

# **BROOKFIELD WATER POLLUTION CONTROL AUTHORITY**

Wednesday, October 23, 2013 Room 133 7:00 p.m.

## **APPROVED MINUTES**

1. **Convene Meeting** – Chairman Malwitz called the meeting to order at 7:00 PM with the following in attendance:

### **WPCA**

N. Malwitz, Chairman  
L. Trojanowski-Marconi, Vice Chair  
J. Jove  
P. Kurtz

### **Others**

D. Will, Inspector  
R. Prinz, Maintenance Manager  
J. Sienkiewicz, Attorney  
W. Charles Utschig, Langan Engineer  
K. McPadden, Executive Administrator  
E. Cole Prescott, Recording Secretary

7:00 p.m. - PUBLIC HEARING #1 – PROPOSED BENEFIT ASSESSMENTS - To receive public comment with respect to the levy of 2013 Supplemental Benefit Assessments – Chairman Malwitz opened this public hearing at 7:00 PM. Chairman Malwitz noted that this public hearing pertains to approximately thirty properties in Oak Meadows Condominiums, Riverview at Brookfield, and Newbury Village all in the Federal Road North sewer district. Chairman Malwitz read the legal notice that was published in *The News Times*. Chairman Malwitz stated that the owners of the properties had been sent letters informing them of tonight's public hearing. Chairman Malwitz noted that the pipes in the ground when installed are paid for by the owners of the properties that are on the line. Chairman Malwitz noted that there are currently three sewer districts, and each system is paid for by the property owners on the particular system. Chairman Malwitz noted that the Federal Road North system was built in 1993, and the owners at that time were assessed based on the 1983 values of the properties. Chairman Malwitz explained that State law requires that every property must be assessed on an equal basis. Chairman Malwitz explained that for this calculation the grand list value as determined by the Assessor was used and calculated back to the 1983 valuation. Chairman Malwitz explained that the benefit assessment is applied as a percentage based on this number from 1983. Chairman Malwitz stated that the original benefit assessment was 9.3%, but now the rate is 7.3% of the 1983 property values because more properties have been added to this line. This assessment pays for the infrastructure and the pipes in the ground. Chairman Malwitz noted how the sewer system operates. Chairman Malwitz explained that as additional properties are added to the line, the price per owner is reduced because State law only allows the WPCA to collect for the amount of the system and some maintenance. Therefore, the rates have been reduced in subsequent years so extra fees are not collected. Chairman Malwitz explained that this bond is paid off in the year 2021, and the owners are paying from now until the year that the bond is no longer active. Chairman Malwitz noted that owners pay interest on the unpaid amount at a rate of 5.5%. He also noted that owners have the option of either paying off the entire principal amount or paying it off over time with bonded interest. Chairman Malwitz noted that owners who pay off the entire amount at once will not get the benefit of any further reductions, whereas those owners who pay over time will benefit from any further reductions, if there are any. Chairman Malwitz noted that this particular line runs from Route 133 near the cornfield to the New Milford town line. Chairman Malwitz noted that the vacant land was assessed at the value of the vacant land, and this assessment is reduced on what was paid for the land before the condominiums were built.

Chairman Malwitz asked for questions or comments from the audience. Mr. Muktesh Paliwal, owner of 61 Great Heron Lane, asked for clarification about the amount he must pay for this assessment. Chairman Malwitz responded that Mr. Paliwal's assessment for the sewer is \$8,145. Kristi McPadden noted that the first year's payment for this property will be about \$1,400. Mr. Paliwal also asked about clarification of the difference between the usage charge and the assessment price. Chairman Malwitz noted that the sewers in Brookfield are paid by the users and not the taxpayers. Chairman Malwitz noted that the amount used in the calculations for these assessments are based on the grand list value as determined by the Assessors' Office.

Ms. Joan Shand, owner of 312 Still Water Circle, asked if the amount of the assessment is based on the amount indicated on the tax bill and value of the house. She noted that the assessment on the WPCA records is listed as more than it is on her tax bill. Chairman Malwitz noted that the 2012 grand list value indicates that her property is assessed for \$229,090. Ms. Shand responded that her tax bill indicates \$214,000. She presented her tax bill to the Commission and Attorney Sienkiewicz. K. McPadden noted that the field cards for this information were printed in September 2013. Chairman Malwitz stated that the WPCA will check the assessment and adjust the amount if necessary. Ms. Shand indicated that she believes her assessment should be in the \$4,446 range rather than in the \$5,000 range as is indicated in the WPCA assessment information.

Mr. Paliwal stated that he does not understand this concept because Newbury Village has been there for some time now. If someone had bought the property in 2005 that owner would have had from 2005 to 2021 to pay the remaining amount. Attorney Sienkiewicz noted that the properties have benefitted from the sewer service. Attorney Sienkiewicz noted that it was determined that the new owners should also have to pay their share of the cost of the line. Attorney Sienkiewicz noted that some of the first homeowners of Newbury Village were required to pay a higher amount. Attorney Sienkiewicz noted that the idea was that the original property owners should not have been the only owners paying for the amount of the sewer.

Ms. Ann Salame, owner of 333 Still Water Circle, noted that she believes it is unfair for the property owner who has done renovations to his or her home (and thus increased the assessed value) to have to pay a higher sewer assessment. Chairman Malwitz replied that this calculation is one way in which the State allows a WPCA to calculate the assessment(s) and that is what is done in Brookfield.

Mr. Tony Lucera, of Riverview at Brookfield LLC, asked if the current assessment rate percentage would be reviewed again, and Chairman Malwitz noted that the rate will be reviewed annually, and as more properties are added on to the line, an adjustment may be necessary.

K. McPadden noted that the farthest column on the right of the assessment schedule is only the fixed amount of principal and does not include the bonded interest. K. McPadden noted that the WPCA's website has a calculator available to help calculate the assessment; she briefly explained how to use it to calculate payment amounts. She noted that the bills will be sent in December.

Lorraine Criscola, of 3 Oak Meadows Drive, asked if the amount of the assessment would be reduced in the future as more properties are added to the line. Chairman Malwitz responded that the rate will most likely be reduced as more properties are added. But it is not possible to guarantee when as it depends on the rate of development.

Chairman Malwitz asked for further questions from the audience. Chairman Malwitz closed the public hearing at 7:31 PM.

**PUBLIC HEARING #2 – COMMERCE DRIVE SEWER SYSTEM –** To receive public comment from affected property owners with respect to the acquisition of a private sanitary sewer system, consisting of gravity sewers, force mains, pump station and appurtenant easements, presently serving properties located on Commerce Drive, a/k/a Commerce Road in the Town of Brookfield. – Chairman Malwitz opened this public hearing at 7:31 PM. Chairman Malwitz explained that this is an informational hearing. Chairman Malwitz noted that this road houses industrial buildings with a pump station that feeds into the WPCA system. Chairman Malwitz explained that after speaking with the property owners, it seemed reasonable to have this system become part of the Brookfield sewer system. K. McPadden noted that this road is a Town-maintained road. *Mr. Michael McNamara of Brookfield Commerce was present.* Attorney Sienkiewicz noted that the proposal is that the WPCA take over the system subject to various conditions, including that the owner pays \$26,000 to the authority to meet the estimated expenses of bringing the pump station up to current WPCA standards, and also to cover some of the authority's costs for the transaction. Atty. Sienkiewicz explained that he anticipates that the system would be transferred to the Town via a bill of sale as well as a 20-foot easement that would run through the lots on the easterly side

of Commerce Drive (lots 1-10 and lot 12). Mr. McNamara reviewed the plan with Atty. Sienkiewicz. Atty. Sienkiewicz noted that the permanent maintenance agreement that presently exists will be jointly terminated; the money that is currently held in escrow by the WPCA will be applied to this transfer. Atty. Sienkiewicz stated that he has drafted a resolution for this matter. Chairman Malwitz noted that this transfer has been approved by the Board of Selectmen and the Planning Commission as an 8-24 referral. Chairman Malwitz asked if there were any further comments; there were none. Chairman Malwitz closed the public hearing at 7:41 PM.

**2. Approval of Minutes – 9/25/13 – L. Trojanowski-Marconi made a motion to approve the minutes of the 09/25/13 meeting. J. Jove seconded the motion, and it carried unanimously.**

**3. Old Business**

a. Proposed Benefit Assessments - To consider and act upon proposed levy of benefit assessments. Atty. Sienkiewicz noted that this document is to levy the benefit assessments. Atty. Sienkiewicz noted that the document may need to be amended to reflect the correct amount in the attached schedule. Chairman Malwitz suggested that the assessment information be amended administratively.

**L. Trojanowski-Marconi made a motion to adopt the resolution. J. Jove seconded the motion, and it carried unanimously.**

**L. Trojanowski-Marconi made a motion to amend Paragraph #2 to add that the Executive Administrator is instructed to double-check the property of Joan Shand of 312 Still Water Circle to verify that the calculation is correctly made and to do a test analysis of other properties to make sure that the valuations are correct and to make any other adjustments as may be necessary. J. Jove seconded the motion, and it carried unanimously.**

**L. Trojanowski-Marconi made a motion to adopt the resolution as amended, and J. Jove seconded it. The motion carried unanimously.**

b. Commerce Drive Sewer System – To consider and act upon proposed acquisition – Chairman Malwitz noted that the current amount held in escrow by the WPCA will be either applied to the amount owed to bring the system up to the WPCA’s standards or be returned to the owner. **P. Kurtz made a motion to accept this resolution with the change of the estimated sum to \$10,987 [instead of the \$11,980 amount indicated]. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**

**4. New Business**

a. 92 Pocono Road – Application for Sewer Connection BVFD – *Mr. Walter Loesch, Vice President, and Mr. Louis Menendez, President, both of the Brookfield Volunteer Fire Department, were present.* Mr. Loesch requested permission and approval for the fire house at 92 Pocono Road to connect to the sewer and also to have the assessment for the BVFD deferred. Mr. Loesch noted that the line would be approximately 110 feet. Atty. Sienkiewicz noted that this matter had been discussed informally at the last WPCA meeting. Atty. Sienkiewicz noted that Mr. Loesch is asking to have the benefit assessment deferred. Atty. Sienkiewicz explained that the fire house near the Center School was assessed for \$11,500 in 1997, but there was a resolution which indicated that the payment of the benefit assessment and such interest that has accrued be deferred until such time as the property is sold or is otherwise used and occupied by a third party other than the Town of Brookfield. K. McPadden noted that a preliminary calculation has been done for the assessment to connect the firehouse on Pocono Road, which came to just under \$64,000. Atty. Sienkiewicz noted that the interest will be high for any next property owner of the fire house near Center School. Mr. Loesch noted that the BVFD had attempted to sell this firehouse as the new one was being built, but now it is used as an area for the ambulances. The Commission discussed waiving the connection charge for the connection of the BVFD to the sewer line. R. Prinz noted that this deferment information should be filed on the Brookfield land records. **Chairman Malwitz made a motion to accept the application and to instruct Atty. Sienkiewicz to draft a connection charge**

**document that would waive the connection charge until the building owner or use changes. J. Jove seconded the motion, and it carried unanimously.**

**5. Accountant Reports**

a. Financial Reports – S. Welwood was not present at this meeting although she still submitted the monthly financial reports. Chairman Malwitz noted that the BANs (Bond Anticipation Notes) are due on November 16<sup>th</sup> and it is his recommendation that they be rolled over for one more year before the authority goes to bond. He also recommends that the WPCA collapse the BAN for Old New Milford Road project and combine it with the Del Mar Drive Project BAN since the assessments for the two projects were done as one. Chairman Malwitz noted that there is approximately \$121,000 to pay down on the Sandy Lane line BAN to minimize the debt before the project is rolled over to a bond. R. Prinz asked about the interest rate for the BANs, and Chairman Malwitz responded that the interest rate is currently lower for the BANs than for the bonds.

**6. Engineer Comments/Project Update**

a. High Meadow/Ledgewood/Newbury Crossing Project – W. Charles Utschig stated that Langan has reviewed the plans and has updated the construction estimate for the modified route. The projected estimate is \$2.125 million for the overall project cost, which includes what has spent to date. In this estimate, Langan has a \$250,000 allowance for rock, a contingency for the upgrade of the railroad pump station, and a potential amount for wetland mitigation. W. Charles Utschig noted that although the portion of the wetlands where the work will commence has wetlands that have already been disturbed, the work does cross two watercourses. W. Charles Utschig noted that the WPCA would need to have this modification approved by the Wetlands Commission. W. Charles Utschig noted that he believes that the WPCA should go back to the Wetlands Commission immediately for an informal discussion. Chairman Malwitz suggested that the WPCA host an informational public hearing at the next meeting to present the cost estimate and the revised plan. W. Charles Utschig also mentioned that this revision to the plan allows for a much simpler construction process. K. McPadden will send certified letters to the three condominium associations. **L. Trojanowski-Marconi made a motion to authorize the public hearing for November 20<sup>th</sup> and to authorize the engineers [Langan Engineering] and R. Prinz to take a revised application to the Inland Wetlands Commission. P. Kurtz seconded the motion, and it carried unanimously.**

b. Del Mar Drive Sewer Extension Project – This agenda item is discussed below as part of the Maintenance Manager’s Report.

c. GIS Update – Chairman Malwitz noted that he has spoken with Scott Sharlow about the system, and Scott is prepared to have it ready by November 20, per the contract terms. Chairman Malwitz explained that the sewer layers will be available for online viewing and editing with a username and password. Chairman Malwitz also mentioned that there are approximately 450 manholes that need to be tagged. The system will have information about grease traps built in and will allow D. Will to use a tablet or computer to update grease trap information in real time. P. Kurtz asked how information about new systems will be added, and W. Charles Utschig responded that in order to make the system useful the information will need to be currently logged. W. Charles Utschig also suggested that the WPCA may want to have some budget money set aside to make updates to the GIS on a semi-annual basis.

d. Rollingwood Permanent Maintenance Agreements – W. Charles Utschig stated that Langan has received the topographic information from CCA. W. Charles Utschig stated that Langan has plotted an alignment that works by gravity, and he shared a preliminary plan showing this information with the Commission. W. Charles Utschig explained that there will be approximately 1800 feet of gravity sewer. There are a couple of locations where fill will be needed to get the necessary cover. W. Charles Utschig mentioned that there are some watercourses and rock. Chairman Malwitz stated that he does not believe there are any wetlands on site. W. Charles Utschig mentioned that the projected estimate is between the \$300,000 and \$400,000 range, depending on the design. W. Charles Utschig stated that two easements may be necessary. R. Prinz stated that the Rollingwood Condominium Association currently pays approximately \$18,000 a year to maintain and operate the current pump station. R. Prinz noted that this gravity line could pay for itself after a certain number of years, and having a gravity line may cause the permanent maintenance agreement amount to be lowered. **L. Trojanowski-Marconi made a motion to authorize the Executive Administrator to refer the Rollingwood sewer extension to the Board of**

Selectmen and to the Planning Commission under 8-24. J. Jove seconded the motion, and it carried unanimously.

- e. Other Engineering Matters – There were no other engineering matters at this time.

**7. Legal Matters**

a. Danbury InterLocal Agreement – Atty. Sienkiewicz noted that the contract gives the Town of Brookfield the option to renew the agreement for a period of twenty years. Atty. Sienkiewicz stated that he will call the lawyers at the corporation council.

b. 67 Federal Road License – R. Prinz noted that the owners have no problem with the written agreement, but the plan needs to be amended. The agreement will be signed. **L. Trojanowski-Marconi made a motion to authorize the Chairman to execute the license agreement with Grays Bridge Associates LLC for 67 Federal Road and we [Brookfield WPCA] have agreed to pay the license fee and to authorize the payment of \$750. J. Jove seconded the motion, and it carried unanimously.** This \$750 amount is a one-time fee.

c. Collections/Levy & Sales – Chairman Malwitz reviewed the list of delinquent accounts, specifically the highest eleven on the list. P. Kurtz asked at what point the amount is delinquent on an account Atty. Sienkiewicz would start collections, and Atty. Sienkiewicz responded that generally when an account is delinquent by \$3,500, he usually starts contacting the owner to inform the owner the money is due.

d. Other Legal Matters – Atty. Sienkiewicz noted the following legal matters:

- Barnbeck Place (388, 398, 414 Federal Road) – Atty. Sienkiewicz noted that the developers of Barnbeck have modified the proposed plan, so there is now a second amended and restated building sewer agreement and permanent maintenance agreement. Atty. Sienkiewicz noted that the document is dated today, but the plan was previously approved. Atty. Sienkiewicz stated that Barnbeck is granting the WPCA an easement for the system.

- Berkshire North Project – Atty. Sienkiewicz noted that some of this sewer line is in Park Lane Road or Park Lane Extension. Atty. Sienkiewicz stated that he has sent a revised easement back to the lawyer to make their draft of the easement more like how the WPCA often does its easements. R. Prinz mentioned that he believes that the developer is concerned about future development of the land.

**8. Maintenance Manager Report**

R. Prinz distributed the Maintenance Manager Report and discussed it with the Commission.

- High Meadow Extension – R. Prinz reported that he is awaiting change of route plans to start the bid process.
- Berkshire North Extension – R. Prinz stated that work at this site started on October 18<sup>th</sup> by TD and Sons. The WPCA-installed lateral was able to be used, eliminating road opening and relay of pipe as well as allowing for significant cost savings for Steiner Corporation. This project is approximately ten percent complete.
- Gravity Hook-Up for Rollingwood – R. Prinz noted that it may possibly be cheaper to convert to the gravity-fed line rather than continue the maintenance of the pump station over the long run.
- Del Mar Drive Extension – Aquarion Water has given permission to hook the pump station up to water at the site.
- Monitoring Upgrade – 67 Grays Bridge Road – R. Prinz stated that he has spoken with Shannon Young about this project, and the owners would like a box mounted to the wall rather than to the foundation. Two conduits will be run out to each one of the manholes – one for the monitoring and the other for some future use.
- Water Pollution Facilities Plan – R. Prinz noted that the WPCA still needs to apply for grant money for this plan, and there has yet been no action on this matter.
- Maintenance Items and Pump Station – R. Prinz noted that the Fall pump station maintenance and the pump service is in progress.
- Riverview Condos – R. Prinz stated that all of the condos have been connected to the sewer line.
- Rollingwood Condos – R. Prinz reported that the waterline is being installed to Rollingwood Condos, which is 90% complete.

- K. McPadden will be sending a letter to all of the property owners on the Del Mar Drive line to inform them that they may apply to connect to the Del Mar line.
- P. Kurtz and R. Prinz will be attending a webinar tomorrow regarding maintenance utilities. Other members of the Town's departments will also be attending this webinar.

**9. Other WPCA Business**

a. Recommendations on BANs – This agenda item was discussed earlier under agenda item 5.a., financial reports.

b. Public Act 12-155 Phosphorus – Non-Point Source Working Group Participation – Chairman Malwitz noted that this act requires that the phosphorous problem be studied to mitigate the phosphorous problem down to Long Island Sound. Chairman Malwitz noted that he is participating with one of the groups involved to help get this study done. Chairman Malwitz informed the Commission that he will be traveling to Hartford and will thus be submitting travel expense reimbursements from time to time.

c. Employee Handbook – Chairman Malwitz mentioned that this item will be discussed at the next meeting when T.E. Lopez is present.

d. SBD Signature Card Update – K. McPadden explained that the new bank account was opened for the Del Mar Drive sewer district. She stated that in doing so, it was determined that since the WPCA has acquired its own EIN # that the bank resolution and signature cards need to be updated. **L. Trojanowski-Marconi made a motion to adopt the resolution authorizing Nelson Malwitz, Chairman; Louise Trojanowski-Marconi, Vice Chairman; Kristi L. McPadden, Administrator; Tulio E. Lopez, Commissioner to exercise all of the powers listed in this resolution, open any deposit or share account(s) in the name of the Corporation, endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with Savings Bank of Danbury, borrow money on behalf and in the name of the Corporation, sign, execute and deliver promissory notes or other evidences of indebtedness, endorse, assign, transfer mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned, or hereafter owned or acquired by the Corporation, as security for sums borrowed and to discount the same unconditionally guarantee payment of all bills received, negotiated or discounted, and to waive demand, presentment, protest, notice of protest, and notice of non-payment, and to enter into a written lease for the purpose of renting, maintaining, accessing and terminating a safe deposit box in the Savings Bank of Danbury, and for all of those powers two signatures are required and that there are no express limitations on the powers that have been granted and that this resolution supersedes the resolution dated 08/28/13. P. Kurtz seconded the motion, and it carried unanimously.**

e. 2014 Meeting Calendar – The Commission reviewed the proposed meeting calendar. **L. Trojanowski-Marconi made a motion to approve the calendar as presented. P. Kurtz seconded the motion, and it carried unanimously.**

f. Other WPCA Business – Chairman Malwitz noted that sadly Ron Howard, who was a former auditor, has passed away.

**10. Vouchers:** The Commission reviewed the vouchers.

**L. Trojanowski-Marconi made a motion to accept the vouchers as presented. P. Kurtz seconded the motion, and it carried unanimously.**

**Resignation – J. Jove:** Chairman Malwitz and the Commission thanked J. Jove for his five years of service on the WPCA and wished him all the best in the future.

**11. Adjournment:** L. Trojanowski-Marconi made a motion to adjourn at 9:42 PM. P. Kurtz seconded the motion, and it carried unanimously.

\*\*\* Next meeting scheduled for November 20, 2013 \*\*\*

RESOLUTION  
Federal Road Sewer Project  
2013 Supplemental Benefit Assessments

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

Whereas, the properties described on Schedule A are 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 proposed supplemental benefit assessments against the properties listed on Schedule A 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 listed on Schedule A 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 amounts and against the properties listed on Schedule A as they are found to have been improved subsequent to October 1, 1992 so as to increase their valuation for tax purposes.

3) 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.)

4) Such supplemental benefit assessments shall be due and payable on December 1, 2013, provided however, that at the option of the owner, the supplemental benefit assessments may be paid in **eight (8)** equal installments, the first of which shall be due on December 1, 2013 and each subsequent installment shall be due on December 1, commencing on December 1, 2014, together with interest on the unpaid principal amount of such 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.

5) 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.

6) 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 **October 30, 2013**, and the second such publication to be not later than **November 15, 2013**, 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 **October 30, 2013**.

Schedule A

| Address                       | Owner                                      | Assessment |
|-------------------------------|--------------------------------------------|------------|
| 59 Great Heron Ln.            | Joan C. & John F. Kermashek                | \$7,532.87 |
| 3 Oak Meadows Drive, Unit 103 | Lorraine & Vincent Criscuolo               | \$4,466.91 |
| 312 Still Water Circle        | Joan Anne Shand                            | \$5,309.98 |
| 22 Old Oak Drive, Unit 805    | Andrea M. Fedor                            | \$4,601.57 |
| 26 Old Oak Drive, Unit 801    | Christopher K. Burnell                     | \$5,578.73 |
| 9 Oak Meadows Drive           | Michael J. LaVelle                         | \$5,590.66 |
| 321 Still Water Circle        | Bobby S. & Denise G. Payne                 | \$5,930.61 |
| 44 Great Heron Lane           | Kathleen Mincieli                          | \$8,159.47 |
| 1 Riverview Court             | Karen M. Kunz                              | \$3,512.13 |
| 7 Riverview Court             | Cosimo J. & Margaret A. Fuccillo Jr.       | \$3,512.13 |
| 3 Riverview Court             | Rebecca L. Corrigan                        | \$4,065.93 |
| 5 Riverview Court             | Florinda M. Texeira                        | \$4,038.60 |
| 4 Oak Meadows Drive, Unit 104 | Hamdy & Nadia Elwakil                      | \$4,466.91 |
| 6 Riverview Court             | Isaac Manuel Lam & Ying Hua Zheng          | \$4,792.40 |
| 333 Still Water Circle        | Stephen R. & Ann T. Salamone               | \$5,154.45 |
| 48 Great Heron Lane           | Michael S. & Ruth A. Dore Tr.              | \$7,347.03 |
| 23 Old Oak Drive              | Courtney Cinque                            | \$4,601.57 |
| 13 Old Oak Drive              | Christa Magistrale                         | \$6,028.18 |
| 9 Riverview Court             | Robert A. & Annette D. Briganti            | \$4,882.34 |
| 11 Riverview Court            | Peter V. & Christine H. Scalzo             | \$4,863.46 |
| 14 Riverview Court            | Arthur Pilson                              | \$4,863.46 |
| 16 Old Oak Drive              | Daniel Oscar Garcia & Romina Monica Menini | \$6,028.18 |
| 18 Old Oak Drive              | Shawn S. Knapp                             | \$4,601.57 |
| 61 Great Heron Lane           | Muktesh Paliwal                            | \$8,145.80 |
| 49 Great Heron Lane           | Lawrence M. Levine                         | \$9,134.64 |
| 8 Riverview Court             | Krista E. Halstead                         | \$3,996.86 |
| 54 Great Heron Lane           | Kathryn J. Palmer                          | \$7,508.53 |
| 25 Old Oak Drive              | Katherine A. Loftus                        | \$5,394.13 |
| 2 Riverview Court             | Benjamin David Scharf                      | \$4,009.78 |
| 19 Old Oak Drive              | Alex & Maria Vida                          | \$4,601.57 |
| 5 Oak Meadows Drive           | Kendra Severino                            | \$5,195.87 |

(NOTE: After checking with the Assessor,  
these assessment figures are correct as originally submitted)



Commerce Drive Private Sewer System  
Brookfield Commerce

Resolution:

Whereas, Brookfield Commerce, owns and operates a private sewage collection system, consisting of gravity sewers, force main, sewage pump station and appurtenances, that collects sewage from premises located on Commerce Drive in the Town of Brookfield, and discharges sewage collected by said system to the Brookfield municipal sewer system; and

Whereas said system was originally constructed as part of a joint venture with the Authority and was subject to Authority approval of the design and installation; and

Whereas, the Authority has determined that it is generally desirable to accept said private sewage collection system into the municipal sewer system as public sewer facilities have now been expanded to the north and east of said system and the entire general area is served by the municipal sewer system; and

Whereas the acceptance of said private sewage collection system into the municipal system is consistent with the Water Pollution Control Plan in that it serves a sewer designated area; and

Whereas , the acceptance of said private sewage collection system into the municipal system was favorably recommended by the Board of Selectman and approved by the Planning Commission pursuant to Section 8-24 of the General Statutes, and a public hearing held by the Authority pursuant to Section 7-247a of the General Statutes; and

Whereas the Authority staff has inspected the system and recommended that the cost to Brookfield Commerce or the Authority to bring the system up to current Authority standards is estimated to be \$26,000; and

Whereas Brookfield Commerce has expressed an interest in transferring the system to the Authority upon the payment of said sum of \$26,000 and execution of appropriate transfer documentation:

Now Therefore, Be and It Is Hereby Resolved That:

1. That subject to the conditions of this resolution, the Authority proposes to accept said private sewage collection system into the municipal sewer system, said system consisting of a pump station, approximately 3,020 feet of double 3" force main in or along Commerce Drive, approximately 350 feet of double 3" force main in Route 133, approximately 712 feet of 8" PVC discharging to the pump station, approximately 300 feet of 8 inch PVC or DIP discharging to a valve box in the vicinity of the Lot 5-Lot 6 property line, and subject to additional investigation, a site for a future pump station in the vicinity of the property line for Lot 5-Lot 6.

The system to be conveyed to the Town shall include a 20 foot sewer easement through the lots on the easterly side of Commerce Drive (Lots 1-10 and Lot 12) and a general easement of access upon and over Commerce Drive.

2. Such acceptance shall be subject to the following:
  - a) The system shall be in substantially the same condition on the date of transfer as it was when inspected by Authority staff;
  - b) Brookfield Commerce shall execute documents to transfer title to such system to the Brookfield Water Pollution Control Authority and to transfer or assign the twenty-foot wide sewer easement along the easterly side of Commerce Drive, an appropriate pump station site easement and a easement of access to Commerce Drive for the purposes of maintenance, replacement and repair of the system, all such documentation to be subject to the approval of the Authority's attorney.
  - c) As of the date of transfer, Brookfield Commerce shall pay the Authority the sum of \$26,000 to defray the anticipated costs of repairing and improving the transferred system and the costs of such transaction to the Authority.
  - d) As of the date of transfer, Brookfield Commerce and the Authority shall execute documentation terminating that "Permanent Maintenance Agreement" dated August 27, 1987 by and between Brookfield Commerce, as "Owner", and the Brookfield Sewer Commission, now the Brookfield Water Pollution Control Authority, as "Commission", such termination documentation to be subject to the approval of the Authority's attorney;
  - e) The sum estimated at \$10,987 currently held by the Authority in escrow to assure compliance by Brookfield Commerce with the terms and conditions of the "Permanent Maintenance Agreement" dated August 27, 1987, shall either be returned to Brookfield Commerce or applied to the \$26,000 payment to be made pursuant subparagraph (c), all as the parties mutually agree.