6,000 **
• Engineering Design	\$13,300
Total Estimated Fee =	\$28,300

** - Estimate Only

Mr. Anthony Manfre, Superintendent Pollution Control
August 29, 2017
Page 3 of 3



If the scope and fee presented in this letter are acceptable, we can obtain firm quotations from the survey and geotechnical subcontractors for this work and prepare a draft agreement on this project with more accurate numbers for review and approval by the Town. Should you have any questions or desire additional information, please call Dennis Dievert or me at 860-343-8297.

Sincerely,
WRIGHT-PIERCE

Christopher Pierce, PE
Vice President
Chris.Pierce@Wright-Pierce.com

Cnp/bls

Enclosures

cc: Michael Gantick, P.E., Director of Public Works
All WPCA Members

Memorandum

To: Water Pollution Control Authority

From: Anthony E. Manfre, Pollution Control Superintendent

Date: September 5, 2017

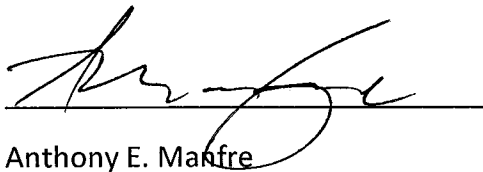
Re: FY 2017/2018 Residential Sewer User Charge Billing List

During the past year there has been an increase of 66 new residential sewer connections and 4 disconnections.

The proposed residential sewer billing list includes 8,327 accounts grossing \$3,228,995 in revenue.

There are 91 accounts that that qualified for the sewer user discount program costing a total of \$8,662.50.

The anticipated net revenue from residential sewer users for fiscal year 2017/2018 is \$3,220,332.50.

A handwritten signature in black ink, appearing to read 'A. Manfre', is written over a horizontal line.

Anthony E. Manfre
Superintendent of Pollution Control