

**AVON WATER POLLUTION CONTROL AUTHORITY**

**January 13, 2011**

**Public Meeting**

**7 pm**

**I. CALL TO ORDER**

The Avon Water Pollution Control Authority was called to order at 7:11 pm by Michael Farrell, Chairman.

Present: Michael Farrell  
Thomas Armstrong  
William Eschert  
Eric Johansen  
Lawrence Baril, Town Engineer

Absent: James Miller

**II. MINUTES OF PRECEDING MEETING – December 16, 2010**

MOTION: Mr. Farrell motioned for approval of the December 16, 2010 minutes, as submitted. The motion, seconded by Mr. Armstrong, received unanimous approval.

**III. COMMUNICATION FROM THE AUDIENCE –** Audience members were invited to make comments on items other than the Haynes Road agenda item. There were no comments from the audience.

**IV. NEW BUSINESS - NONE**

**2011-1** William A. Ferrigno, President of Sunlight Construction, Inc. request to permit a capped sewer on Knoll Lane (require resolution for AWPCA to allow Brandon Robertson to enter into a Sewer Permit Agreement with Sunlight Construction, Inc.)

Mr. Farrell noted agenda item 2011-1 has already been acted upon and requested that it be removed from the minutes. Mr. Eschert made a motion to strike from the minutes. The motion, seconded by Mr. Armstrong, received unanimous approval.

## V. OLD BUSINESS

**2010 – 9** Haynes Road Update – Discuss the Town of Avon survey mailed to Haynes Road area residents, potential easements and The Avon Water Company

Mr. Farrell welcomed the audience to the informational meeting and noted it is the second informational meeting. The first meeting was held on September 15, 2010. There were a few questions that were left unanswered from the original informational meeting on September 15, 2010. There has been communication with Bill Ferrigno resulting in additional information to be shared with the residents. Mr. Farrell instructed the audience to hold questions until after the presentation, to be given by Larry Baril, The Town of Avon Engineer. Mr. Baril presented a PowerPoint presentation which included an overview of the project, preliminary engineer updates, preliminary cost estimates, results from the survey and a time to answer questions from the audience. Mr. Baril reviewed the Master Plan Priority list whereby Haynes Road appears on the top of the list. He noted the Avon Water Company intends to replace existing water mains with larger mains which will provide more reliable service. Mr. Bob Wesneski, of the Avon Water Company was present. Mr. Baril continued to discuss factors to consider such as the cost to repair/replace a failed leaching system can be in excess of \$30,000. Also, the Knoll Lane Subdivision is a factor to consider regarding installing public sewers in the Haynes Road area. Knoll Lane Subdivision is a subdivision approved with septic system, the developer is interested in public sewers which may provide a reduction in costs to residents. Mr. Baril reviewed the survey results. There were 62 responses based on 87 surveys. Mr. Baril responded to a resident's question that most of the residents who responded favorably for the sewer project were located on the upper side of Haynes Road. A resident inquired about the residents who did not return their survey and Mr. Baril responded they are scattered throughout the neighborhood. The information provided in response to question 1, age of systems, will be helpful as the Engineering Department enters into the design phase of the project. Mr. Baril continued to share the results of the survey and noted the Town prepared preliminary budget estimates with the primary route through Scoville Road and offered data based on three different variables depending upon whether the project will be a Town Funded project, a privately funded or Town-partnered project. While discussing the 3.25% interest rate, a resident noted that other towns are receiving longer paybacks with lower interest rate. Mr. Baril responded that the interest rate will be determined by the WPCA (Water Pollution Control Authority). The 3.25% presented for Haynes Road sewers is the same percentage used for the Deepwood Sewer and Verville Road projects, which was derived by the Town's finance director with consultation with the Town's financial consultant. The interest rate has not been set in stone. The interest rate is charged, typically, at time of assessment. A resident mentioned the rate could be higher, which Mr. Baril acknowledged and is set regardless if a resident connects and is directly tied to the prime lending rate. A resident inquired about if the lots owned by Avon Land Trust and the Town of Avon and whether these lots would be factored into the cost. Mr. Farrell noted the Avon Land Trust is a private entity and will check into the situation with the Town's lots. A resident inquired about the sewer going down 167 Scoville Road and whether that would be part of the assessment. Mr. Farrell responded those lots would be part of the equation and the survey responses are based from addresses on Scoville and West Avon Road. A resident inquired whether the first phase is up and running before the second phase starts and whether phase one residents pay before phase two and three are completed.

Mr. Baril responded that historically, people have not connected in-between phases and residents do not pay until the project is complete, however, that could change. Mr. Baril explained the privately funded option may not be possible. Mr. Baril stressed the range of 3.25 % interest rate is based on today's rate. Mr. Baril confirmed that Mr. Ferrigno will install capped sewers on Knoll Lane and also confirmed Mr. Ferrigno was approved to have septic systems at every house on Knoll Lane. Mr. Baril responded to a resident's question regarding negotiating with the developer and Mr. Baril responded that the residents would be the ones to negotiate. Mr. Baril explained the Partnered Project. Mr. Baril and Mr. Tim Foster, Superintendent of Sewers for the Town of Avon, referenced a prior sewer project whereby Mr. Ferrigno ran sewers from behind the high school, past the middle school to Cambridge Crossing. This was a shared project. Mr. Baril responded to a resident's question that no one is required to connect nor obligated to pay under the developer's agreement scenario. The Town has a long history with Mr. Ferrigno. A resident suggested shopping around to find another contractor. Mr. Baril responded that Mr. Ferrigno has a vested interest to get sewers to Knoll Lane. Mr. Farrell suggested residents to hold their thoughts and questions until after Mr. Baril's presentation. A resident inquired about condemnation rights if trying to secure easement rights was not successful. Mr. Baril explained that could be a possibility but it's generally not very favorable.

Mr. Baril provided answers from questions raised on the survey such as timeframe, costs, paving Haynes Road, concern regarding the relationship between the Town and builder and the reason why the general tax base will not pay for the project. The costs provided are based on estimates. The Town will do a complete overlay of the road at the end of the project, which is a budgeted expense. Regarding the builder/Town relationship, these kinds of projects are not uncommon; the Town will be doing design and construction inspection and the Town sees this as a way to save residents money. Regarding the question pertaining to the tax base paying for the project, State law stipulates for this type of benefit. One resident noted the installation of catch basins near his house did a lousy job repaving the road. One resident noted there's one section of the road that does not have catch basins and inquired whether this would be part of the project. Mr. Baril responded it would not be part of the project as it's a fairly expensive addition. Mr. Baril noted he could include it (if needed) as a capital budget item request but it is unlikely to happen. The resident responded stating it is negligent on the Town to allow the bottom and top portions of the road to have the (storm) sewers but not the middle section. Mr. Baril explained he is sympathetic to her concerns, however, he was not the Town Engineer at the time the subdivision was developed but it will be an item to perhaps revisit for another year. There were a number of questions regarding individual resident questions regarding converting to Natural Gas. Mr. Baril referred these questions to a plumber as Mr. Baril is not equipped to answer such questions and he's not in a position to advise with that regard. The total costs to be borne by residents have several components if a resident decides to connect to the sewer. The assessment – The assessment pays for the running of sewers in the street and the lateral stub to each property that would benefit from the connection. There's an additional connection charge, which is currently \$2,500 per resident, which is paid before the connection. Just because there are sewers in the street, that does not mean a resident has to connect. The resident will pay the connection charge if he/she decides to connect. The assessment charges will likely range from \$14,000 and \$19,000, or potentially less depending on which project option is selected. The connection charge of \$2,500 has not changed frequently but could change in the future. The permit fee is \$50.00. There is also a cost to connect the lateral from the street to the home. The project includes installation of a lateral stub from the mainline to the street line at each residence. Each resident will hire a contractor to connect the lateral stub to their house. The price for this work varies based on field conditions. A range could be \$3,000 to \$20,000. How far the connection is, what the topography is between that point, what kind of

restoration, the current economic conditions at the time are all variables that will affect costs for this work. The longer length of trench, the higher the costs. The sewer use fee, is currently an annual fee of \$300 per resident, and is set as a flat fee and is set by the AWPCA. That is a current fee, but could change with the economic conditions. It does not generally change from year to year. A resident inquired about the cost to replace a leaching field. Mr. Baril responded by saying the cost could vary and mentioned a resident who lived on Deepwood Drive incurred an amount in excess of \$50,000. The DEP and DPH requirements today are stricter regarding percolation rate, depth to groundwater, depth of bedrock and the materials suitable (sand).

The ground water level is a variable when investigating the Haynes Road project.

The Water Company is interested to replace the water mains at Haynes Road. Mr. Baril suggested Mr. Bob Wesneski provide a brief overview of this effort. Mr. Wesneski mentioned there have been several breaks on Haynes Road. It's a 1960s water main which was its own water system when it was originally built. We recognize the need to replace the water main as does the State of Connecticut. It's part of a construction replacement program. The Avon Water Company has noted the Haynes Road area as a high need area also to provide better water flow, better quality, and lower chance of a breakage in the future. Mr. Wesneski mentioned that individual water bills would see an increase of 1/10 of a percent. The funding for the project would be derived from the residents and the state has a formula for figuring out the surcharge amount. The project timeframe would be one year, which may coincide with the sewer project.

Mr. Farrell suggested for the residents to ask questions and provided reminders that surveys were sent out. Eighty-seven surveys were mailed, we received 62. Mr. Farrell responded to a non-cost issue posed by a resident regarding the installation of sidewalks south of Scoville Road on West Avon Road, which is an item to be handled by the Public Works Department. There were two comments regarding different soil components and whether residents are forced to hook up. Mr. Farrell responded that it is in the best interest of the WPCA to decide when/where it would be beneficial to provide sewers. The WPCA has an obligation to act in the best interest of people who are faced with failing septic systems and those residents who are not interested in connecting. Another comment raised is that some people moved to Haynes Road and did not know they had a septic system until they had a problem. Mr. Farrell responded that a public notice was posted in *The Hartford Courant* regarding the 2007 Waste Water Facilities Plan Update. He also noted that there were over 25 responses to the survey that indicated the resident's system were over 30 years old without any significant repairs.

Chuck Thornton, 56 Haynes Road, questioned about how much the assessment on Deepwood Drive would be and questioned whether state money was involved with the project and inquired about going out to bid. Mr. Farrell responded that the Deepwood project is complete, the preliminary figures are approximately \$12,000 per resident and noted there were some rear lots, which would pay a lower assessment. Mr. Farrell said that the project would go out to bid only if the Town conducted the project on their own and would then include prevailing wage issues. The project would be bound by the protocol that exists in town and would be consistent with current contracting practices. It would be legal for the Town to enter into the project with Sunlight Construction.

Mike Transue, 255 Haynes Road, raised a concern over the dollar amount of the project and whether the eight new houses on Knoll Lane would be included for the assessment as their sewage is going through the pipes we are paying for. Why is Mr. Ferrigno not included with the cost? Mr. Farrell

responded that it is a capped sewer. There is nothing to assess as there is no liability being incurred by the Town right now. It will be a dead-end pipe in the ground. Mr. Ferrigno would not be assessed initially if it was his project as it is Mr. Ferrigno's money and he bears the costs to install the sewers. When connection occurs, the lots would be assessed and all applicable costs would not be exempt. Right now, there is nothing to assess. Mr. Baril continued to respond by saying the assessment being paid by a resident is to pay for the share of the sewer that runs past their residence, which provides the resident access to use the sewer. The residents on Knoll Lane will pay for their portion of the sewers, even if it is capped sewer. A resident inquired about the Haynes Road home owned by Mr. Ferrigno. Mr. Baril said that the home in question has been torn down. Residents asked about adding the Knoll Lane lots into the total count to help with the division of the costs.

A resident on Haynes Road inquired about the land owned by the Town of Avon and the Avon Land Trust and whether they would pay their share. Mr. Farrell suggested that become an action item to investigate.

Lori Bollinger, 60 Haynes Road, raised a question about the report from 2007, and the ratings as shown on the sewer extension priority chart. What does the 17 score mean? How urgent is the score of 17? How many systems have actually failed on Haynes Road? Mr. Farrell referred to the actual page and responded that 17 is relative to 0 and that 24 is the highest number. Mr. Baril referred to the overhead and mentioned it's a ranking system taking various variables into account. Ms. Bollinger recommends a future survey should yield a larger response rate and also should reflect accurate cost figures so that residents responding have more information upon which to base their opinion.

Tom Horan, 166 Haynes Road had a question regarding the 8-foot depth. Is the current estimate on an 8 foot depth? Mr. Baril responded the figures were based on a combined 8 to 12 foot depth, which could go lower.

Another question was asked concerning the costs per lot and the answer given as: If all the lots are served in the same zone, all lots are charged the same assessment. Historically, a reduction has been given to homes who have been excessively (300-plus foot range) far and requiring a pump system. Historically, a 15% reduction has been given.

Mr. Farrell posed a question to the audience to ask, by a show of hands, whether they were surprised the estimates would be as high as were quoted. There were approximately 17 people who raised their hands.

Bob McCormick, 103 Haynes Road inquired whether Mr. Ferrigno would have the equipment to perform the sewer project. Mr. Baril responded Mr. Ferrigno has the experience, equipment and personnel to complete such projects. However, this is a large project for a builder. He has his own site contractors with their own equipment.

Tom Knee, 11 Haynes Road inquired about his sandy soil and inquired about the assessment costs. Mr. Farrell responded by referencing the \$12,000 assessment derived for Deepwood Drive.

Richard Hill, 41 Haynes Road mentioned he spoke to a contractor who did work to his neighbor's home whereby the contractor installed only half of the regular size septic field. The contractor

mentioned he did that because he understood the public sewers were moving forward. Mr. Farrell mentioned that nothing is cast in stone and needs as much feedback as possible as the process evolves.

A resident questioned whether Knoll Lane would be a public road. Mr. Baril responded that is the intent to have Knoll Lane a public road if the road is built to specifications.

Concerning the possibility of connecting to the existing sewer either via Scoville Road or via easements to Meadow Brook, Mr. Baril responded that the cost differential is not a large amount. Mr. Farrell mentioned there was preliminary feedback that an easement would be problematic. Mr. Baril mentioned the costs on a state road are typically greater than within a Town road.

A resident on 651 West Avon inquired whether the Senior Center is on a septic system. Mr. Baril responded that it is currently on septic and the benefit of going up Scoville would be the ability for the Senior Center and Sycamore Hills to connect.

A resident inquired about the homes on Sycamore Hills Lane. Mr. Farrell responded there are no plans to include these homes. Surveys were not mailed to these homes. Mr. Baril mentioned the proposed route bends a bit and does not go directly in front of the Senior Center and Sycamore Hills.

David Wolansky, 123 Haynes Road, inquired about the \$2,500 connection fee. Mr. Baril responded that the \$2,500 is a set charge for residents to pay to connect to the public sewers. The payment needs to be made before connection occurs. If a resident chooses not to connect a resident does not pay.

Mr. Farrell clarified the costs associated with connection to the public sewers. The sewer is run by your house, whether you choose to connect or not, an assessment will be levied upon you. If you choose at some point to hook up, there is an application fee of \$50, a connection fee of \$2,500 and there is a fee between you and your contractor, to make the physical connection to the home. This fee is dependent upon many variables.

Stan Phillips, 171 Haynes Road, provided a concern that people have with the costs relative to the different proposals and noted the price is less with Mr. Ferrigno although the charge may be higher but the time to repay is shorter. Mr. Phillips inquired whether there was a hybrid proposal whereby Mr. Ferrigno does the project, the Town pays Mr. Ferrigno and the residents pay the Town and the payments to the town would be spread out the same amount of time if it were a Town project. Mr. Farrell responded that option is a possibility if the project went out to bid and Mr. Ferrigno was the successful bidder. Mr. Phillips suggested the project should be sent out to bid. Mr. Farrell responded the Commission first needs to decide if they want to move forward with the project. Mr. Phillips felt the hybrid proposal would be one more people would feel comfortable with. Mr. Armstrong mentioned it might be higher due to prevailing wages. Mr. Farrell mentioned if a bidding process does occur, that is something that is about a year and a half away.

A resident on 626 West Avon inquired how many failed septic systems there are. Mr. Baril responded that it is impossible to provide a true, exact figure because FVHD does not have records that go back to 1960. The recording information Mr. Baril has received includes septic systems that have failed, however a failure on FVHD's standards is not a concern. The mechanics of a septic system is not a type of failure we care about. We are concerned about a leaching system. Mr. Farrell mentioned from

the survey responses, 37 have had work done on their system. 25 respondents have indicated they have done nothing in the last 30 years. It's unknown what kind of work, outside of routine cleaning, was done.

Carol Griffin, 95 Haynes Road mentioned that Mr. Ferrigno and the Town properties should also be held responsible for the costs. Mr. Farrell mentioned the Commission will look into the Town properties and will investigate the issue regarding the eight homes and mentioned he would have more information at the next meeting and invited Ms. Griffin to attend.

Roland Riberty, 129 Haynes Road, spoke to people who moved in two years ago and did not know they had a septic system until they had a problem. He has known people who have lived there for 15 years and never had their tank emptied.

Richard Griffin, 638 West Avon Road – Mentioned he's in a good area regarding drainage. If the route goes in front of town property, the Town should pay if they will benefit from the sewers.

Chris Wilde, 110 Haynes Road - Haynes Road is the top road in the failed septic systems and affects one's real estate value. A buyer may choose a home that does not have a high rating. This issue has hit homeowners economically which is problematic. Mr. Farrell acknowledged Ms. Wilde's comments.

A resident mentioned it's an ethical obligation to repeat survey with actual costs instead. The survey should also ask details about work done on one's septic tank and also how often the tank is pumped. Mr. Farrell agreed a new survey should include actual figures. The types of failures is data that is not overly important at this time.

A resident inquired about the home they built in 2009 and did not know what was done on their septic system. The resident mentioned they do not have the work history nor does she know what could happen a year or 5 years down the road.

A resident feels the emphasis regarding the route should be one that is shorter rather than penalizing people who do not have a problem with their septic tank. Mr. Farrell mentioned the cost benefit regarding alternate routes is not great. The biggest liability is dragging additional residents into the project.

A resident asked if one has access to the sewer, does that increase our real estate assessment? Mr. Baril responded it does not increase the real estate assessment. The resident mentioned the eight lots should be included in the cost.

Mr. Armstrong asked the audience whether they would prefer to go with Mr. Ferrigno or the Town which would raise the one year vs. three year issue. It would be clearer if the Commission could narrow the options down to one. A resident said the sooner the better instead of dragging it out for three years. One resident inquired about the cost to bond the project. Mr. Armstrong responded that without knowing the future, interest rates may increase.

Kathie Freeman, 28 Springbrook suggested the shorter time, the better. One may spend more money if they wait.

A resident suggested the shorter time frame is better. Mr. Farrell said this would become a bonding issue.

Mr. Armstrong inquired whether the residents would find it helpful to meet with Mr. Ferrigno.

Mr. Thureson of 50 Haynes Road would like to see qualified contractors to bid on the project. Mr. Farrell mentioned there were 15 contractors who bid for Deepwood. Mr. Baril mentioned the low qualified bidder was just shy of \$180,000, which was Canton Village Construction. The high responsive bid was more than double. It jumped from \$190,000 to \$360,000. The same happened for the first phase of Deepwood. This occurred last July.

Mr. Baril requested clarification if the audience wanted to meet with Mr. Ferrigno to discuss timing and costs. One resident mentioned it should be the WPCA's responsibility to negotiate the timing. Mr. Armstrong mentioned he would like to understand what the residents wish.

Mr. Farrell mentioned another direct mailing could happen regarding a meeting with Mr. Ferrigno which would include the cost figures.

One resident inquired about placing a lien on one's house when a house is sold, the seller needs to pay the costs. Mr. Armstrong believes there's an assessment notice placed on the property which would be identified at time of selling.

One resident requested an estimate based on 87 properties vs. 94 properties.

Jim Lostocco, 51 Haynes Road inquired about the empty lots on Haynes Road and whether they would be assessed. Mr. Farrell mentioned if the lots have an assessor's card, the lot would be assessed appropriately.

A resident mentioned there would be a lot of blasting at the lower end of Haynes Road and noted there's a lot of ledge. Mr. Baril acknowledged this statement. Mr. Farrell agreed this information was included.

A resident provided a comment regarding including the homes on Knoll Lane may not be possible. Mr. Farrell questioned whether those eight homes could be included but will look into this matter.

Mike Kohloff, 213 Haynes Road inquired if he would need to pay an assessment if he had a capped sewer. Mr. Baril mentioned there are a number of factors to consider when the Town approves the installation of public sewers and mentioned the average homeowner could not have a capped sewer. Mr. Armstrong noted the issue is well taken and one that will be looked into.

John Jennings, 69 Haynes Road asked the Commission what the next steps should be whether the project would begin soon. Mr. Farrell responded he wishes to know the consensus as he would not impose a financial hardship on someone who is unable to absorb it and realizes there are people with systems that are problematic. Mr. Farrell continued by saying this is a democracy and needs better data



from the residents. Mr. Farrell would like to see a 90 - 95% return rate on the surveys. A resident noted there's also a health issue that affects everyone.

Mr. Armstrong wishes to narrow the range and provide better figures regarding the cost to connect the mainline to one's home. Mr. Baril responded it would typically be \$40 to \$50 a foot and noted every circumstance is different. Mr. Johansen suggested the residents could call a contractor to visit one's home for an estimate to tighten the range.

Janet Dineen, 140 Haynes Road, In favor of sewers, based on the shortest time available and is happy with the information she has received and would like more information in order to make a decision.

Drew Liljedahl, 10 Haynes suggested that if a survey is done, information should be included about the lien issue which may sway people one way or the other and the sooner they know, the better. Mr. Armstrong mentioned it's an item the title searcher should see. Based on conversations with Mr. Baril, Mr. Armstrong noted the cost would be negotiated at closing, based on the buyer and seller. If the seller doesn't pay, the buyer would be held responsible.

Mr. Phillips, 171 Haynes Road mentioned the figure of \$12,000 is piece of mind and noted people wouldn't have to hook up. Mr. Phillips mentioned it's the Town's responsibility for the health and welfare of the community and the project should be done.

One resident mentioned the \$12,000 is based for another project and noted the figures mentioned in the past is a range is \$11,000 to \$13,000 and noted it may cost the same to replace a leaching field. Mr. Baril posed the question that if it would cost \$25,000 to replace a leaching field or \$25,000 to hook up to public sewers, this is a question the resident should ask.

A resident mentioned there's a price for piece of mind for having someone else held responsible for your sewage.

Larry Drake, 20 Springbrook inquired whether there is a feeling of how long Mr. Ferrigno's interest is with the project and wondered if the interest would last if time is spent with sending out more surveys. Mr. Baril has not received a definitive answer from Mr. Ferrigno and agrees it would be helpful for the residents to meet with Mr. Ferrigno. The Knoll Lane subdivision has received a fair amount of inquiry for his homes but will be successful whether the homes have septic systems or are connected to public sewers. A resident agreed they need more information from Mr. Ferrigno.

Mr. Baril mentioned the Planning and Zoning Commission has approved Mr. Ferrigno's subdivision based on capped sewers. He is obligated to put in capped sewers in accordance to his approval.

A resident posed a scenario where if the residents wanted sewers, could the Town ask Mr. Ferrigno for \$200,000 that he not put in septic systems. Mr. Farrell could not speak on Mr. Ferrigno's behalf.

John Jennings, 69 Haynes Road does not see any savings done if the eight capped sewers are removed.

Mr. Farrell thanked the audience for attending the meeting to discuss agenda item of 2010-9.

Members reviewed the meeting and the following open items were discussed:

- Lien issue - Tighten up language regarding the length of the lien (10 years). Can the title be conveyed with an outstanding note?
- Approach Bill Ferrigno – facilitate meeting with residents
- Will send survey out after meeting with Mr. Ferrigno
- Discussion regarding dedicating Engineering staff to go into true design
- Reviewed available options (Partner Project, prevailing wage issues) which will include discussing with Town Attorney
- Town Buildings/Land Trust/Vacant Lot – determine whether these properties will be assessed and whether deferred assessment is possible
- How does the Town set the interest rate?

Discussion was held regarding the route and resident's concern regarding the costs of connecting to the public sewers.

2009 – 12 Deepwood Drive Update –

Assessment review: Interest rate, proposed assessments, timetable for assessments.

Mr. Baril introduced Tim Foster who assisted Mr. Baril in compiling the information regarding the Deepwood Drive assessment.

Mr. Baril handed out material such as which lots will be assessed for sanitary sewers, the timetable of sewer assessment events. One lot was discussed as a non-conforming lot on Deepwood. Mr. Baril explained the lot count based on his discussion with Mr. Tom Daukas. Mr. Baril confirmed Huckleberry does not have sewers. Mr. Farrell inquired whether a certain parcel on Huckleberry is a buildable lot based on the fact that it has a Huckleberry Hill address. Mr. Baril agrees this is a questionable assessment lot. Mr. Armstrong inquired whether 32 Deepwood qualifies for minimum street frontage. Mr. Baril confirmed it does. The non-conforming lot was discussed whether it would be considered a special benefit assessment. Mr. Baril confirmed that a deferred assessment would go on the land records. Mr. Baril discussed the timeline and noted the section that discusses when the Tax Collector files a caveat on the land records

The least expensive to residents would be 45 homes assessed. Mr. Baril confirmed the Town will absorb \$60,300 which has been taken out of the sewer fund (the capital improvement project) and he also confirmed the Town had an obligation to make the road improvements on Deepwood. Mr. Baril noted the bids received came in lower due to the economy, but noted the Town is obligated to take the lowest qualified bidder. Mr. Baril noted the next AWPCA is scheduled for February 10, 2011. Mr. Baril noted the difference between 44 and 45 lots is not a large number and is approximately \$240 over ten years. Mr. Farrell noted the Deepwood Sewer project was based on residents who approached the Town for the project. Mr. Foster mentioned the payback does not need to be for 10-years. Mr. Baril explained there will be a pavement cost limit for future contracts based on a certain width trench to provide a legal precedence.

Mr. Baril requested direction from the Commission regarding which option to follow. Mr. Farrell recommended to using a 45-lot assessment with no reduction.

It was discussed whether members should levy the assessments at the February meeting and noted that would be confirmed at a later date based on members' schedules.

MOTION Mr. Eschert motioned to approve the assessment of 45 lots, with reduction for paving. The motion, seconded by Mr. Armstrong, received unanimous approval.

VI PLANNING & ZONING MATTERS – None

VII COMMUNICATION FROM STAFF - None

VIII COMMUNICATION FROM MEMBERS – Mr. Eschert noted his new email address, which was noted by the AWPCA Clerk.

IX OTHER BUSINESS – None

X ADJOURNMENT

MOTION: Mr. Farrell motioned to adjourn the meeting at approximately 10:45 pm. The motion, seconded by Mr. Armstrong, received unanimous approval.

Respectfully submitted,

Suzanne Essex, Clerk