

# BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, November 28, 2012

Brookfield High School Auditorium 7:00 p.m.

## APPROVED MINUTES

### 1. Convene Meeting

Chairman Malwitz convened the meeting at 7:05 PM with the following persons in attendance:

#### W.P.C.A.

N. Malwitz, Chairman  
L. Trojanowski-Marconi, Vice Chair  
C. Scott  
P. Kurtz, alternate  
J. Jove  
T.E. Lopez  
P. Donohue

#### Others

W. Charles Utschig, Birdsall Engineering  
J. Sienkiewicz, Commission Attorney  
S. Welwood, Accountant  
R. Prinz, Chief of Maintenance  
D. Will, Inspector  
K. McPadden, Executive Administrator  
E. Cole Prescott, Recording Secretary  
H. Lasser, Ex-Officio Member

Chairman Malwitz stated the purpose of the Water Pollution Control Authority and explained that there are two public hearings scheduled for tonight – one having to do with setting assessments for units within Newbury Village and the other having to do with High Meadow, Ledgewood and Newbury Crossing condominiums. Chairman Malwitz asked how many of the audience members present were from Newbury Village.

**7:00 p.m. PUBLIC HEARING #1 – Resolution Review and Levy of 2012 Federal Road Supplemental Benefit Assessments** – Chairman Malwitz opened the public hearing at 7:08 PM and read the legal notice into the record. He explained that the sewer line to which these 11 units are now a part of was constructed in 1993 and extends north from Route 133 to the New Milford line. He stated that this project was termed the Federal Road North project and each new assessment will be filed on the land records as a lien until it is paid off. He explained that the assessment is the cost of the project divided by the total grand list value of all of the properties and reviewed the handout to explain how each property is assessed. Chairman Malwitz stated that if property owners desired, they could pay the amount off in full to avoid the interest, and also mentioned that if additional properties come onto the line in the future, there is a good chance that the assessed value would actually be lowered; Chairman Malwitz stated that the WPCA only collects what is needed to pay the bond. Chairman Malwitz opened the floor up for any questions from those who might be affected by this information in Newbury Village.

*Debbie Terry, whose mother, Virginia Spiro, is a resident of Newbury Village was present.* Ms. Terry asked if the assessment rate would be lowered once the other two coach home buildings are added to the line, as this would help her mother decide when to pay the assessment off. Chairman Malwitz stated that as the WPCA gets closer to paying off the bond, the adjustments become more frequent and the current assessment in discussion tonight has actually decreased from what it originally was. Other properties that hook up in the future will also adjust the assessment.

Attorney Sienkiewicz clarified that the adjustments do not happen automatically and that the adjustment would need to be done formally by the WPCA, possibly two or three years from this point. Chairman Malwitz closed the public hearing at 7:17 PM.

**7:10 p.m. PUBLIC HEARING #2 - To receive comment from affected property owners with respect to the construction of the proposed High Meadow, Ledgewood & Newbury Crossing Sewer Project** – Chairman Malwitz opened the public hearing at 7:17 PM and read the legal notice for the public hearing that was published in the Danbury News Times. Chairman Malwitz stated that this project was brought to the WPCA by the owners of High Meadow because of their aging septic systems. Chairman Malwitz stated that there has been an informational public hearing and multiple informal meetings with the three (3) homeowners associations. Chairman Malwitz introduced the members of the Commission and staff for the audience. Chairman Malwitz mentioned that there is a summary sheet for the cost of the project as well as a map and a grand list value for the project for audience members.

W. Charles Utschig addressed the public and explained that Birdsall Engineering designed the work for the project. He stated that the purpose of the project is to eliminate the aging septic systems that currently service the three (3) condominium associations by installing a new sanitary sewer collection system (utilizing some of the existing pipes) that goes to a common pump station and ties into an existing sewer line on Pocono Road. He reviewed the diagram and explained the general topography on the map.

C. Utschig stated that for Newbury Crossing, the goal is to connect two of the sections to the existing sewer line on Silvermine Road, and for the remaining areas, primarily due to the topography of the site, they would flow to the common line that is near the wetlands. Part of the project will entail upgrading some of those pipes in order to rehabilitate them. If the pipes are not all right, there will be a process done called lining.

C. Utschig stated that for Ledgewood, the septic systems are located right near the front door of the buildings, the lines that come out of the building go right into the septic system, unlike in Newbury Crossing where there is a collection center where everything from all the buildings is collected and sent to one system. C. Utschig pointed out the red lines on the map that indicate where new work will be done. C. Utschig explained that this new work is necessary because this is the only method to collect everything into a common system that is run by gravity. He stated that it is best to have fewer pump stations.

C. Utschig noted that in the case of High Meadow, there are four spread-out systems with a combination of existing pipes that can be re-used and new pipes that need to be installed in order to collect sewage from all those buildings into one common system.

C. Utschig stated that the next issue was that combined sewer flows would be carried from one association through another association to get to the pump station. C. Utschig noted the location of the highlighted cross-hatch lines that run through the associations that will be owned by the WPCA. C. Utschig stated that the other lines that deal with one flow's association at a time will be owned by the pertinent association. C. Utschig mentioned that the maintenance of sewer lines is not much compared to the maintenance required for septic systems. C. Utschig stated that a survey has been done of all the properties, there have been test borings, and there have been major wetlands verification work done as well. C. Utschig stated that it was necessary for this information to be gathered upfront because it would allow the engineers to come to a more complete design which would allow them to come to a closer project cost. C. Utschig stated that based on the current proposed configuration that eliminates all of the septic systems and provides a common pump station the cost is approximately \$2.5 million dollars. C. Utschig stated that this projected cost has slightly increased because of the information gathered, such as the deep ledge found during the test borings. C. Utschig stated that the other contributing factor of that cost is that the wetland commission would like to see any impact to the wetland mitigated. The wetland area is  $\pm 1200$  square feet, and the WPCA hopes to demonstrate to the wetlands commission how the disturbance on the wetlands is only temporary.

*Tracy Pack of Newbury Crossing Condominiums was present to ask a question.* Ms. Pack asked for clarification that each condominium will be responsible for the sewer maintenance of the lines on their property and asked what that maintenance entails. C. Utschig replied that typically on a gravity sanitary sewer system, other than doing an inspection periodically, there is really not much maintenance to the systems. C. Utschig stated that the materials that are now used have a very long life, and the answer to the question is very little. Attorney Sienkiewicz clarified that all 3 of these systems are defined by State statutes as community sewer systems and as a condition of this project, state statutes, and WPCA sewer regulations, the condominium associations will be required to enter into a permanent management and maintenance agreement with the WPCA that will require that the condominium association establish funding essentially so the association can develop funds only for repairs. This money will need to be accounted to the WPCA on an annual basis. Generally speaking, the funding is the replacement cost of the system divided by a fifty-year use for life.

Ms. Pack asked what the cost of the maintenance will be. Chairman Malwitz clarified that this cost will only consider the cost of the maintenance of the lines that the associations will own, and not the maintenance of any lines owned by the WPCA.

Ms. Pack asked if the average assessment shown is the total amount paid off at once or if it reflects the amount paid off by year according to the payment schedule.

Ms. Pack also asked if the manhole covers are going to be in the street or on the property because there are a number of flags in her front yard. C. Utschig stated that the current flags, stakes, and paintings have nothing to do with the exact location of the manholes. C. Utschig stated that Bristol Path has one new manhole in the street and one new manhole on Silvermine Road.

*Peter Citrone of High Meadow Condominiums was present to speak about the project.* Mr. Citrone asked for clarification of the meaning of the black dotted line that indicates the 100' setback throughout the plan. Attorney Sienkiewicz clarified that this line indicated the location of the wetlands regulated area, and C. Utschig stated that this line is the offset of 100' from what is defined in the local wetland ordinance as a regulated area. C. Utschig stated that this is a line that is needed to be shown on the map for the wetlands commission application submittal.

Howard Lasser asked if the two lines service all of the buildings on Bristol Path and Brooks Lane or just the buildings where the lines are in front. C. Utschig stated that the line on Brooks Lane handles both buildings and the one on Bristol currently only handles the building closest to Silvermine Road. H. Lasser clarified that the sewage will flow into the Silvermine line. H. Lasser asked if the cost for this particular piece is a lot less than including this portion of work in the whole project. H. Lasser asked if it might make sense to consider this cost as a separate project to make it easier on those unit owners? C. Utschig replied that they are considered part of the large project and will not be separate.

*Pat Blanchfield of Ledgewood Condominiums was present to ask a question.* Mr. Blanchfield asked why the sewer line is off street and does not follow along Ledgewood Drive until it hits the High Meadow property line. C. Utschig stated that in order to avoid the question of who should maintain and be responsible for the areas where the sewer crosses from one association to the other, the WPCA took the approach that at any point throughout the project when flows from one property cross flows from another, the WPCA took on that ownership and maintenance responsibility. Mr. Blanchfield expressed that he does not agree with the logic because it is very expensive for Ledgewood in his opinion. He also asked why the sewer is not being placed in the road, but rather in grassy areas. C. Utschig noted the location of the substantial grade change and rock on the map and stated that the design effort was to be most efficient, most economical and cause the least disturbance.

Chairman Malwitz reviewed the cost estimate with the audience. The total project cost based on current estimates – the recent engineering and the wetlands issues - is \$2,123,000.00. He reviewed the project cost document for each condominium complex and stated that the total assessment will be approximately 10.35% of the total grand list value.

Mr. Citrone mentioned that the last time there was a general meeting the percentage that was discussed at the time was six percent, and he is trying to find out what shifted during that year. Chairman Malwitz clarified that more definitive engineering work has been done to show the configuration and the wetlands and the rock. Chairman Malwitz stated that there are several unknowns out of the Commission's control, and that these include the wetlands and the rock.

Atty. Sienkiewicz stated that from the legal standpoint he will need from the condominium associations a wide variety of easements, such as temporary construction easements for the areas where the WPCA will be working, which will probably be throughout the property. The WPCA may need to take a general easement across the whole property, but he is not sure at this point. Atty. Sienkiewicz stated that permanent sewer easements for the areas marked in green on the map will need to be signed and stated that at some point he will be drafting a sewer agreement for the associations. Atty. Sienkiewicz stated that there will probably be some sort of electrical easement for CL&P running to the pump station as well.

Chairman Malwitz reviewed that in the addition to paying for the pipes and pumps in the ground, there will be a usage charge that is due every quarter. Currently, the usage charge is \$95 per quarter per unit. He also noted that the first WPCA newsletter is available with the literature at tonight's meeting as an effort to increase the communication between residents and the WPCA. Chairman Malwitz stated that the Commission is comprised of a group of volunteers. Chairman Malwitz also noted that there is a website for information as well – [www.brookfieldwpc.com](http://www.brookfieldwpc.com).

*Meri Kresnow of Newbury Crossing was present to ask a question.* Ms. Kresnow asked what is going to happen on the green locations on the map in terms of work and what is going to be involved for the units. C. Utschig clarified that for the most part the work that will be done in those green areas will be done over the manhole with a crew, trucks and a special machine used to line the pipes. C. Utschig mentioned that there will be no additional clearing or tree removal in those specific areas. C. Utschig stated that this is working within the pipe, and in terms of work, will probably be the least amount of work compared in terms of where digging needs to be done. Chairman Malwitz stated that the Newbury Crossing condo pipes are in disrepair and need much work to be brought up to fifty-year life, which is part of this project.

*Katherine Talbot of High Meadow Condominiums was present to speak about the project.* Ms. Talbot understands that the sewer system is supposed to make the area better, but even the current water line project did not improve any of the water conditions for the condominiums. Ms. Talbot asked if the Commission has looked at every resource to make sure that the cost of this system will benefit the owners. Ms. Talbot asked if the WPCA is using cost control. She noted that the letters were sent out certified, and that is expensive. Chairman Malwitz replied that this was a legal requirement, and was paid for by the WPCA. Chairman Malwitz stated that the WPCA is doing the best they can for valued engineering. Chairman Malwitz clarified that the water line is a completely separate project and not under the purview of the WPCA. Ms. Talbot stated that she is a single person who is paying \$4,000 a year in taxes with no children in the school system. Ms. Talbot stated that she hopes that the WPCA is considering all options to take some of the burden off of the owners and the taxpayers. Chairman Malwitz stated that this is a permanent solution to the issues and that much of the current infrastructure needs repair. Chairman Malwitz also mentioned that the High Meadow Condominium Association brought this project to the Water Pollution Control Authority. Ms. Talbot asked how long the sewer system will last, and Chairman Malwitz replied that the projected life as calculated by the State is 50 years. Chairman Malwitz stated that the Commission has done its best to use efficiencies to keep the cost as manageable as possible.

*Gail Bristol of Newbury Crossing was present to ask a question.* Ms. Bristol asked if the red lines on the map are gravity-fed, and C. Utschig replied that they are. Ms. Bristol asked if the sewage backup into neighbor's basements will be eliminated with this proposal, and C. Utschig stated that yes, that would stop. Ms. Bristol also asked how long the work will block the roads, and C. Utschig replied that the contractor will be required to ensure that the residents and emergency vehicles have access. C. Utschig stated that if the road needs to be blocked for something like a service line, the owners will be given advanced notice of the block.

*Susan Dodd of High Meadow Condominiums was present to ask a question.* Ms. Dodd stated that she understands that in the future other properties will hook up, but that the condo association will not get that benefit of more properties on the line and there is a disparity here that she would like to see fixed. Chairman Malwitz clarified that this is probably not the case for this project, because the only other building that is eligible to enter onto this line is the Congregational Church.

Howard Lasser asked if there is an interest charge on the two percent Capital Cost Recovery Connection Charge fee, and Chairman Malwitz stated that the WPCA has not yet deliberated that. Howard Lasser stated that this percentage is a redundant fee that he believes should not be charged at all.

Mr. Peter Citrone asked what the next step(s) of the project are, and Chairman Malwitz replied that the next step is to get the wetlands approval. Chairman Malwitz stated that the WPCA has already spoken to the Army Corps of Engineers and the DEEP and now it is a matter of going through the wetlands commission in Brookfield. Chairman Malwitz stated that after the wetlands approval the next step is to complete the engineering to go out to bid. Chairman Malwitz stated that he is hoping to see the work completed during the dry months of next summer to minimize any impact to the wetland areas.

Howard Lasser stated that he assumes that the Commission is going to want general obligation bonds, which would require a Board of Selectmen review and a Town meeting. Mr. Lasser also mentioned that because the project is greater than one million dollars, it will need to go to a Town referendum. Howard Lasser mentioned that these approvals should also be considered as part of the time limit. Chairman Malwitz stated that after the Wetlands Commission decision, the Commission will have a better idea of the cost for the amount of the bond.

Howard Lasser stated that he thinks that the project needs to be done for the benefit of the community and the benefit of the homeowners. Mr. Lasser stated that before that point he would like the WPCA to give the owners a clearer picture of the total amount of what the homeowners should expect the total cost per year to be. Chairman Malwitz stated that these numbers will be calculated. Chairman Malwitz stated that the WPCA went to the State to ask about grant money for this project and other projects as well. Howard Lasser noted that the Director of Health, Dr. Raymond Sullivan, had circulated some information about grants for clean water funds this week, but Mr. Lasser mentioned that he was not sure if that information would apply for this project.

Ms. Dodd asked why the assessment is calculated using the grand list value. Chairman Malwitz clarified that the State allows for several different methods of calculating the assessment, but that the assessment calculation based on the grand list value method of calculation is fair, and is one of the methods allowed by the State.

*Theresa Miller of Newbury Crossing was present to ask a question.* Ms. Miller asked for a summary of the benefits of this project and asked if the property values of the homes would be increased. Chairman Malwitz stated that when there is a failing septic that is a liability for the condominium association(s). He also noted that many potential buyers often are curious to know if a home is on a sewer or a septic system. Chairman Malwitz replied that each one of the condo associations has a stressed or aged septic system that will require the owners to pay for the project as well.

*Debbie of Newbury Crossing was present to ask a question.* She stated that there are current septic backups at some units, especially for her neighbor's. Debbie asked if all of these issues will be resolved with the new system, and Chairman Malwitz replied that these issues will all be mitigated through engineering. C. Utschig replied that one of the things the engineers will do during the final design is to investigate the problems and the cause of the problems so that there are no lingering issues, but fundamentally this will solve all of those problems. Chairman Malwitz closed the public hearing at 8:33 PM.

*Chairman Malwitz recessed the meeting at 8:34 PM. Chairwoman Malwitz re-convened the meeting at 8:39 PM.*

2. **Approval of Minutes** – 10/24/12 Regular Meeting – **Vice Chair Trojanowski-Marconi made a motion to approve the minutes as presented, and C. Scott seconded the motion. Motion carried unanimously.**

3. **Correspondence**

- a. Letter to Whom It May Concern from V. Spiro dated 11/01/12 Re: 508 Federal Road – Chairman Malwitz read the letter for the record. Chairman Malwitz noted that if a unit is not rented, it becomes a vacant unit and is only charged as one unit. K. McPadden stated that there are four different units within that one building. K. McPadden stated that she would like something to be stated in the regulations that a vacant unit is to be reduced to one unit. Chairman Malwitz mentioned that when the regulation changes are reviewed for changes this suggestion should be included.

4. **Old Business**

- a. Resolution Review and Levy of 2012 Benefit Assessment and Supplemental Benefit Assessments - To consider and act upon – Chairman Malwitz reviewed the resolution with the Commission. **Vice Chair Trojanowski-Marconi made a motion to adopt the 2012 Resolution to Levy Federal Road Supplemental Benefit Assessments. T.E. Lopez seconded the motion, and it carried unanimously.**
- b. Proposed High Meadow, Ledgewood & Newbury Crossing Sewer Project – To consider and act upon – Howard Lasser asked if the Commission would be required to have another public hearing if there are potential changes to the cost or scope of the project. Chairman Malwitz stated that he believed the Commission would need to.

5. **New Business**

- a. 143 Federal Rd. – FroyoWorld - Application for Under Sink Grease Trap – *Justin Greg with FroYo World was present to discuss the application.* Mr. Greg stated that he is going to be opening a frozen yogurt shop (Froyo World) in the Shop Rite plaza and he was told that he may be required to install an under-sink grease separator. K. McPadden forwarded the specs to M. Finan and D. Will and C. Utschig stated that a grease trap is not required due to this being a Class II food service establishment, but D. Will recommend that the Commission require the under-sink grease trap. C. Utschig asked that the applicant tell the Commission which size is appropriate for the sink. **Vice Chair Trojanowski-**

**Marconi made a motion to accept the application of FroYo World and having accepted the application, to approve the application to connect provided that the applicant include an under sink grease trap with the size to be specified in writing and acceptable to the staff. J. Jove seconded the motion and it carried unanimously.**

**6. Accountant Reports**

S. Welwood reviewed the accountant report with the Commission.

*The Commission moved to informal discussion, agenda item 11a.*

**11. Informal Discussion**

a. Steve Sullivan - Berkshire Corporate Park, 20 Vale Road – *Steve Sullivan of CCA, LLC and Roy Steiner, owner of Berkshire Corporate Park were present.* S. Sullivan stated that the current property is vacant and is approximately 72 acres, with a 40,000 gpd reservation with the WPCA. He stated that there is an interested buyer who would like to construct a 30,000 square feet building. The plan is to subdivide the property, cutting off eight acres and leaving the other portion for another potential buyer. S. Sullivan showed the location of Vale Road on the map. R. Steiner stated that the park is comprised of 300 acres of industrial land split between Bethel, Danbury and Brookfield, and all of the acreage is zoned industrial. R. Steiner noted that much of the land on the Brookfield side has not yet been developed. R. Steiner stated that in 1995 the zone was changed and at that time sewer infrastructure was installed. The Commission reviewed the location of the pump station and sewer line with S. Sullivan and R. Steiner. R. Steiner stated that this is the start of the development of the Brookfield industrial section. S. Sullivan noted that some easements would be given to the Brookfield WPCA for the gravity-fed line. R. Steiner stated that he has all of the easements and R. Prinz noted that he believes that the agreement was never finalized. Atty. Sienkiewicz asked if there was a plan showing the layout of the lines with the application. Atty. Sienkiewicz stated that the first step of this application should be to refer it to the Board of Selectmen. Atty. Sienkiewicz stated that the sewer extension would then need to be forwarded to the Planning Commission as an 8-24 referral. Atty. Sienkiewicz reviewed the regulations with the Commission that pertain to the expansion of sewer facilities. S. Sullivan showed the location of Vale Road and the existing utility easement along the road. Chairman Malwitz clarified that the easement would allow the Commission to maintain and fix any of the infrastructure. Atty. Sienkiewicz suggested that S. Sullivan mark out the location of the proposed public sewer for the application to be viewed by the Selectmen. C. Utschig suggested that a composite plan be generated for the Selectmen review. **T.E. Lopez made a motion to accept the preliminary application for proposed public sewer extension to 20 Vale Road, and to refer the application to the Board of Selectmen for their consideration. Vice Chair Trojanowski-Marconi seconded the motion and it carried unanimously.**

**7. Engineer Comments/Project Update**

- a. Caldor Pump Station Grinder – C. Utschig stated that the project is complete and the retainage on that job will be released. T.E. Lopez asked if the Commission was on budget, and R. Prinz stated that the project was slightly over budget.
- b. Delmar Drive Sewer Extension – C. Utschig stated that a pre-construction meeting with the contractor needs to be set up. C. Utschig stated that Birdsall needs to speak with R. Tedesco about what he will be satisfied with for the temporary road for the winter months. The work needs to be completed by May according to R. Prinz. T.E. Lopez asked if the contract was reviewed by CIRMA. Atty. Sienkiewicz stated that he sent the previous contract to CIRMA, and the same language was used for this contract so he didn't feel a need to send it.
- c. GIS System Update – C. Utschig stated that Birdsall is going to send the wish-list that they have compiled to Scott Sharlow, who is working with the other town departments to build the GIS.
- d. Other Engineering Matters – C. Utschig stated that he received a request from Siemens to discharge additional liquids into the sanitary sewer system. Siemens submitted the MSDS sheets and a large number of the sheets note to not mix with sanitary sewer. C. Utschig stated that he will follow up with Siemens about this matter.

Chairman Mawitz asked where the Commission currently stands with Jodie Chase, and asked C. Utschig if a date can be set for the Wetlands Commission submittal for the High

Meadow/Ledgewood/Newbury Crossing project. C. Utschig stated that he has worked out with Jodie Chase the current narratives that allow the WPCA to present this to the Wetlands Commission. C. Utschig stated that he would like to get the application filed as soon as possible.

**8. Legal Matters**

- a. 56 Del Mar Drive – Grading & Landscape Easement – Atty. Sienkiewicz stated that the concern was that in order to make the sewer connection, they would have to dig under the access road to the pump station and also dig under the bank. The applicant was asking the Commission to install a lateral. R. Prinz suggested that the sewer be extended so that it would be easier for them. R. Prinz stated that this property line is right at the edge of the pump station. R. Prinz stated that he would ask the contractor to extend the line past the grading easement and into the parking lot – thirteen feet one length to the parking lot at least. R. Prinz stated that he will discuss this matter with the property owner.
- b. 67 Federal Road – Easement – C. Utschig gave Atty. Sienkiewicz the map necessary to finalize this easement process.
- c. Delinquent Accounts – No discussion/no motions.
- d. Other Legal Matters – Riverview Incentive Housing - 871 Federal Road Permanent Maintenance Agreement – Atty. Sienkiewicz stated that last month the Commission approved 871 Federal Road. Atty. Sienkiewicz stated that there was a permanent maintenance agreement. Since then, Tony Lucera and M. Lillis had gotten approval from this Commission for a modification to the original sewer plan. Atty. Sienkiewicz stated that Attorney Mazzucco called him and stated that the association already exists and asked if Atty. Sienkiewicz would change the language to reflect the information of the condominium association. Atty. Sienkiewicz stated that he has added language to reflect that there is already a condominium association in place. **Vice Chair Trojanowski-Marconi made a motion to authorize a revision and amendment of the community sewer system, to recognize that the corporation that will act as the condominium association has been established and now legally exists, and they will be a signer of the Permanent Maintenance Agreement. T.E. Lopez seconded the motion and it carried unanimously.**

**9. Chief of Maintenance Report/Inspector Report –**

R. Prinz distributed the chief of maintenance report to the Commission.

**Del Mar Drive** – R. Prinz stated that the document has been signed; notice to proceed has been given and the project needs to be completed by May.

**Monitoring Upgrade** – R. Prinz reported that the 15” flow monitoring is now installed at the Caldor pump station to determine what comes down Federal Road and Candlewood Lake Road. R. Prinz stated that he also has someone researching a solar option for this project.

**Caldor Pump Station Grinder** – R. Prinz stated that two (final) invoices will be on tonight’s voucher listing, including the retainage.

**Old New Milford** – R. Prinz noted that this has been completed.

**Facilities Plan** – R. Prinz stated that the Commission should begin looking into getting a grant for the completion of this project.

R. Prinz stated that all of the **pump station maintenance** for the year has been completed.

R. Prinz also noted that D. Will has inspected all of the **grease traps** for the fourth quarter.

R. Prinz reported that the line has been completed from Old New Milford Road down to Danbury for the **water line**. R. Prinz stated that the trees were taken down and grading has yet to be done.

**BJ’s** – R. Prinz stated that the building is complete and the CO was issued today. R. Prinz also noted that the WPCA is still awaiting some inspection money, and that the application was signed off by the WPCA with the provision that the application was for the building only and not for the gas station.

**Costco** – R. Prinz stated that phase one is complete.

**Maggie McFly’s** – R. Prinz stated that the old pump station has been de-activated and the project is 95% complete.

**10. Other WPCA Business**

- a. Outlet Capacity Charge Reimbursements – Set Public Hearing (1/23/13) –
- b. Regulation Update – Set Public Hearing (1/23/13) – Chairman Mawitz noted that K. McPadden had some suggestions for regulation updates, and K. McPadden replied that it would be beneficial to add language that if a unit is vacant it is moved from its current usage charge to a charge of one unit for the

vacant space. Atty. Sienkiewicz stated that the committee referred the deferment of the capital cost recovery connection fees, and made payable if over \$15,000 over a longer period of time – first payment of \$10,000 with payment of four equal installments each December. **C. Scott made a motion to set the public hearing date for January 23, 2013 at 7:00 PM at the Town Hall for both the Outlet Capacity Reimbursements and the Regulation Updates. Vice Chair Trojanowski-Marconi seconded the motion and it carried unanimously.**

**11. Vouchers**

**Vice Chair Trojanowski-Marconi made a motion to accept the vouchers as presented. C. Scott seconded the motion, and it carried unanimously.**

**12. Adjournment**

**Vice Chair Trojanowski-Marconi made a motion to adjourn at 10:06 PM. T.E. Lopez seconded the motion, and it carried unanimously.**

\*\*\* December 19, 2012 meeting has been canceled \*\*\*  
\*\*\*Next regular meeting is scheduled for January 23, 2013\*\*\*



## RESOLUTION

### 2012 FEDERAL ROAD SUPPLEMENTAL BENEFIT ASSESSMENTS

Whereas, the Brookfield Water Pollution Control Authority, acting for the Town of Brookfield, has constructed improvements to the Brookfield Sewer System known as the Federal Road Sewer Extension, and

Whereas, the property described hereafter are presently served by the Federal Road Sewer Extension and are subject to the levy of a supplemental benefit assessment pursuant to resolutions heretofore adopted by the Authority (see resolutions of June 23, 1993, July 28, 1993, March 21, 2007 and January 11, 2012) and

Whereas the Authority has caused notice of the levy of a proposed benefit assessment and proposed supplemental benefit assessments against the properties hereafter described to be given to the affected property owners and has conducted a public hearing with respect thereto:

NOW, THEREFORE, BE IT RESOLVED THAT:

1) The properties hereafter described are found to be especially benefited by the construction of the Federal Road Sewer Extension.

2) The Brookfield Water Pollution Control Authority hereby levies a supplemental benefit assessment in the following amounts and against the following properties as they are found to have been improved subsequent to October 1, 1992 so as to increase their valuation for tax purposes.

<u>Property Address</u>	<u>Property Owner</u>	<u>Supplemental Assessment</u>
63 GREAT HERON LANE	GOLDBLATT, PAUL REVOCABLE TRUST	7,394.18
314 STILL WATER CIRCLE	WILLIAMS, MIRA E	4,837.26
315 STILL WATER CIRCLE	SEGA, SALLY A	5,670.04
322 STILL WATER CIRCLE	KENYON, WINIFRED	4,837.26
323 STILL WATER CIRCLE	ZACCARIA, ANN M	4,772.19
324 STILL WATER CIRCLE	HUNT, PATRICK J & CONCETTA M	4,837.26
325 STILL WATER CIRCLE	GROSSMAN, MYRON & ROSLYN	5,670.04
331 STILL WATER CIRCLE	CALLAHAN, JAMES & BETTY & CONLEY, DANIELLE	5,552.41
332 STILL WATER CIRCLE	SPIRO, VIRGINIA M	4,837.26
334 STILL WATER CIRCLE	WEIGHART, EDITH C	4,837.26
335 STILL WATER CIRCLE	ARCO, ALDRED & LORRAINE	5,670.04

4) Said supplemental benefit assessments are equal to 7.3 percent (7.3%) of such property's "equalized" assessed value as of October 1, 1983 based on the assessed valuation on the October 1, 1992 Grand List. (See footnote 9, Resolution of March 21, 2007.)

5) Such supplemental benefit assessments shall be due and payable on January 1, 2013, provided however, that at the option of the owner, the supplemental benefit assessments may be paid in **nine (9)** equal installments, the first of which shall be due on January 1, 2013 and each subsequent installment shall be due on December 1, commencing on December 1, 2013, together with interest on the unpaid principal amount of such benefit assessment or supplemental benefit assessment at the rate of 5.5% per annum; provided further, however, that if any such installment remains unpaid for thirty (30) days after the same shall become due and payable, then at the option of the Authority, the entire unpaid balance of such benefit assessment or supplemental benefit assessment, together with all unpaid interest, shall become immediately due and payable. The Authority shall have all of the rights provided by Section 7-254 of the Connecticut General Statutes, as amended, with respect to delinquent assessments.

6) Any property owner subject to a supplemental benefit assessment with respect to the Federal Road Sewer Extension may prepay any or all installments of the benefit assessment or supplemental benefit assessment for which such property owner is liable at any time prior to the due date thereof and no interest on any such prepaid installment shall be charged beyond the date of such payment.

7) The Executive Administrator of the Authority is directed to cause notice of such supplemental benefit assessments to be published twice in a newspaper having circulation in the Town of Brookfield, the first such publication to be not later than **November 30, 2012**, and the second such publication to be not later than **December 14, 2012**, and to mail a copy of such notice, and of such benefit assessment, to the affected property owner at the owner's address as shown on the last completed grand list, or to any such subsequent address of which the Authority may have knowledge not later than **November 30, 2012**.