

Received 01-08-2018 @

12:10 pm

Donna L. Bentley, 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***

**SPECIAL MEETING
SPRENKEL ROOM**

REVISED AGENDA

**7:00 P.M.
JANUARY 9, 2018**

-
- A. ROLL CALL
 - B. ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS
 - 1. December 5, 2017, Regular Meeting
 - C. NEW BUSINESS
 - 1. Evergreen Crossing Retirement Community, (Approval to Connect)
 - 2. Carla's Pasta, 50 Talbot Lane – Request to Increase Flow Rate (Approval)
 - 3. Miller Road Gravity Sewer Extension Design (Set Time and Place for Public Hearing)
 - 4. Reallocate Capital Improvements Funds (Approval)
 - 5. Update Rules & Regulations Section 6 and Section 9.
 - D. COMMUNICATIONS AND REPORTS
 - 1. Tax Serv Collection (Update)
 - 2. Review of the Sewer User Surcharge Rates for Excessive Solids
 - 3. Town Council Subcommittee to review the user charge billing format
 - E. PUBLIC PARTICIPATION (Items not on the agenda)
 - F. BILLS, CHANGE ORDERS, DISBURSEMENTS
 - G. UNFINISHED BUSINESS
 - 1. Election of Officers
 - 2. Proposed Sewer Benefit Assessment Revision (Discussion and Set Time and Place for Public Hearing)
 - 3. TaxServ Demand and Notice of Intent to Foreclose (Resolution)
 - H. MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING CLAIMS
 - I. ADJOURNMENT

received January 26, 2018 @ 4:10 pm
Kim L. Adams, ATC

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

**MINUTES
SPRENKEL ROOM**

**SPECIAL MEETING
JANUARY 9, 2018, 7:00 PM**

A. ROLL CALL

Members Present: Carol Fletterick, Toby Lewis, Donald Antaya, Richard Aries, Erik Dabrowski

Members Absent: Patrick Soucy

Alternates Present: Edward Havens, Jr

Staff Present: Anthony Manfre, Superintendent of Pollution Control
Donna Thompson, Recording Secretary for Ether Diaz

Others: Mark Grocki, P.E., VHB
Neil Hickey, PE, Fuss & O'Neill
Christopher Ecsedy, P.E., LEP., Fuss & O'Neill
Sergio Squatrito, Carlas Pasta
Michael Gantick, Director of Public Works
Councilor Andrew Paterna
Councilor Mary Justine Hockenberry
John Sandburg, 139 Lawrence Road

Chairman Richard Aries called the meeting to order at 7:02 p.m. The following actions were taken during the January 9, 2018 Special Meeting of the Water Pollution Control Authority (WPCA).

Chairman Aries appointed Mr. Ed Havens, Jr. to be seated for Mr. Patrick Soucy.

B. ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS

1. December 5, 2017 Regular Meeting

One minor grammar correction was made to the minutes.

Motion was made to accept the minutes as corrected.

The motion was made by Mr. Ed Havens, Jr. and seconded by Mr. Toby Lewis. The motion carried unanimously.

C. NEW BUSINESS

1. Evergreen Crossing Retirement Community (Approval to Connect)

Mr. Mark Grocki, Senior Engineer at VHB was in attendance this evening seeking approval to connect to the Town's sanitary sewer system for the Evergreen Crossing Retirement Community located at Hemlock Avenue and Buckland Road in South

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Windsor, CT. The proposed development includes the construction of an approximate 68,400 sq Senior Independent Living Facility building (130 units) with three floors totaling 183,682 sq.

Mr. Grocki explained that the building will be fitted with an emergency generator for the entire site (building & pump station) in case of an emergency. The pump station will be armed with a dual alarm system in case of failure or in need of repair. The sanitary sewer effluent is proposed to exit the building through an 8-inch gravity PVC pipe at a 1% slope to the pump station; from the pump station, the effluent will be pumped through a 4-inch force main to an existing sanitary sewer manhole within Hemlock Avenue. The approximate total daily sewer flow is 15,000 gallons. Also, they are proposing two (2) 1,000 gallon grease interceptors in the kitchen, said Mr. Grocki.

Chairman Richard Aries asked if there will be any medical amenity units as part of this proposed development. In the building itself, there will be no direct medical facility, said Mr. Grocki.

Mr. Tony Manfre asked for a copy of a 20' access easement from Hemlock Avenue to SMH 2 as depicted on the site utility plans.

Mr. Chairman Richard Aries asked Mr. Manfre if the estimated flow of 15,000 gpd is a reasonable parameter for the applicant to inform the WPCA if it exceeds. Would Mr. Manfre be able to capture the over flow or will it be the responsibility of the applicant to inform the Town of such. Mr. Manfre responded that a flow meter needs to be installed in the proposed manhole as described.

Mr. Grocki explained that the sewer flows (15,000 gpd) for the proposed development have been estimated based on the TR-16: Guides for the Design of Wastewater Treatment Works (Source 1), estimated sanitary flows from a similar Independent Senior Living Facility located in south Portland, ME (Source 2) and the Connecticut Public Health Code (Source). The calculations for the approximate total daily flow are included within the tables in Exhibit A.

Chairman Aries asked if at this point the applicant is required to install meters to monitor the estimated flow. Mr. Manfre responded that at this point he's not requiring a flow meter. If he sees an increase flow, the applicant will be required to put a flow meter in and monitor the flow.

Motion to approve the proposed connection to the Town sewerage system for ±183,682 sf senior independent living facility located at TAMARACK DRIVE. This approval is subject to the following conditions:

1. A copy of a 20' access easement from Hemlock Avenue to SMH 2 as depicted on the site utility plans.

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2. The sewer lateral, pump station and force main will be maintained by property owner up to the point of discharge to the public sanitary sewer,
3. Generator backup for the private pump station,
4. Provide maintenance plans and contact information for pump station and oil/grease separator,
5. Wastewater pollutant levels shall conform to Town discharge limits,
6. Discharge flows shall not exceed 15,000 gpd without WPCA approval,
7. A connection charge of \$3,845/buildable acre or applicable rate at time of connection,
8. A lateral charge of \$1,167 or applicable rate at time of connection.

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

2. Carla's Pasta, 50 Talbot Lane – Request to Increase Flow Rate (Approval)

Mr. Tony Manfre reported that some laboratory testing was performed recently whereby the flow rate for Carlas Pasta existing location has increased as the production has increased while the additional site is been constructed.

Neil Hickey, PE of Fuss & O'Neill and Chris Ecsedy, of Fuss and O'Neill was in attendance this evening and represented the applicant, Mr. Sergio Squatrito. Mr. Ecsedy explained that Carla's Pasta production has increased along with their flow, the Biochemical Oxygen Demand (B.O.D.) and the Total Suspended Solids (TSS). They are in the process of working with Carla's Pasta to get a new general permit with the State of CT Department of Energy and Environmental Protection (DEEP). He explained that the new general permit allows for higher flows, Suspended Solids and B.O.D. Mr. Neil Hickey and Mr. Ecsedy were seeking approval from the WPCA as is one of the requirements of the general permit to accommodate the increased flow.

Mr. Manfre explained that this application is regarding the existing facility and is for approval to accept the increase in flow. The flow rate is currently 170,000 gpd; which is 45,000 gpd over the discharge limit, said Mr. Manfre. Carla's Pasta has increased their grease trap cleaning to once every two weeks. The Treatment Plant is experiencing an increase of BOD and TSS. To bring Carla's Pasta in compliance, Mr. Manfre recommended a temporary approval for increase of flow requiring monthly discharge monitoring report, 24 hour composite. This will allow a twelve month calculation of what's coming out of the existing site. Mr. Manfre explained that other businesses in Town do submit to the Pollution Control Office monthly reports for monitoring purposes as well.

Mr. Sergio Squatrito of Carla's Pasta was also in attendance this evening and explained that once they use the new site, the existing site will be used much less, therefore, this flow is expected to decrease. He explained that the production has increased and they are cleaning the great trap every other Sunday.

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Mr. Neil Hickey explained that under the new general permit required by DEEP, Carla's Pasta will be required to do a quarterly sampling. So that's something that they will be doing anyway, not sure if month to month sampling is necessary.

Mr. Donald Antaya asked if there is additional B.O.D. that is going into the system now and causing problems at the treatment plant. Yes, said Mr. Manfre and explained that they have seen an increase of B.O.D. and TSS at the treatment plant and that's one reason he would like to pursue this matter.

Mr. Antaya asked if this causing any problems for the plant itself. Mr. Manfre responded that the loading is coming up. "We reached the 90% point of our loading capacity", stated Mr. Manfre. Therefore, they will need to start looking into means of upgrading the plant, or try to approach the industrial and commercial sites to try to reduce the B.O.D./TSS at the source.

Chairman Richard Aries explained that he's concerned enough that at this point he'll recommend a month to month reading than the quarterly readings. Chairman Aries stated that this item will be put on the Agenda in May for further discussion of this matter.

Motion to give a twelve month approval for the request to increase the flow rate from the existing facility that discharges into Talbot Lane and is located at 50 Talbot Lane. This approval is subject to the following conditions:

1. Discharge flows shall not exceed 170,000 gpd;
2. Provide a monthly 24 hour representative composite discharge report to the Town that includes sampling results of the flow, pH, Total Suspended Solids and Biochemical Oxygen Demand;
3. Clean oil/grease trap every two weeks;
4. Report back to WPCA after 12 months for final approval; and
5. Report back to WPCA in May.

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

3. Miller Road Gravity Sewer Extension Design (Set Time and Place for Public Hearing)

Mr. Tony Manfre explained that this matter was previously discussed at the last WPCA meeting whereby Mr. Manfre and Wright-Pierce has recommended the construction of a gravity sewer main into the public system. Mr. Manfre was seeking approval to hold a Public Hearing on February 6, 2018 at 6:30 p.m. to present the preliminary design plans for this project.

Mr. Donald Antaya expressed concerned on whether or not the homeowner on Miller Road with the septic tank failure will be on board with the proposed design.

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Mr. Manfre responded that he has previously spoken with Mr. Tom Sgroi the brother of the home owner, and he was recommending the installation of a low-pressure sewer system. Mr. Manfre explained that although this is less money upfront for the property owners, a burden is placed on the homeowner to operate and maintain the pumping system.

Motion to hold a Public Hearing on February 6, 2018 at 6:30 pm for the extension of a gravity sewer system on Miller Road between Brightman Circle and Cambridge Drive.

The motion was made by Mr. Donald Antaya and seconded by Mr. Toby Lewis. The motion carried unanimously.

Councilor Justine Hockenberry was in attendance this evening and asked what is the reason to extend sewers on Miller Road. Mr. Manfre responded that the soil in the area is very poor; it doesn't drain well and there has been issues with their septic tanks.

Councilor Justine Hockenberry also asked how the cost to each individual it going to be billed, if this project gets approved. Mr. Tony Manfre responded that there is a Sewer Benefit Assessment in the current regulations whereby once the sewer is put in by the Town, there will be a bill sent out for the sewer assessment to each property. However, the Authority is contemplating a change of the current regulation which will be discussed further down on the Agenda.

4. Reallocate Capital Improvements Funds (Approval)

Included with the Agenda was a copy of the letter from Wright-Pierce requesting to reallocate previously approved funds between three ongoing projects (See Exhibit B). Mr. Tony Manfre explained that Wright Pierce encountered some unforeseen issues with permitting and design requirements on two projects; the WPCF Outfall Stabilization Project and the Sullivan Avenue Siphon Project. These challenges resulted in the need to conduct additional tasks not included in Wright-Pierce's original scope and fee, however, Wright-Pierce did not brought these scope changes to the attention of the WPCA before proceeding, explained Mr. Manfre. A summary of each project and its status is summarized on Exhibit B.

The WPCF Outfall Pipe Bank Stabilization Project is currently 95% complete pending all permit approvals. Wright-Pierce went over the not-to-exceed-fee by approximately \$5,300. On the Sullivan Avenue Siphon Project, Wright-Pierce went over the not-to-exceed-fee by approximately \$7,500. On the other hand, Wright-Pierce was able to complete the Phase IV Sewer Rehabilitation Project under budget; approximately \$15,000 remains available out of the not-to-exceed-fee. Therefore,

Wright-Pierce was seeking approval to reallocate previously approved funds between the three ongoing projects resulting in a net zero engineering fee increase.

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Chairman Aries requested a more detail summary, itemization of how these overages occurred for further discussion.

Motion was made to table this matter for next meeting and ask Wright-Pierce to attend the meeting to explain in more detail the cost over runs and to review the contract.

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

5. Update Rules & Regulations Section 6 and Section 9

Included with the Agenda was a copy of the Water Pollution Control Authority Rules and Regulations, Section 6 and Section 9 with proposed changes (see Exhibit C). Mr. Tony Manfre explained that the State DEEP general permit requires a wastewater discharged pH of less than 5.0 or more than 10.0 standard units. To be in consistence with the State regulations, Mr. Manfre recommended reducing the pH requirement from 5.5 to 5.0 in Section 6.2(c) and increasing the pH requirement from 9.5 to 10 in Section 6.3(h).

Mr. Manfre also reported that currently the commercial/industrial permit is issued by DEEP. There is only a few permits processed by the WPC Office, said Mr. Manfre. However, it is his understanding that the State DEEP will be asking the Municipalities to issue these permits. Mr. Antaya asked if the pH that is going through the sewer system causes corrosion. Mr. Manfre responded that it causes deterioration of the pipe. Mr. Antaya expressed that increasing the requirement of the pH from 9.5 to 10 will only increase the chances of corrosion and future repair of the pipe.

Section 9.2: Mr. Manfre recommended increasing the penalty fees from \$99 to \$250.

Section 6.3(j): Mr. Manfre recommended changing the average daily flow from 5% to 3.5% of the treatment plant design flow or 131,250 gpd to have a hard number. Chairman Aries recommended adding a clause ("without prior approval of the WPCA").

Motion to hold a Public Hearing on February 6, 2018 at 6:30 pm the following changes to the WPCA Rules and Regulations:

1. Section 6.2(c) – lowering pH to 5;
2. Section 6.3(h) – increasing pH to 10;
3. Section 6.3(j) – change “average daily flow” to 3.5% of the treatment plant design flow, without the approval of the WPCA; and
4. Section 9.2 – increase violation fee to \$250 per day.

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

D. COMMUNICATIONS AND REPORTS

1. Tax Serv Collection (Update)

Included with the Agenda was a copy of the Monthly Collections Report for November 2017 from TaxServ Capital Services, LLC. (see Exhibit D). Mr. Manfre reported that the net collections was \$36,166.12 and the total net collected was \$131,037.76. Chairman Aries asked if any collection report has been submitted from the Town Constables. Mr. Manfre responded that he didn't received a report, however, he will request a collection report for next meeting.

2. Review of the Sewer User Surcharge Rates for Excessive Solids

Mr. Tony Manfre explained that at the previous WPCA meeting he was asked to provide what the current sewer user surcharge rates are for excessive solids. Mr. Manfre explained that the Authority approves these charges each year along with the sewer user rates. Currently the Biochemical Oxygen Demand (B.O.D.) is \$0.57/lb. The Total Suspended Solids (TSS) is \$0.56/lb. And all other violations are \$99.00/day. These rates are covered in Section 6 of the WPCA Rules and Regulations.

Chairman Richard Aries asked how these cost are determined. Mr. Manfre responded that is based on the cost for the treatment at the facility.

3. Town Council Subcommittee to review the user charge billing format – letter from Clerk of Council regarding resolution to appoint subcommittee to do review.

Included with the Agenda was a copy of a letter from the Clerk of the Council (see Exhibit E). Chairman Richard Aries reported that there is a resolution made by the Town Council whereby there will be a Temporary Sub-Committee based on concerns voiced regarding budgeted expenditures, sewer user rates, reserve funds and a water-based volume method for sewer billing that was evaluated and should be reviewed again. The resolution was made to form a Temporary Sub-Committee to address issues associated with the Water Pollution Control Facility and it will consist of Town Manager, Matthew B. Galligan as the Chairperson, two members of the South Windsor Town Council, Two members of the Water Pollution Control Authority, two members of the public and any individuals that the Chairperson feels would be necessary.

Mr. Toby Lewis expressed interest as a member of the WPCA and Mr. Donald Antaya expressed interest as a public person because his term has expired in November but he has not been replaced yet.

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Chairman Aries asked Councilor Andrew Paterna and Councilor Mary Justine Hockenberry to provide some explanation as to what occurred on December 18, 2017 Town Council meeting. He asked if there was any specific concerns about members of the Authority described at that meeting, or was it the water volume method the primary motivation for this. Councilor Andrew Paterna responded that the water base volume method was the primary concern along with the others; things has changed since it was last discussed. Councilor Mary Justine Hockenberry responded that it is also to have some knowledge of how the sewer rates are calculated. Chairman Aries stated that is a great thing to have a dialogue with the Town Council; it is essentially important to always listen to the Town Council concerns, and to take into account their suggestions with regards to the sewer user fees and any other issues.

E. PUBLIC PARTICIPATION (Items not on the agenda)

Mr. John Sandburg of 139 Lawrence Road, South Windsor, CT was in attendance this evening to discuss the sewer user benefit charge that was put on him "improperly: or "incorrectly" and therefore he was seeking approval to have his sewer assessment adjusted.

He explained that MJJ put the detention basin 90' behind his property as oppose to 300' to the closest house in the subdivision. He was concerned that his leaching field was going to be saturated bringing 22 acres of water 90' behind his house, therefore, MJJ and Mr. Sandburg came to a written agreement that J&J was going to hookup his property to the town's sewer system at no cost to Mr. Sandburg, including the assessment.

Mr. Tony Manfre explained that this matter was discussed in the court. Mr. Sandburg responded that it was not by his choice. That actually Mr. Fred Shaw, former Superintendent of Pollution Control, advised him to go to court. Mr. Sandburg instead file a complaint in Hartford and the Town Attorney ended up having the case transferred to New Britain in the appeal division. The Judge in New Britain could not rule on this case because it was filed under an appeal instead of a complaint, therefore, the case was dismissed, said Mr. Sandburg.

Chairman Aries asked Mr. Sandburg if he has a copy of the written agreement with MJJ. Mr. Sandburg responded that he does not have a copy of the agreement as this was done twenty years ago. Mr. Sandburg explained that nobody on Vincent Circle was assessed by the Town.

Chairman Richard Aries explained this matter has been previously discussed by the Authority and Mr. Sandburg sued the WPCA whereby the case was dismissed. Chairman Aries asked Mr. Sandburg if he's asking for the Authority to re-delegate the rule. Mr. Sandburg responded that yes, but without going back to court. He explained that there is a statute (cdf52-581) stating that without any legal correspondence within last six years the

town or any municipality has no right to charge any citizen. Chairman Aries responded that the Authority can take into account again any kind of legal claim that Mr. Sandburg wants to propose to the Authority; this is usually done via an Attorney. He asked

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Mr. Sandburg to provide Mr. Manfre with all documentation that he wants to present to the Authority. However, any kind of discussion about providing a benefit or a settlement or any kind of monetary compensation has to be taken care in executive session, said Chairman Aries.

F. BILLS, CHANGE ORDERS, DISBURSEMENTS
None

G. UNFINISHED BUSINESS

1. Election of Officers

Motion to nominate Mr. Richard Aries as Chairperson of the Water Pollution Control Authority.

The motion was made by Mr. Ed Havens, Jr. and seconded by Ms. Carol Fletterick. The motion carried unanimously.

Motion to nominate Mr. Erik Dabrowski as Vice-Chairperson of the Water Pollution Control Authority.

The motion was made by Mr. Ed Havens, Jr. and seconded by Mr. Toby Lewis. The motion carried unanimously.

Motion to nominate Ms. Carol Fletterick as the Secretary of the Water Pollution Control Authority.

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

2. Proposed Sewer Benefit Assessment Revision (Discussion and Set Time and Place for Public Hearing)

Included with the Agenda, was a draft copy of the proposed changes to the Sewer Benefit Assessment Policy (see Exhibit F).

Chairman Aries explained that the proposed change in the formula to calculate the sewer benefit assessment has been reviewed by Attorney Andrew Lord. 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 properties. This system is used throughout the country and is 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. Chairman Aries expressed that one of the aspects to this change which is the motivating factor for this to a great extent was during

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previous discussions on the sewer extension of Miller Road. The residents raised concern on the sewer benefit assessment that will be due. Currently the sewer assessment charge is based on the frontage of the lot; the current system has a strange calculation of frontage and the resident regardless of whether or not they connect they face an assessment charge. The assessment for a sewer installed by the Town at its expense is due and payable at the time of installation. On the other hand, the proposed change will allow differing payment of the sewer assessment until connection to the sanitary sewer system. The proposed system is more understandable and equitable for everyone, said Chairman Aries.

Mr. Michael Gantick, Director of Public Works explained that the other important factor of using the "Capacity Charge" is that it is a good economic development tool and is a fair way to distribute the impact to the Town's sanitary sewer system. He explained that 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. 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.

Chairman Aries expressed that Mr. Tony Manfre has been working for the Town for a short time, and therefore he thanked Mr. Gantick for stepping in during this transition and for being involved as well in the entire process of getting this together.

Motion to hold a Public Hearing on February 6, 2018 at 6:30 p.m. for the proposed Sewer Benefit Assessment Revision.

The motion was made by Mr. Donald Antaya and seconded by Mr. Ed Havens, Jr. the motion carried unanimously.

3. TaxServ Demand and Notice of Intent to Foreclose (Resolution)

Mr. Tony Manfre reported that TaxServ is seeking approval to send their Demand and Notice to Foreclose letter to property owners with outstanding accounts. Included with the Agenda was a copy of the draft letter for discussion (see Exhibit G). Mr. Tony Manfre explained that 357 property owners will receive these letters; and the total amount owed through December is \$484,789.29.

Motion to accept TaxServ's Demand and Notice of Intent to Foreclose letter and to permit them to be mailed.

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

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H. MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING CLAIMS
None

I. ADJOURNMENT

Motion was made to adjourn the meeting at 9:29 p.m.

The motion was made by Mr. Ed Havens and seconded by Mr. Toby Lewis. The motion carried unanimously.

Respectfully Submitted,

Ether Diaz, Recording Secretary



September 28, 2017

Ref: 42263.00

Water Pollution Control Authority
Town Hall
1540 Sullivan Avenue
South Windsor, CT 06074

Re: Evergreen Crossing Retirement Community
South Windsor, CT
Preliminary Sanitary Design Flow Memorandum

To Whom it May Concern,

VHB is pleased to submit the design flow calculations for the sanitary sewer system for the Evergreen Crossing Retirement Community located at Hemlock Avenue and Buckland Road in South Windsor, Connecticut. The proposed development includes the construction of an approximate $\pm 68,400$ SF Senior Independent Living Facility building with three (3) floors (totaling $\pm 183,682$ SF), supplementary landscaping improvements, parking fields and garages, retaining walls, a stormwater management system, sewer pump station, and utility improvements to support the use. The building will be fitted with an emergency generator for the entire site (building & pump station) in case of an emergency. In addition, pump station will be armed with a dual alarm system in case of failure or in need of repair (see pump station detail found on 'Site Details 1' sheet C-06 of the planset dated September 26, 2017).

Sanitary sewer effluent is proposed to exit the building through an 8-inch PVC pipe at a $\pm 1\%$ slope where it is conveyed to a sewage pump station and valve chamber located at the southern end of the proposed development. From the pump station, the effluent will be pumped through a 4-inch force main, approximately 330ft, from an invert elevation of 89.60, to an existing sanitary sewer manhole within Hemlock Avenue at an outflow elevation of 113.3, roughly a 24ft elevation difference.

The sewer flows for the proposed development have been estimated based on three sources: TR-16: Guides for the Design of Wastewater Treatment Works (Source 1), Estimated sanitary flows from a similar Independent Senior Living Facility located in South Portland, ME (Source 2, attached for

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reference), and Connecticut Public Health Code (Source 3). Calculations for approximate total daily flow and estimated flow in cubic feet per second are included within the tables below:

Total Estimated Flow for Senior Independent Housing
--

Source 1:	TR-16: Guides for the Design of Wastewater Treatment Works				
	Units	Bedrooms	Flow (gpd/capita)	Total	
	64	1	70	4,480	
	62	2	70	8,680	
	4	3	70	840	
Total	130			14,000	GPD

Source 2:	Flow's provided by Client for similar Senior Independent community in South Portland, Maine (see attached)				
	Units	Bedrooms	Flow (gpd/unit)	Total	
	64	1	75	4,800	
	62	2	75	9,300	
	4	3	75	900	
Total	130			15,000	GPD

Source 3:	Connecticut Public Health Code: Standards for Subsurface Sewage Disposal Systems (Hospital/Rest Home/Convalescent Home/Residential Motel-Hotel)				
	Units	Bedrooms	Flow (gpd/bed)	Total	
	64	1	150	9,600	
	62	2	150	18,600	
	4	3	150	1,800	
Total	130			30,000	GPD



Peak Flor for Senior Independent Housing

Use: Assumed day of 16 hours (8 hours of sleep)

Use: Peaking Factor of 5.6 (TR-16 Fig 2-1 "Extreme Flow to Avg. Daily Flow")
(0.1 MGD = 5.6 Peaking Factor)

Source	GPD calculated	16-Hr Day Conversion	Peaking Factor	Total Flow (cfs)
1	14,000	2.343E-06	5.6	0.184
2	15,000	2.343E-06	5.6	0.197
3	30,000	2.343E-06	5.6	0.394

We hope the information submitted is satisfactory and look forward to speaking further with the Water Pollution Control Authority regarding the design flow calculations. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

Vanasse Hangen Brustlin, Inc.

A handwritten signature in black ink that reads "Mark Grocki".

Mark Grocki, P.E.

Senior Project Engineer
mgrocki@vhb.com



75 John Roberts Road, Suite 1A

South Portland, Maine 04106

(207) 200-2100 FAX (207) 856-2206

JOB RL Communities

SHEET NO. 1 OF 2

CALCULATED BY RAM DATE 4/14/2015

CHECKED BY DATE

FOR REFERENCE ONLY

Sanitary Sewer Flows

Flows RL Communities

look at:

- Historical flows from other RL communities suggest a flow of 75 gal/unit.
- Maine Subsurface Wastewater Disposal rules requires a design flow of 60 gpd/resident.

130 units x 75 gallons/day = 9750 gpd

Peak Day = 1.5 x Average Daily Flow (ADF) = 14625 gpd

Peak Hour = 4.2 x ADF/ 1200 min/day (16 hour day) = 42.656 gpm

82 1 bedroom suites x 60 gallons/day = 4920 gpd

44 2 bedroom suites x 120 gallons/day = 5280 gpd

4 3 bedroom suites x 180 gallons/day = 720 gpd

Total 10920 gpd

Peak Day = 1.5 x Average Daily Flow (ADF) = 16380 gpd

Peak Hour = 4.2 x ADF/ 1200 min/day (16 hour day) = 47.775 gpm

Historical Peak Monthly Flows obtained from Portland Water District for 2 year period (12/02-12/04)

	Date	Usage (HCF)	Days	GPD	Hours /Day	Peak Hr GPM
Dead River (175 Running Hill Road)	5/27/03	344	34	7568	16	33.1
Dead River (82 Running Hill Road)	12/27/04	176	33	3989.3	12	23.3
Maine Crossing (200 Running Hill Road)	8/18/04	321	29	8279.6	12	48.3
Target (240 Running Hill Road)	8/18/04	140	29	3611	12	21.1

6" Force main (minimum flow gpm, 2.5 ft/s)	220.3	gpm
4" Force main (minimum flow gpm, 2.5 ft/s)	97.913	gpm
2" Force main (minimum flow gpm, 2.5 ft/s)	24.478	gpm

**Pump flow to be greater than
125 % of minimum velocity flow
and/or peak project flow**



Water
Wastewater
Infrastructure

December 8, 2017
W-P Project No. 13681A, 13683A & 13736A

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

Subject: Request to Reallocate Project Fees
Phase IV Sewer Rehabilitation, Outfall Stabilization & Sullivan Avenue Siphon

Dear Tony:

As discussed, we encountered some unforeseen challenges with permitting and design requirements during the WPCF outfall bank stabilization project and Sullivan Avenue Siphon designs. These challenges resulted in the need to conduct additional tasks not included in our original scope and fee resulting in fees beyond that included in our executed agreements. However, we were able to complete the Phase IV Sewer Improvement Project with funds still available. To reconcile these overruns, we are requesting approval from the WPCA to reallocate previously approved funds between three ongoing projects resulting in a net zero engineering fee increase. We should have brought these scope changes to the attention of the WPCA before proceeding and apologize for not doing so. However, we viewed them as a necessity to provide a constructible set of plans and specifications for the contractor and found ourselves at the mercy of the regulatory reviewing agencies along the way. In the future if a similar situation arises, we will be sure to bring it to the WPCA's attention before proceeding forward. A summary of each project and its status is summarized below.

WPCF Outfall Pipe Bank Stabilization Project

We were originally told by the CT DEEP that we would not have to redo the soils analysis done previously by CDM along the CT River. During design, it was determined that we had to conduct a functions and values analysis of the soils and also conducted one soil boring to verify subsurface conditions for the chosen stabilization method; both of which were not included in our original scope and fee. In addition, the survey costs came in higher than originally quoted from JR Russo due to the proximity to the CT River and multiple visits required based on river level. As a result, we went over our \$16,300 not-to-exceed-fee by approximately \$5,300. This project is currently 95% complete pending all permit approvals. With an approved increase of \$7,000, there will be sufficient budget to finalize any permit requirements on the contract documents.

Sullivan Avenue Relief Sewer and Siphon Project

During the design of the siphon, and review of the soil borings, we determined that it was necessary to hire Haley and Aldrich to prepare a directional drilling report to identify pipe material, pressure ratings, trajectory of the drill and depth of the drill below the river bed. This report was not anticipated or included in our original scope and fee but deemed necessary as the design evolved. As a result, we went over our \$63,240 not-to-exceed-fee by approximately \$7,500. This project is currently 95% complete

Mr. Anthony Manfre
December 8, 2017
Page 2 of 2



pending town and DOT review. With an approved increase of \$8,000, there will be sufficient budget to finalize the contract documents for bidding.

Phase IV Sewer Rehabilitation Project

During the design of the Phase IV Sewer Rehabilitation Project, we were able to complete the design very efficiently. As a result, approximately \$15,000 remains available out of our \$45,138 not-to-exceed fee. This project is currently 100% complete pending advertisement to bid with sufficient fee remaining to finalize the contract documents for bidding.

Proposed Fee Structure Changes

We respectfully request that the WPCA consider the following changes:

Project	Current Fee	Proposed Change	New Fee
Phase IV Rehabilitation	\$45,138	(\$15,000)	\$30,138
Sullivan Avenue Siphon	\$63,240	\$8,000	\$71,240
WPCF Outfall Stabilization	\$16,300	\$7,000	\$23,300
TOTAL	\$124,678	\$0	\$124,678

If acceptable, please have the town manager sign the attached amendments for execution and reallocation of funds. Should you have any questions or desire additional information, please call Lisa Muscanell-DePaolo or me at 860-343-8297.

Very truly yours,

WRIGHT-PIERCE

A handwritten signature in black ink, appearing to read 'Dennis Dievert Jr.', with a stylized flourish at the end.

Dennis Dievert Jr., PE
Project Manager

cc: Timothy Friend, Pollution Control Plant Supervisor
Michael Gantick, PE, Director of Public Works
File

SECTION 6**USE OF THE PUBLIC SEWERS**

- 6.1 No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewers. Further, no person shall open the cover of, enter, or alter any manhole or similar appurtenance of any public sewer, or deposit any wood, sticks, unshredded garbage or other material which said sewer, drain, manhole or appurtenance thereto was not intended to receive.
- 6.2 No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the sewerage system. These general prohibitions apply to all such users of the Town of South Windsor sewerage systems whether or not the user is subject to National Categorical Pretreatment Standards or any other Federal or State Pretreatment Standards or requirements. A user shall not contribute the following substance to any sewerage systems:
- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (b) Any waters or wastes containing toxic or poisonous solids, liquids or gasses in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard in the receiving waters or the sewage treatment plant, including but not limited to cyanides in excess of (.1) ppm. as cyanide in the wastes as discharged to the public sewer. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system; be more than five (5%) percent nor any single reading over ten (10%) percent of the Lower Explosive Limit (LEL) of the combustible gas.
 - (c) Any waters or wastes having a pH lower than 5.5 5 or having other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage system.

Use of the Public Sewers

- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow of sewers or other interference with the proper operation of the sewerage, such as but not limited to ashes, cinders, sand, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, hair and fleshiness, entrails; paper dishes, cups, milk containers, etc., grease, garbage with particles greater than one-half (1/2") inch in any dimension.

6.3 No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes which can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. A pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Water Pollution Control Act.

- (a) Any substances which may cause the Water Pollution Control Facility's (WPCF) effluent or any other product of the WPCF such as residues, sludges, or scums to be unsuitable for reclamation process where the WPCF is pursuing a resource recovery program. In no case shall a substance discharged to the WPCF cause the facility to be in non compliance with its NPDES Permit guidelines, or regulations developed under Section 405 and Section 503 of the Act or any other criteria guidelines, or regulations affecting sludge use or disposal developed pursuant to the Resource Conservation and Recovery Act, Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.
- (b) Any liquid or vapor having a temperature higher than one hundred fifty (150°) F. (65°) C.
- (c) Any water or waste containing fat, wax, grease, petroleum, or mineral oil, whether emulsified or not, in excess of one hundred (100) mg/1 or containing substances which may solidify or become viscous at temperatures between thirty-two (32°) degrees and one hundred fifty (150°) degrees F. (0 & 65°) C.
- (d) Any garbage that has not been properly shredded.
- (e) Any water or wastes containing iron pickling wastes or concentrated plating solutions.
- (f) Any quantity of waste from an industrial or commercial process or processes containing greater concentrations than the minimum

Use of the Public Sewers

indicated by weight or by volume. For any of the following: (See attached addendum at the end of this section.)

- (g) Any radioactive wastes or isotopes of such life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- (h) Any water or wastes have a pH in excess of 9.5 10.
- (i) Materials which exert or cause:
 - (1) Unusual concentration of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions) as determined by the State of Connecticut DEP.
 - (3) A five (5) day BOD greater than 212 mg/1 by weight or suspended solids greater than 238 mg/1 by weight or a chlorine demand greater than 15 mg/1 by weight such as to constitute a significant load on the sewage treatment works.
 - (4) An unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (j) Water having an average daily flow greater than 3.5% 5% of the average daily Town's wastewater treatment plants designed flow of the Town.
- (k) Water or wastes containing substances which are amenable to treatment only to such degrees that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

6.4 If any waters or wastes are discharged or proposed to be discharged to the public sewers which waters contain the substances or possess the characteristics enumerated in Section 6.3 and which may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

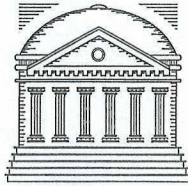
- (a) Disapprove the waste discharge and take action to prohibit it.

SECTION 9

PENALTIES

9.1 Any person found to be violating any provision of these regulations, except Section 7, shall be served by the Authority with written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction thereof. The offender shall, by the expiration of the time limit stated in such notice, permanently cease all violations.

9.2 Any person who shall continue any violation beyond the time limit provided for in Section 9.1 or any person who shall commit any violation of Section 7 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined ~~ninety-nine (\$99.00)~~ **two hundred fifty (\$250)** dollars for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.



TAXSERV CAPITAL SERVICES, LLC

MUNICIPAL TAX SERVICES

21 Oak Street, Suite 301

Hartford, CT 06106

TELEPHONE (860) 724-9100 ♦ FACSIMILE (860) 727-1080

E-MAIL: taxserv@taxserv.com

Exhibit D

December 8, 2017

Via Email

Anthony Manfre

Superintendent

Town of South Windsor

Water Pollution Control Authority

1540 Sullivan Avenue

South Windsor, CT 06074

Re: Professional Services Agreement dated April 1, 2017 ("Contract")
Monthly Collections Report for November 2017 ("Report")

Dear Mr. Manfre:

The following presents the collections report for the delinquent accounts placed with TaxServ Capital Services, LLC ("TaxServ") for the month of November 2017.

1. Status for November 2017: The following Table 1 presents the characteristics of the bills placed for collection with interest, costs accrued and collections through November 2017:

Number of Active Bills/Accounts: 954 / 318

Lien Age Range: 2008-2017

Table 1

Category	Original Balance ⁽¹⁾	Collected Amount ⁽²⁾	Current Balance ⁽³⁾
Principal	\$410,810.42	\$85,056.30	\$324,952.30
Interest	\$160,369.45	\$39,890.28	\$156,149.04
Collection Fee	\$85,676.98	\$18,549.25	\$79,720.86
Costs of Collection	\$25,869.42	\$6,091.18	\$22,663.18
Total Receivable	\$682,726.27	\$149,587.01	\$583,485.38

Total gross historical collections are \$149,587.01 (\$131,037.76 net of collection fees). Total gross collections in November 2017 are \$41,416.58 (\$36,166.12 net of collection fees) and described in Table 2. A report that details the Table 2 collections is attached hereto as Schedule A.

Table 2

Collected by	Principal	Interest	Costs of Collection	Net Tax Collected	Collection Fee	Total Collected
South Windsor	\$22,154.04	\$10,009.65	\$1,676.12	\$33,839.81	\$4,912.37	\$38,752.18
TaxServ	\$1,569.32	\$684.99	\$72.00	\$2,326.31	\$338.09	\$2,664.40
Grand Total	\$23,723.36	\$10,694.64	\$1,748.12	\$36,166.12	\$5,250.46	\$41,416.58

2. Table 3 provides a summary of Schedule B which provides total number of attempts to collect for both Outstanding and Redeemed accounts.

Table 3

Description	Oct 2017 Count of Attempts	Total Count of Attempts	Average of Total Count of Attempts
Outstanding	21	1,639	5
Redeemed	9	306	4
Grand Total	30	1,945	5

3. Collection Charts: Attached hereto as Schedule A1 through Schedule A3 are the collection charts providing for monthly and cumulative collections, monthly collection comparison and collection rates by Grand List year. Schedule B provide the detail and summary of attempts made to collect.

4. Mortgage Holder Letter: As part of its normal collection efforts for water/sewer liens attached to real estate, TaxServ completes a land records and tax office search of mortgage holders on each property. TaxServ has completed its search of mortgage holders and is prepared to do a bulk mailing to those mortgage holders. Attached hereto as Schedule C is a draft of a letter to be sent to the mortgage holders which requires WPCA approval. A letter to each of the property owners noticing them that a letter has been sent to the mortgage holder is also sent.

Thank you and please advise if you have any questions or comments.

Sincerely,



Maria Thomas
Service Manager
TaxServ Capital Services, LLC
Phone: (561)799-9626 ext 303
Email: mthomas@taxserv.com

cc: Mr. Roger Blain
Ms. Rhonda Gelormino



OFFICE
OF THE
TOWN COUNCIL

Town of South Windsor

1540 SULLIVAN AVENUE • SOUTH WINDSOR, CT 06074-2786

AREA CODE 860/644-2511

FAX 860/644-3781

Exhibit E

December 21, 2017

Mr. Matthew B. Galligan, Town Manager
Town of South Windsor
1540 Sullivan Avenue
South Windsor, CT 06074

Dear Mr. Galligan:

At its Regular Meeting of December 18, 2017, the South Windsor Town Council approved the following Resolution:

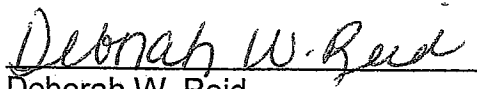
WHEREAS, there have been concerns voiced regarding budgeted expenditures, sewer use rates, and reserve funds; and

WHEREAS, a water-based volume method for sewer billing was evaluated; and should be reviewed again

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby establishes a Temporary Sub-Committee to address issues associated with the Water Pollution Control Facility; and

BE IT FURTHER RESOLVED that the Sub-Committee will consist of Town Manager, Matthew B. Galligan as the Chairperson, two members of the South Windsor Town Council, two members of the Water Pollution Control Authority, two members of the public and any individuals that the Chairperson feels would be necessary.

Respectfully submitted



Deborah W. Reid
Clerk of the Council

cc: Richard Aries, Chairperson Water Pollution Control Authority
Anthony Manfre, Superintendent of Pollution Control

REVISED 12-22-17

SECTION 14 Sewer Benefit Assessments and Impact Fees - DRAFT

Assessment of benefits. Pursuant to Section 7-249 of the Connecticut General Statutes ("C.G.S.") the Town of South Windsor Water Pollution Control Authority ("WPCA") is authorized to levy benefit assessments in accordance with the following grant of statutory authority, 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.

The following formulas shall serve to calculate the benefit assessment of residential and/or nonresidential properties:

- A. Residential Sewer Benefit Assessment calculation for a new town funded sewer installation where the Town will recover a minimum of 80% of the construction cost:

$$\text{Assessment} = \frac{\text{EDU} \times (80\% \text{ of Project Cost})}{\# \text{ of Properties}}$$

- B. A previously installed sewer without a paid assessment (Residential/Nonresidential):

$$\text{Assessment} = \text{Minimum Zone Frontage} \times \text{Price per linear foot (Set by WPCA)}$$

Capacity Charges. Pursuant to Section 7-255 of the Connecticut General Statutes ("C.G.S.") the WPCA is authorized to establish charges for the use of the sewerage system in accordance with the following grant of statutory authority, which states in part:

The water pollution control authority may establish and revise fair and reasonable charges for connection with and for the use of a sewerage system. The owner of property against which any such connection or use charge is levied shall be liable for the payment thereof.

Capacity Charge. The WPCA shall periodically establish a capacity charge for connections to the sewerage system. The Capacity Charge shall be calculated by using Equivalent Dwelling Units. Equivalent Dwelling Units (EDU) shall be used as the basis to calculate the Capacity Charge for residential and non-residential properties. A calculation worksheet will be available at the Water Pollution Control office. For Commercial and Industrial properties, the size of the building lateral and quantity of

building laterals shall be used to determine the EDU factor. For Residential properties, the EDU will be determined by the number of bedrooms in a dwelling.

The following formula shall serve to calculate the capacity charge:

$$\text{Capacity Charge} = \text{EDU} \times \text{Base Fee (Set by WPCA)}$$

A Capacity Charge shall not be levied against property owners that have paid a benefit assessment prior to January 1, 2018.

Sewer Impact Fee. The benefit assessment and the capacity charge together shall constitute the Sewer Impact Fee ("SIF") for new connections to the sewerage system. Property owners that connect to the sewerage system after the effective date of this regulation shall pay a SIF at the time of connection, unless such payment or is subject to a statutory installment payment recorded on the land records.

A Sewer Impact Fee (SIF hereafter) shall be levied when:

- A. A public sanitary sewer system is constructed and properties so served by the sewer system connect for service;
- B. When an existing sewer is available to a property that has not previously paid a sewer benefit assessment;
- C. When a land developer installs a sewer and a property is connected to said sewer either during construction or after the Town takes ownership;
- D. After the addition of a bedroom(s) at a Residential property;
- E. After the modification of building size and/or use of a Residential, Commercial or Industrial building.

14.2 A Sewer Impact Fee will not be levied on an existing property that has previously paid a benefit assessment unless 14.1 A-E applies.

Payment of Sewer Impact Fee

14.5 The SIF is levied at current set rates. At no time shall a rebate of the SIF be paid back for the reduction of bedrooms, the modification of a building or the modification of the building use.

- A. Residential property owners whose SIF is part of a Town funded sewer project may elect to pay said charges in 15 equal installments upon connection to the sewer. The first installment shall be due in the following month of November or May with no less than 30 days prior notice with subsequent installments shall be due annually thereafter on said due date. There shall not be a penalty early payoff of the outstanding balance.

The installments in the case of assessments that are a part of a sewer project which is funded by bonds or notes shall bear interest at the maximum rate of interest the Town is obligated to pay on such bonds or notes. In the case of assessments which are not funded by bonds or notes, installments shall bear an interest rate equal to the maximum interest rate charged to the Town on the most recently bond or note funded project.

- B. A sewer impact fee for a Town installed sewer at its expense is due and payable at the time of connection. If the sewer was installed by a property owner at his expense, said property owner shall not be charged the benefit assessment portion of the sewer impact fee.
- C. If an existing property owner connects to a sewer installed by a private developer at its expense prior to Town acceptance of said sewer, and pays the developer for same, said property owner shall not be charged a benefit assessment subsequent to the Town's acceptance of the line. Any other property owner who does not connect to the sewer shall not be charged until the time of connection, and at such time, would be charged at the current rate in effect.
- D. If a private developer installs a main sewer line at its expense within a subdivision, he shall not be charged the benefit assessment portion of the sewer impact fee for the property within said subdivision fronting on said line. The capacity charge will be due at the time of connection.

14.6 Any owner of real property who is eligible for tax relief for elderly taxpayers under the provisions of Section 12-129b and 12-170a of the General Statutes may apply to the Water Pollution Control Authority for approval of a plan of payment of such property owner's Sewer Impact Fees other than as provided under Section 7-253 of the General Statutes. Said plan may include an option to pay only the annual interest charge, as provided in said Section 7-253 on any deferred payments of outstanding balance of principal of said Sewer Impact Fees. Any such plan shall provide that the outstanding balance of principal deferred under such optional method payment shall become due upon any transfer of title to the property subject to such Sewer Impact Fees or upon the death of such property owner. Said plan shall become effective upon the approval of the Water Pollution Control Authority and shall be subject to annual review and re-approval by the Water Pollution Control Authority.

14.7 A caveat shall be placed on a property's land record when said property has public sewer available but is not connected. Said caveat shall be removed from the land record when said property connects to the public sewer system.

Definitions

Assessment of Benefits: As stated by State Statute 103 Section 7-249.

Residential Unit: A dwelling for one family only, either in a portion of a building occupied by two or more families, or in a single detached dwelling; or a separately sealable, rentable and/or transferable portion or section of a building under construction renovation. (Simsbury, CT)

Sewer Impact Fee: Capacity fees are one-time payments used to fund capital improvements needed to expand the utility systems. The capacity charge is proportionate and related to the capital facility demands of the new development. A Sewer Impact Fee shall be assessed on all new or expanded service connections to the public sewer system as published in the fee schedule. The Sewer Impact Fee shall be proportionate to the cost of providing sewer to previously unserved properties and all changes in use that increase water flow to the sewer system.

Capacity Charge: A charge on new connections to the sewer system so that such new connections contribute a pro-rata share of the costs of the system capacity and facilities needed to provide service for such new connections. The fee shall reflect the appropriate amount of the share for that connection to the assets in the utility system and shall be calculated based on equivalent dwelling units.

Equivalent Dwelling Unit: The unit of measure by which the Capacity Charge for sanitary sewer services provided by the South Windsor sewer system is calculated and imposed upon each improved property served by the sewer system. (Borough of Quakertown, PA)

A measurement used to establish a ratio between residential and non-residential use of improved property.

Change of Use: As defined by the Planning Dept. or Town Assessor.

Modification: As defined by the Tax Assessor office.

Bedroom: As defined by the Tax Assessor office.

Calculations:

Sewer Impact Fee = Benefit Assessment + Capacity Charge

Base Charge and Capacity Charge Calculations:

BASE CHARGE = $\frac{\text{TOTAL SYSTEM REPLACEMENT COST} / \text{\# OF RESIDENTIAL USERS}}{10 \text{ YRS OF LIFE BUY IN}}$

*7-10 YRS IS THE AVERAGE TIME A PERSON LIVES IN THEIR HOME IN S. WINDSOR

CAPACITY CHARGE = BASE CHARGE x EDU

Benefit Assessment Calculation:

RES. BENEFIT ASSESSMENT = ZONE FRONTAGE (DEFINED BY PLANNING DEPT) x \$40

COM./IND. BENEFIT ASSESSMENT = ZONE FRONTAGE X \$77

WRIGHT-PIERCE METHOD TO DETERMINE TOTAL SYSTEM VALUE:

WWTF = DESIGN AVE. DAILY FLOW X \$10/GPD = 3,750,000 GPD X \$10/GAL = \$37,000,000

SEWERS (\$250/LF) = 130 MILES X 5280'/MILE X \$250/LF = \$171,600,000

PUMP STATIONS = \$1,000,000 EACH x 11 PUMP STATIONS = \$11,000,000

TOTAL SYSTEM VALUE = \$220,000,000

Table 1 - DRAFT
Connection to Sewer Fee Summary Table

	Connection to Sewer Senario	Connection Charge	Capacity Charge	Sewer Benefit Assessment	When Paid
A	Town Installed Sewer-new	Yes	EDU X Base Fee	EDU X(80% Actual Cost/Total # of properties	At Time of Connection
B	Town Installed Sewer-no previous Assessment	Yes	EDU X Base Fee	Zone Frontage X \$ /LF	At Time of Connection
C	Previously Town Installed Sewer with unpaid Assessment	Yes	*	*	At Time of Connection
D	Previously Town Installed Sewer with Previous paid Assessment	Yes	No	No	At Time of Connection
E	Developer Installed Sewer- Connect during construction	Yes	EDU X Base Fee	No	At time of Connection
F	Developer Installed Sewer- Connect after Town Takes over	Yes	EDU X Base Fee	No	At Time of Connection
G	Modification of building size and/or use	No	Δ EDU X Base Fee	No	At Time of building Modification

Notes:

*-Refer to Assessment of Record

For EDU refer to Table 2 For EDU Calculation

For Zone Frontage refer to Table 3 and Annual Fee Schedule

For Base Fee refer to Annual Fee Schedule

COMMERCIAL/INDUSTRIAL SANITARY SEWER IMPACT FEE CALCULATION WORKSHEET

1. OWNER INFORMATION		
LAST NAME	FIRST NAME	
COMPANY (IF APPLICABLE)		
STREET ADDRESS		
CITY	STATE	ZIP

2. PROPERTY INFORMATION
ADDRESS
SUBDIVISION/COMPLEX NAME
LOT (IF APPLICABLE)
TOWN

3. HAS THIS PROPERTY EVER HAD A BUILDING CONNECTED TO THE SEWER SYSTEM?
<input type="checkbox"/> YES IF "YES" SKIP TO STEP 6 TO CALCULATE EDU <input type="checkbox"/> NO IF "NO" CONTINUE TO STEP 4

4. REASON FOR APPLICATION
<input type="checkbox"/> BUILDING MODIFICATION
<input type="checkbox"/> CHANGE IN BUSINESS
<input type="checkbox"/> CHANGE IN WASTEWATER FLOW CHARACTERISTICS

5. CONNECTION TYPE
<input type="checkbox"/> COMMERCIAL
<input type="checkbox"/> INDUSTRIAL

6. EDU CALCULATION (USE TABLE TO THE RIGHT)		
LATERAL SIZE	# OF LATERALS	EDU RATIO
TOTAL EDUs		

EQUIVALENT DWELLING UNIT RATIO TABLE	
EDU	WATER METER SIZE (inches)
0.75	< 1
2	1
3	1.5
4	2
6	3
8	4
12	6
16	8
20	10
24	12

7. SEWER IMPACT FEE CALCULATION	
TOTAL NUMBER OF EDUs	
SEWER IMPACT FEE PER EDU	x \$
SUBTOTAL	
CAPACITY CHARGE	x \$ 8642.64
TOTAL ASSESSMENT	\$

OFFICE USE ONLY	
TOTAL EDUs	
TOTAL CHARGE	\$
COMMENTS:	
REVIEWED BY	DATE

I, the undersigned, applicant/owner do hereby certify to the following:

1. I agree to construct and connect the above detailed building sewer in strict accordance with Town of South Windsor standards, most recently amended version, and
2. I agree to construct in compliance with the most recent version of the Building Code, and
3. I understand that construction applied for herein is subject at all times to inspection, approval and acceptance of the building sewer by the Town of South Windsor, and
4. I understand that any violation incurred may result all legal and equitable remedy allowed by Federal, State, and Local law, including the denial of future Sanitary Sewer Connection Permits until said corrections are made.

RESIDENTIAL SANITARY SEWER IMPACT FEE CALCULATION WORKSHEET

1. OWNER INFORMATION		
LAST NAME	FIRST NAME	
COMPANY (IF APPLICABLE)		
STREET ADDRESS		
CITY	STATE	ZIP

2. PROPERTY INFORMATION	
ADDRESS	
SUBDIVISION/COMPLEX NAME	
LOT (IF APPLICABLE)	
TOWN	

3A. HAS THIS PROPERTY EVER HAD A BUILDING CONNECTED TO THE SEWER SYSTEM?	
<input type="checkbox"/> YES	IF "YES" SKIP TO STEP 6 TO CALCULATE EDU
<input type="checkbox"/> NO	IF "NO" CONTINUE TO STEP 4

3B. HAS THIS PROPERTY PAID A PREVIOUS ASSESSMENT?	
<input type="checkbox"/> YES	
<input type="checkbox"/> NO	IF "NO" CONTACT WPC OFFICE (860) 644-2511

4. CONNECTION TYPE	
<input type="checkbox"/> SINGLE FAMILY DWELLING - NEW CONSTRUCTION	_____ EDU
<input type="checkbox"/> MULTI FAMILY DWELLING	_____ EDU
<input type="checkbox"/> CONDO/TOWNHOUSE - NEW CONSTRUCTION	_____ EDU

5. ASSESSMENT CALCULATION	
TOTAL NUMBER OF EDUs	
CAPACITY FEE PER EDU	x \$ 8,642.64
TOTAL	\$

EQUIVALENT DWELLING UNIT RATIO TABLE	
EDU	# OF BEDROOMS
0.75	2 OR LESS
1	3
1.25	4
1.5	5
2	6
3	7-9
4	10-12
5	13-15
6	16-18
7	19-21
8	22-24
9	25-27
10	28-30
OVER 10	1 EDU/3 BEDROOMS OVER 30

OFFICE USE ONLY	
TOTAL EDUs	
TOTAL CHARGE	\$
COMMENTS:	
REVIEWED BY	DATE

ADDITION TO RESIDENTIAL DWELLING

6. PREVIOUS CONNECTION TYPE	
<input type="checkbox"/> SINGLE FAMILY DWELLING	_____ EDU
<input type="checkbox"/> MULTI FAMILY DWELLING	_____ EDU
<input type="checkbox"/> CONDO/TOWNHOUSE	_____ EDU

7. PROPOSED CONNECTION TYPE	
<input type="checkbox"/> SINGLE FAMILY DWELLING	_____ EDU
<input type="checkbox"/> MULTI FAMILY DWELLING	_____ EDU
<input type="checkbox"/> CONDO/TOWNHOUSE	_____ EDU

8. EDU CALCULATION	
SUBTRACT PROPOSED EDU	_____ EDU
PREVIOUS EDU	_____ EDU
(minus) --	
CALCULATED EDU	_____ EDU

EQUIVALENT DWELLING UNIT RATIO TABLE	
EDU	# OF BEDROOMS
0.75	2 OR LESS
1	3
1.25	4
1.5	5
2	6
3	7-9
4	10-12
5	13-15
6	16-18
7	19-21
8	22-24
9	25-27
10	28-30
OVER 10	1 EDU/3 BEDROOMS OVER 30

I, the undersigned, applicant/owner do hereby certify to the following:

1. I agree to construct and connect the above detailed building sewer in strict accordance with Town of South Windsor standards, most recently amended version, and
2. I agree to construct in compliance with the most recent version of the Building Code, and
3. I understand that construction applied for herein is subject at all times to inspection, approval and acceptance of the building sewer by the Town of South Windsor, and
4. I understand that any violation incurred may result all legal and equitable remedy allowed by Federal, State, and Local law, including the denial of future Sanitary Sewer Connection Permits until said corrections are made.

SIGNATURE OF APPLICANT

DATE

RELATIONSHIP TO OWNER

MEMORANDUM

TO: WATER POLLUTION CONTROL AUTHORITY
FROM: TONY MANFRE, SUPERINTENDENT OF POLLUTION CONTROL
DATE: JANUARY 4, 2018
RE: TAXSERV NOTICE OF INTENT TO FORWARD TO AN ATTORNEY TO
FORECLOSE

During the December WPCA regular meeting the Authority brought forth questions during the discussion regarding TaxServ's request to issue a Notice of Intent to Forward to an Attorney to Foreclose to delinquent properties. The following answers were provided:

Q: Can you provide a warning letter to the resident before sending the Demand/Notice of Intent to Forward to an Attorney to Foreclose?

A: Warning notices have already been sent and furthermore, the notice we are proposing is itself another warning. It's not a notice of intent to foreclose, it's a NOTICE OF INTENT TO FORWARD TO AN ATTORNEY TO FORECLOSE.

Q: How many properties does this effect?

A: 357

Q: How much money is delinquent on the effected properties?

A: The total amount collectable including interest through December 2017, lien and lien release fees is \$484,789.29.

TAXSERV CAPITAL SERVICES, LLC
21 Oak Street, Suite 310
Hartford, CT 06106-8008
TELEPHONE 860-724-9100
E-MAIL: TaxServ@taxserv.com

«Mail_Date»

Via USPS

«owner_name»

«add1»

«city1», «state_code1» «zip1»

**DEMAND FOR PAYMENT and
NOTICE OF INTENT TO FORWARD to an ATTORNEY to FORECLOSE
Pursuant to C.G.S. Sec. 7-254 and Sec. 7-239**

For: «Property_Address»
Parcel #: «Parcel_ID»
Reference No: «prop_skey»

Dear «owner_name»:

As you know, the **Town of South Windsor** has referred your delinquent sewer assessment liens to TaxServ Capital Services, LLC ("TaxServ") for collection. **TaxServ is a debt collector.** Unless you pay or commence partial payments on these delinquencies the Town intends to forward these liens for foreclosure. All costs and attorney fees permitted by law associated with any enforcement action will be added to the amount you owe. Please see the enclosed Information Sheet on the reverse. *Note that a copy of this Demand and Notice of Intent is being sent to your mortgage company.*

Sewer/Water Charges:

«balance»

Interest:

«accrued_int»

Collection Fees:

«collection_amt»

Lien Fees:

«other_fee»

Total (Amount good through «Total_Date»)

«accrued_value»

Please return this portion with your payment.

Town of South Windsor Water/Sewer Lien Payment

«owner_name»

«add1»

«city1», «state_code1» «zip1»

Please indicate any address/phone number changes below:

New Address:

City: _____ State: _____ Zip

Code: _____

Home Phone: (____) _____

MAIL YOUR PAYMENT TO:
TaxServ Capital Services, LLC.
8895 N. Military Trail, Ste 203-D
Palm Beach Gardens, FL 33410

Reference Number(s): «prop_skey»

Payment Due Date: «Total_Date»
(Payments made after this date are subject to additional interest)

Amount Due: «accrued_value»

Amount Paid: _____

Check #: _____

MAKE YOUR CHECK OR
MONEY ORDER PAYABLE TO:

TaxServ Capital Services SW - SW

PLEASE WRITE YOUR REFERENCE NUMBER(S)
ON YOUR CHECK OR MONEY ORDER.
NO CASH WILL BE ACCEPTED BY MAIL.

Sewer and Water Charges Information Sheet

This brochure is provided to answer questions arising from the collection process for sewer and water charges

- 1. Sewer and Water Assessments Enforced in the Same Manner as Property Taxes:** Sewer and water liens have been placed against your real property. These liens are second in priority only to municipal property taxes. Suit may be filed to collect the assessment or to foreclose the lien. Interest, costs, collection fees, attorney fees and all the statutes and regulations applicable to property taxes are applicable to sewer and water liens. *"The accrual of interest and the fees and expenses of collection"* are the same for assessment liens held by the municipality or sold to a third party. See CGS Sec. 7-254 and 7-239
- 2. Bankruptcy:** If you base a dispute based on a bankruptcy filing, you must provide evidence that the specific assessments contained in the notice were included in your filing and you were discharged of any personal liability. A Chapter 7 bankruptcy does not discharge business entities or have any effect on a lien filed on the land records. Note carefully that a bankruptcy filing only affects personal liability for sewer and water assessments due and payable before the filing date. You will owe any and all sewer and water assessments that come due after a bankruptcy filing.
- 3. Death:** Any charge outstanding at the time of death remains as a lien on the real estate. The lien filed on the land records is unaffected. The Town may assess a charge in the name of the probate estate or the administrator/executor of the probate estate. If there is a distribution of any amount to heirs or devisees without paying the sewer and water assessments, the administrator/executor may become personally liable for those sewer and water assessments up to the amount distributed.
- 4. Trustee, Fiduciary or Conservator:** Fiduciaries are liable for sewer and water charges assessed in the name of a Trust or Trustee. A Fiduciary debt incurred in the administration of a trust is a personal debt of the Trustee. 3 Conn Sup 67; Cited. 4 Conn Sup 239.
- 5. Actual Payment:** For a claim of actual payment of the sewer user charges and assessments in question you must provide a receipt showing payment of the specific charges placed into collection and/or a copy of the cancelled check used to make payment
- 6. No Receipt of Charge Bill:** A claim that you did not receive a bill is not a valid dispute to the obligation to pay a charge as it has been increased by interest and fees. It is every property owner's duty to understand their obligation to pay sewer and water assessments.
- 7. Connecticut Statute of Limitations:** The statute of limitation on the collection of sewer and water assessments is 15 years from the date the charge was first due and payable. No other statute of limitation applies. Claims of delay in collection (laches) are not applicable to sewer and water assessments.
- 8. Cannot Negotiate:** Just as for property taxes, the amount of the sewer and water assessments as increased by interest, costs, lien, collection and attorney fees is not negotiable. If you make a payment that is less than the full amount due, it will be treated as a partial payment and will not stop collection enforcement. See CGS Sec. 12-168.
- 9. Collection Fees:** Just as for property taxes, a 15% collection agency fee has been added to and becomes an indivisible part of the sewer and water assessments you owe. See CGS Sec. 7-254, 7-239 and 12-141 where a tax is defined to include the following: original assessment plus "any interest, penalties, fees and charges, *including collection fees of a collection agency*, attorney's fees." The law limits the amount of the collection agency fee. See 36a-805(a) (13).
- 10. Interest Will Continue to Accrue Until Paid in Full:** Interest will continue to accrue on the unpaid principal balance of your sewer and water assessment at the rate of 1.5% per month until paid in full. Interest and fees cannot be separated from the charge.
- 11. Lien Release and Lien Release Fees:** The recorded liens will only be released when the entire delinquent amount for all the individual liens is paid in full. The Town Clerk charges a statutory fee to record each release. The Lien Release Fee is added to the delinquent amount. The statutory lien release fee is calculated as follows: \$53 for the first two liens plus \$2 for each additional lien. By way of example, the lien release fee when 12 liens are being released is \$73 (\$53 for the first two liens plus \$20 for the remaining 10 liens at \$2 apiece).

**TAXSERV CAPITAL SERVICES, LLC IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

TAXSERV CAPITAL SERVICES, LLC
21 Oak Street, Suite 310
Hartford, CT 06106-8008
TELEPHONE 860-724-9100
E-MAIL: TaxServ@taxserv.com

«Mail_Date»

«Mortgage_Company»

«co»

«Mort_Add»

«Mort_City», «Mort_State» «Mort_Zip»

MORTGAGEE NOTICE

NOTICE of INTENT to FORWARD to an ATTORNEY to FORECLOSE
Pursuant to C.G.S. Sec. 7-254 and Sec. 7.258

For: «Property_Address», «city1»
Parcel #: «Parcel_ID»
Your mortgagor: «owner_name»
Reference No: «prop_skey»

Dear Mortgagee

A title search indicates that you hold a mortgage on the above referenced property. Please find enclosed a notice of intent to forward the sewer assessment liens on this property to foreclose which notice has been sent to your mortgagor. To protect your mortgage position and to avoid the addition of the costs and fees to initiate and prosecute a foreclosure action, you may pay the sewer assessments and add the amount to the mortgage debt.

If you have any questions regarding the attached notice, please contact me by email at TMalnati@TaxServ.com or by phone at (561) 799-9626 ext. 305.

Sincerely,


Thomas P. Malnati

TaxServ Capital Services, LLC is a debt collector.
Any information you provide will be used to collect the debt.