

AVON WATER POLLUTION CONTROL AUTHORITY

**April 14, 2011
Selectmen's Chambers 5:30 p.m.
Town of Avon**

I. CALL TO ORDER

The Avon Water Pollution Control Authority was called to order at 5:29 pm by Michael Farrell, Chairman.

Present: Michael Farrell
Lawrence Baril
Eric Johansen
Jim Miller
Terry Ryan
Tim Foster, Superintendent of Sewers, Town of Avon

Absent: Thomas Armstrong

II. MINUTES OF PRECEDING MEETING – March 10, 2011

MOTION: Mr. Farrell motioned for approval of the March 10, 2011 minutes, as submitted. The motion, seconded by Mr. Ryan, received unanimous approval.

III. COMMUNICATION FROM THE AUDIENCE – Mr. Farrell mentioned Mr. Stan Phillips of Haynes Road is in the audience and invited him to speak. It was noted that Mr. Phillips will speak during the Haynes Road agenda item.

IV. NEW BUSINESS - None

V. OLD BUSINESS –

2010-9 Haynes Road Update – Mr. Baril mentioned that William Ferrigno said he planned to be in attendance for the AWPCA meeting to give a brief synopsis. Mr. Farrell and Mr. Baril agreed to table the agenda item until Mr. Ferrigno arrived.

2011-2 Deepwood Drive Assessments

Mr. Farrell mentioned the members received a note on Mr. Dubiel's installment form requesting deferment for his lot number 28. Because it's an unimproved parcel, deferment is requested. State Statutes states it can't be assessed until the lot becomes developed. Mr. Baril suggested the members officially vote on Mr. Dubiel's request so it can be filed on the land records.

MOTION Mr. Farrell made a motion that the Authority grant a deferral for 28 Deepwood Drive in response to Mr. Dubiel's request and based on the appropriate state statute. The motion, seconded by Mr. Miller, received unanimous approval.

2011 – 3 Fats, Oils and Grease (FOG)

Mr. Farrell mentioned the email sent from WPCA member Thomas Armstrong. Mr. Foster reviewed the Class III and Class IV restaurants. Mr. Baril noted that Torrington Area Health District does not manage the FOG program for the City of Torrington. The City of Torrington utilizes someone on their staff to manage the FOG program. Mr. Farrell inquired about the proposed meeting with restaurant owners to review FOG requirements. Mr. Baril responded that it may be worthwhile for those restaurant owners who are unaware of the program, however it is his understanding that this has been in the works from Connecticut DEP for a substantial period such that there should not be many that are unaware of it. Mr. Foster explained that among the next steps needed is to see who is in compliance and he noted the Avon schools seem to be in good shape. Mr. Baril noted the Commission should enact an ordinance for the Town that identifies and includes specifics such as regulation, inspections, penalties, etc. Mr. Foster mentioned that he will be responsible for enforcement. Mr. Baril mentioned he needs to meet with Tim Foster to design the program, including what forms are required. The initial plan is to have the Engineering Department monitor the process for the first year and then gauge if additional help is needed, possibly hiring someone on a part-time basis. Mr. Baril noted that it is important that property owners are involved since our relationship is generally with the property owners. The property owners would be notified should there be a restaurant violation. Mr. Baril noted that a draft policy would be sent to AWPCA members. Mr. Foster noted clarification is needed regarding enforcement. Mr. Farrell summarized the timeline such as a meeting with restaurant and property owners, scheduling the public hearing and placing a legal advertisement in the newspaper. Mr. Farrell stated he would send an email to Town Council Member Mark Zacchio regarding possible involvement from the Town Council.

2010-9 Haynes Road Update – Mr. Farrell welcomed Mr. Ferrigno. Mr. Ferrigno provided an update to the Haynes Road Sewer project from his perspective. There are 52 people who have said they would like to connect. As of that date, there are 43 people. Mr. Ferrigno provided an overview of his meeting with Larry Baril and his attorney, Mr. Bob Myers, to review specific sewer permit points. Mr. Baril then discussed his meeting with Tim Foster and Mr. Russell Schwartz of Avon Health. Avon Health is amendable to allowing an easement for the sewer to connect from the Haynes Road area to the existing sewer collection system, with certain specific requirements (such as pavement restoration). Mr. Ferrigno mentioned he met with a woman on Meadowbrook who has not agreed to

have an easement through her property. Mr. Baril mentioned the Engineering Department completed the field survey for the project and are moving on to design. Discussion was held regarding revisiting the home on Meadowbrook to pursue the possibility of granting easement approval there rather than via Avon Health.

Mr. Baril handed a draft sewer permit agreement to members and identified the action items. Mr. Ferrigno mentioned the issue of whether the Board would agree to a 20-year payback to the developer rather than the conventional 10-year payback. Mr. Ferrigno mentioned the project is a large financial investment for him. He requests that the members consider approving the 20-year payback. Mr. Farrell inquired whether the original timeframe was 15-years. Mr. Baril mentioned 15-year was the original timeframe requested by Mr. Ferrigno. Mr. Ferrigno discussed the bond requirements for the sewer project. Mr. Ferrigno spoke to his bank and there's an option to request a letter of credit with his bank. The determination of the bond amount is a crucial factor. Mr. Baril suggested accepting more than one form of surety, such as a cash bond for one part of the project and a letter of credit for another portion. Although this is not a typical request, he doesn't foresee it as a problem. Mr. Johansen inquired clarification regarding the bond issue. Mr. Ferrigno responded that it's difficult since most bonds need to be collateralized based on 100% cash. Mr. Ferrigno mentioned a performance bond would not be acceptable to the Town Attorney. The Rockville Bank financing for residents choosing to use this option is coming in at or below, 6% for 10 years, fixed rate. They will do this as if it were a home equity mortgage. The bank has agreed to come out to Avon to take applications. Mr. Farrell summarized the requirements the AWPCA needs to act upon, such as consideration for the 20-year payback. Mr. Baril noted the members need to be cognizant of the payback request is for 20-years, not the typical 10-years. Mr. Johansen inquired why the Commission wouldn't want to do 20 years. Mr. Baril replied that it would set a precedent but he does not have an issue with a 20-year payback, especially given how Mr. Foster has the payback schedule well organized. Mr. Farrell noted that there is a demonstrated need today for a public sewer system. Mr. Baril noted this project is unique and does not expect a 20-year payback request for another project. Mr. Ferrigno noted that the agreement could be editorialized to avoid setting a precedent. Mr. Farrell requested to table the item and have it on the agenda for next month's meeting. After discussion with Mr. Baril, Mr. Farrell said he does not have a problem with the 20-year payback. Mr. Ferrigno and Mr. Baril agreed that the easement acquisition needs to be worked out before the next meeting. Mr. Baril noted that if the Town does the project, there's an agreement with the property owner so that the Town can begin construction before the official conveyance of the easement. Mr. Baril noted he will begin working on design. Mr. Foster noted Mr. Ferrigno needs the bond prior to entering the sewer permit agreement. Mr. Ferrigno noted the project can't proceed until Avon Water has started. Mr. Phillips noted he's aware of two failures near his home and suggested a route that would begin near these two homes. One can drive by and notice water bubbling in their front yard. The other home had the system back up in their basement. Mr. Ferrigno expressed appreciation for Mr. Phillips's efforts for getting the neighborhood energized. Mr. Farrell congratulated Mr. Ferrigno on his progress. Mr. Phillips mentioned he stopped by the Strid's home to hand out literature and suggested that someone follow-up with Mr. Phillips's visit.

VI PLANNING & ZONING MATTERS – None

VII COMMUNICATION FROM STAFF – None

VIII COMMUNICATION FROM MEMBERS – None

IX OTHER BUSINESS – None

X ADJOURNMENT

MOTION: Mr. Farrell motioned to adjourn the meeting at 6:40 pm. The motion, seconded by Mr. Miller received unanimous approval.

Respectfully submitted,

Suzanne Essex, Clerk