

AVON WATER POLLUTION CONTROL AUTHORITY

**February 10, 2011
Public Hearing
Selectmen's Chambers 7 pm
Town of Avon**

I. CALL TO ORDER

The Avon Water Pollution Control Authority was called to order at 7:00 pm by Michael Farrell, Chairman.

Present: Michael Farrell
Thomas Armstrong
William Eschert
Eric Johansen
Tim Foster, Superintendent of Sewers, Town of Avon

Absent: James Miller

II. MINUTES OF PRECEDING MEETING – January 13, 2011

MOTION: Mr. Eschert motioned for approval of the January 13, 2011 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 Deepwood Drive agenda item. There were no comments from the audience.

IV. NEW BUSINESS - 2011-2 - Deepwood Drive Assessment - Public Hearing

Mr. Farrell invited the audience to comment on Agenda item 2011-2. Ms. Barbara Shuckra, 78 Deepwood Drive, homeowner for 37 years mentioned she recalled hearing a 2% interest rate rather than a 3.25%, which she believes is too high. She believes 3.25 % too high based on the money in the sewer account. Ms. Shuckra mentioned her septic system is working fine. She speaks highly of Mark of Canton Village Construction, who was respectful of street and property. She was anticipating a figure of something between \$8,000 and \$11,000. Ms. Shuckra mentioned she would like to see the contracts which were submitted by both companies to see what their bond was

for. Her understanding was residents of Phase I would pay for Phase 1 and residents of Phase II would pay for Phase II. Ms. Shuckra inquired why one contractor wouldn't absorb the costs of both phases and why should residents pay for all the problems? Mr. Arthur Byron noted the first phase encountered a lot of problems.

Mr. Farrell noted Ms. Shuckra's concerns and assured her that her questions would be addressed. Mr. Farrell introduced Mr. Tim Foster, Superintendent of Sewers for the Town of Avon as the Town Engineer was unavailable for the meeting.

Ms. Shuckra noted the last document included in the Town of Avon web site was from April 2010 under the Deepwood Drive Update link. She encouraged the Town to post items to the Town's web site.

Mr. Foster responded to Ms. Shuckra's concern over the interest rate. The Town Engineer determined the final cost of the project and spoke to the Finance Director. The interest rate came from the recommendation of the Finance Department. Mr. Farrell commented that the interest rate is derived based on the current market rate to borrow money. Ms. Shuckra mentioned the Town already had the money. Mr. Farrell mentioned the Town does not usually use the undesignated fund. Mr. Armstrong mentioned the interest rate is only applicable if you are paying in installments. The 3.25% is the current rate for the Town going out to secure the funding. Mr. Foster mentioned there is a healthy account for sewers based on individuals who have worked for the Town and others on the Board who made remarkable decisions. The Town was able make the payments occur for 10 years with the stipulation there would be an interest rate charged. Mr. Foster continued that the interest rate for the Verville Road assessment was also 3.25%. Mr. Farrell mentioned the Town shares treatment costs with three other towns and should there be a catastrophic issue with any of the three sheds, the Town would be responsible to assist the other towns in emergency repairs. Ms. Shuckra inquired about the \$300 sewer use fee and whether this system would be investigated. Mr. Farrell responded by saying this issue has been studied extensively and because many sewer customers are on well water, it would be cost ineffective to go to that type of a system. Mr. Foster commented that the Town is serviced by two water companies, Avon Water and Connecticut Water and both were willing to provide the information. There is an irrigation issue. It's hard to gather information on those people who water their lawns, which would lead to a sub-metering process. For the time and effort, the flat rate system is still a fair process. Mr. Farrell commented that Avon is the second lowest rate in the Farmington Valley. Mr. Foster continued to mention that all the commercial properties are billed by their water use. The commercial properties in Town are billed by their water use. Out of 166 commercial accounts, there are six commercial accounts that are not on the public water system. A majority of the commercial accounts are sub-metered for their irrigation use. Mr. Farrell invited Ms. Shuckra to return to the Commission on a formal basis if she wishes to address the sewer use fee.

Mr. Farrell mentioned the contracts Ms. Shuckra inquired about are available in the Town Clerk's office or the Engineering Department. The bottom line is reflected in the assessment. There is no mark-up. Sharing costs between two phases is the most equitable process to divide costs since everyone in the neighborhood benefits from sewers. There may be some areas that might be more labor intensive and challenging but at the end of the day, it always comes out in the wash. Mr. Foster mentioned that since day one the plan was to bill the project at the end of all three phases. Mr. Farrell

responded there is an additional financial hardship on property owners to pump which explains the lower assessment.

Mr. Byron of 83 Deepwood Drive noted he may not need to pump as it depends on the plumbing route. Mr. Foster mentioned there is a 15% reduction for property owners who will need to pump. Mr. Byron mentioned his conversation with a contractor who mentioned it's an aggravation to pump and should be avoided if possible. Ms. Shuckra discussed her route as it may be less expensive to go through the basement. Mr. Foster suggested Ms. Shuckra to talk to several contractors.

Ms. Shuckra questioned a figure on page 1 of the Fact Sheet regarding the proposed costs received through assessment compared to the total cost of sewer related construction. Mr. Farrell mentioned there's a difference in price between total cost and proposed cost as the Town is absorbing a lot of the costs such as roadway improvements, Engineering costs, etc. to reduce the amount of the project before it's passed on to the homeowners. Mr. Foster replied there's a trench width for construction. The trench width increased for this project. The area exposed was greater than anticipated. The Town decided to absorb some of these costs, which are the change orders. Mr. Foster invited Ms. Shuckra to call the Engineering office to determine the date for repaving.

Ms. Shuckra objects to the 3.25% interest rate and mentioned the Town has the money. Mr. Foster replied that the average treatment costs for Simsbury is about \$265,000 per year, \$280,000 for Farmington and Canton's charge is about \$50,000. That comes out of the Sewer fund. If these treatment plants need upgrades, Town of Avon is responsible for a certain percentage of these upgrades. Recently, the Town of Avon was responsible for 23% of the costs for the Simsbury upgrade. The Town isn't given much notice. Ms. Shuckra asked who would pay if a pipe breaks in the street. The Town will be responsible for a pipe that breaks on the street. Mr. Foster understands Ms. Shuckra's concern but mentioned the fund is there in case of an emergency. Ms. Shuckra inquired how far the pipes are in the ground for Phase II. Mr. Foster said his recollection is the pipe is between 8 and 12 feet deep. The freezing line is 42 inches.

Ms. Shuckra reiterated her appreciation for the contractor who completed Phase II. Mr. Farrell invited the homeowners to write a note to the contractor to relay their satisfaction.

Mr. Byron inquired whether Deepwood was the only neighborhood with a sewer problem. Mr. Foster explained about the Town Sewer study which created a needs matrix, based on streets. Deepwood, Verville and Haynes were on the top of the list. There are about 20 other neighborhoods to be addressed. Mr. Foster continued to say there is a request with the Farmington Valley Health District to continue to send the Engineering Department reports so they are aware of potential septic repairs. Mr. Farrell commented a home's value increases with a public sewer.

Ms. Bianca Turcotte of 154 Deepwood expressed concern the assessment came in on the high end. Mr. Farrell replied there were change orders and construction issues, roadway was more fragile than anticipated. These were issues that were hard to anticipate until the shovel is put to the ground. These are issues which one can't walk away from. These were absorbed to the Town. Mr. Farrell invited the homeowner to see how much the Town was charged based on the contracts. It's public record and available for residents to see. Mr. Foster mentioned that this has weighed heavily on Mr. Larry Baril, Town Engineer. Overall, based on the depth of the sewer and the construction they did a good job and

everything was looked into. The trench width limitation wasn't included in the contracts. Sometimes it's hard to get all the information before a sewer project. Ms. Bianca inquired about how much was picked up from homeowners. There's \$50,000 from pavement alone and another \$40,000 for boulders and depth to trench. Mr. Armstrong replied it's unusual for a contractor to give a price fix. Ms. Shuckra suggested the Town utilize the web site to communicate to the homeowners when there are updates. Mr. Foster supported Ms. Shuckra's request but also noted not all homeowners are computer savvy. Mr. Farrell noted Ms. Shuckra's concerns have been noted and thanked the audience for attending the meeting.

MOTION: Mr. Eschert made a motion to adopt the assessment figures provided by the Engineering Department. The motion, seconded by Mr. Armstrong, received unanimous approval.

V. OLD BUSINESS - None

VI PLANNING & ZONING MATTERS – None

VII COMMUNICATION FROM STAFF – Mr. Farrell noted the letter sent to Mr. Larry Baril from Mr. Richard Griffin of 638 West Avon Road. The letter included approximately nine signatures regarding the Haynes Road project. Mr. Armstrong mentioned the letter pertains to the coming meeting with the Contractor. Mr. Farrell noted the meetings with the Contractor and noted Mr. Griffin was not in attendance at the last meeting. There was no overwhelming consensus one way or another but rather informative. There were approximately 14 people who affirmatively responded and noted the contractor mentioned he would need approximately 40 – 45 homes he would need commitments from by March 31 before he could move forward with the project. Mr. Foster noted the route was discussed and Mr. Farrell noted there is a 10 year time frame on the note. Mr. Foster spoke to other Engineering staff members regarding the route and noted a possible route to go north on West Avon to include the Senior Center and push to cut through between the lots. The route could come back at a later date to pick up the two lots. It was noted that some type of negotiation would be involved. Mr. Farrell noted that no one needs to sign up for the project right away and based on the builder's agreement, the residents may be able to make a decision at a later date, perhaps 15 years. If someone chooses to pay after 16 years, the resident(s) may pay more. Mr. Johansen noted that it's important that the proper planning is done before any sewer projects are initiated. Mr. Armstrong suggested someone contact Mr. Griffin to acknowledge his letter and confirm he's aware of the contractor's meeting. Mr. Farrell agreed to call him and will encourage him to attend the meeting on March 28th.

VIII COMMUNICATION FROM MEMBERS – Mr. Armstrong noted there's a gap between when an assessment is placed and when payment is due. Mr. Armstrong suggested a potential buyer should be aware there's a lien on the property. Mr. Foster stated he would send a memo to the Collector of Revenue, Deborah Fioretti, stating the Commission has adopted the assessment values of the property. She will then post the amounts for each lot which will be in the form of a public record which a title searcher will see. Discussion included ways to guarantee a title searcher is aware there's an assessment mentioned on the Town's land records. Mr. Armstrong mentioned the language used regarding tax relief and inquired whether there's an ordinance to verify the guidelines. Mr. Foster mentioned he would contact the Town Assessor who would provide him with the new guidelines.

Mr. Eschert communicated with regret his resignation from the Board and provided a letter to the Clerk to forward to Mr. Mark Zacchio. Mr. Farrell accepted Mr. Eschert's resignation, with regret, and noted his appreciation of his work with the Committee.

IX OTHER BUSINESS – None

X ADJOURNMENT

MOTION: Mr. Farrell motioned to adjourn the meeting at approximately 8:15 pm. The motion, seconded by Mr. Eschert, received unanimous approval.

Respectfully submitted,

Suzanne Essex, Clerk