

BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, May 27, 2015 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
T.E. Lopez
P. Kurtz, *Alternate
M. Brown, *Alternate
I. Agard

Others

R. Prinz, Maintenance Manager
D. Will, Inspector
M. Ongaro, Collector
J. Sienkiewicz, Attorney
W. Charles Utschig, Engineer of Langan Eng.
S. Welwood, Accountant
K. McPadden, Executive Administrator
E. Cole Prescott, Recording Secretary

*Alternates were voting members for this meeting.

2. **Correspondence**

- a. Email from Lori Nespoli, Maggie McFly's Financial Executive – Chairman Malwitz read the email aloud and K. McPadden gave a brief overview of what Maggie McFly's was requesting. Their use bill was 33.5 units at the last billing (12/14) and Ms. Nespoli requested a re-survey. D. Will re-surveyed the restaurant in March, 2015 (following the February WPCA meeting), and as a result the unit amount was lowered to 24.2 with this June 1 billing. Ms. Nespoli is now requesting a credit or refund of their bill from the date that Mr. Will re-surveyed, which according to M. Ongaro, is approximately \$1,700. Atty. Sienkiewicz reviewed that the bill was paid in December, and the issue was not raised at the time the bill was issued and paid. The commission reviewed their minutes from the February, 2015 meeting, which stated that there should not be anything done retroactively for the re-survey and that it is not a good idea to set a precedent with this request.
- b. Email from Irina Kadysheva Re: Elderly Deferral Question – K. McPadden stated that Irina Kadysheva's mother lives in High Meadow Condos, and is asking if her mother can apply for an assessment deferral even though the assessments will not be billed until Sept. 1 and the application timeframe is 2/1 through 5/15. Atty. Sienkiewicz suggested that K. McPadden have the resident file an application, even though the May 15th deadline has passed.

3. **Approval of Minutes** – 4/22/15: **L. Trojanowski-Marconi made a motion to approve the minutes of the last meeting (04/22/15). T.E. Lopez seconded the motion, and it carried unanimously.**

4. **Old Business**

- a. 4 Sand Cut Road – Application to Connect: *Mike Lillis of CCA Engineers was present to discuss this application. David Callahan, President of the association for 4 Sand Cut Road, was also present to discuss the application.* Atty. Sienkiewicz asked Mr. Lillis if there is a proposed easement plan. Mr. Lillis replied that he has an easement sketch, and the agreement to grant the easements has just been issued. The proposal is to offer a twenty-foot easement off the center-line of the road. Mr. Callahan presented sewer easements relative to 2 and 6 Sand Cut Road. It was noted that at the last meeting, Atty. Sienkiewicz had mentioned the need for a maintenance agreement, and Mr. Callahan presented the signed, witnessed and notarized maintenance agreements. Mr. Callahan stated that the agreement has been revised to indicate which party is responsible/are responsible for what section(s) of the line. Atty. Sienkiewicz stated that he has not yet reviewed the agreement. Mr. Callahan stated that at some point last Fall, the septic system on site was starting to fail, and since that time the owner has been working with the Sanitarian regarding the failure. Mr. Callahan asked if the Authority would consider approving the application with conditions in order to get the ball rolling. Mr. Callahan stated that he has deposited \$2,800 for legal, engineering and inspection fees. R. Prinz

mentioned that the lines have not yet been inspected. Mr. Utschig stated that the easement issues were to be resolved first, and after these matters were resolved, the lines were to be inspected. R. Prinz mentioned which sections of the line would need to be cleaned and inspected; R. Prinz requested that Mr. Joyce, the contractor for the project, contact him directly regarding the inspections. Mr. Lillis stated that proper easement maps will be drawn. Mr. Lillis presented plans prepared by Russ Posthauer of CCA Engineers. **T.E. Lopez made a motion to approve the connection subject to Maintenance Staff being satisfied with the physical condition of the line and subject to counsel being satisfied with the Sewer Easement and Maintenance Agreement, and subject to the satisfaction of the engineer. L. Trojanowski-Marconi seconded the motion.** It was noted that construction may not begin until such time when Maintenance Staff, engineering, and legal have all determined that the construction may start. Executive Administrator K. McPadden will coordinate the approvals as issued by Maintenance Staff, engineering, and legal. **The motion carried unanimously.**

- b. 101-103-105 Laurel Hill Road – Request for Sewer Extension, Request for Community System Approval: *John McCoy, principal of JFM Engineering and representative for the applicant, was present.* Mr. McCoy stated that he has been given comments from Langan Engineering as of two days ago, and he will be sending his revisions back to Mr. Utschig within the next couple of days. Mr. McCoy stated that the pipe will be moved closer to the east side of the road. Mr. Utschig stated that the matter of the Authority paying for the “Y” installations must be added to the agreement. Mr. Utschig stated that the expenses will be easy to track, and counsel must be sure that the appropriate language is incorporated into the agreement. Atty. Sienkiewicz mentioned that at some point, cost estimates for the community sewer system need to be submitted. Chairman Malwitz stated that the owner is required by the State to put aside money for maintenance for the community system that would be equal to the actuarial adequacy to maintain the system. Mr. McCoy stated that 100 residential units with 5,000 square feet of commercial space is proposed. R. Prinz and Mr. Utschig noted the grease trap requirement for the proposed 5,000 square feet of commercial space.

Irv Agard entered the meeting room at 7:50 PM.

- c. 92 Pocono Road, BVFC – Request for FOG Interceptor Exemption: *R. Prinz was present on behalf of the applicant.* R. Prinz stated that a maintenance plan has been submitted, and he has asked the President of the Fire Dept. to complete the application. This item is tabled to allow the applicant time to complete the application.

5. **New Business:** There was none at this meeting.

6. **Accountant Report**

- a. April Financials – S. Welwood presented the April Financials, and the Authority reviewed the information.
- b. Benefit Assessment and Use Billings – Review – S. Welwood stated that this was a tedious process, which went well. There are now clean records, and much has been done. S. Welwood stated that the WPCA billing will now be more efficient. S. Welwood stated that she would like to set up an organized structure so that M. Ongaro has enough time to process the required updates. This would be an internal policy update to put everyone on the same page. S. Welwood stated that she knows that the WPCA is capable of better efficiency, and K. McPadden noted the need for policy. M. Ongaro reported the billing status. K. McPadden stated that M. Ongaro was very organized and did an amazing job navigating this tough process.
- c. Center School Discussion – S. Welwood reviewed a document outlining the Center School Assessment Analysis with the Authority. Atty. Sienkiewicz explained that the way the original Center School Resolution reads, a capital cost recovery connection charge equal to 5.47% of the connecting property’s assessed value was established for those properties not originally assessed in 1997 which connect directly or indirectly to the Center School Sewer Extension. This charge would apply to the High Meadow/Ledgewood/Newbury Crossing condos. S. Welwood explained that the \$75,000 shortfall number she gave last month was incorrect, but due to the actual \$3,171 shortfall and the \$75,000 BVFC deferrals, a \$75,000 connection charge

might make sense rather than the 5.47% capital cost recovery charge on top of the benefit assessments to each property owner at Ledgewood, High Meadow and Newbury Crossing. The Authority agreed with this reasoning and left the \$75,000 in the total construction cost calculation.

- d. FY 2015-16 Budget – K. McPadden reviewed the minutes of the April Board of Selectmen’s meeting; the Board of Selectmen did not comment on the WPCA’s budget. **L. Trojanowski-Marconi made a motion to approve the budget. I. Agard seconded the motion.** Chairman Malwitz stated that the WPCA has previously discussed unit charges, primarily relative to restaurant uses. Chairman Malwitz stated that he has contacted Tighe and Bond about the completion of a study to include water metering use charges. Chairman Malwitz stated that Tighe and Bond has given him a quote of \$14,000 to complete the study. Chairman Malwitz suggested that this study could then be evaluated by the Sub-Committee. **L. Trojanowski-Marconi made a motion to amend the budget to add \$15,000 to line item 5289-01 Studies & Testing. T.E. Lopez seconded the motion to amend the budget. The motion carried unanimously.**
- e. Other Financial Matters – Chairman Malwitz mentioned that the Town’s Financial Report for the 14-15 FY is now available online.

P. Kurtz left the meeting room at 8:35 PM, and returned five minutes later.

- 7. **Inspector’s Activity Report:** D. Will presented the Inspector’s Activity Report. There were twelve grease trap inspections, and two grit separator inspections done this month.

The claim to Eversource is not yet complete. The claim has been withheld waiting on more documentation from United Concrete on the exact cause of the failure. D. Will has been in contact with Frank Giordano from United regarding the claim.

Construction: Longo and Associates has started both projects. The clearing of shrubs and preparing the site has started. Kohl’s pump station has been dug out and rebar will be installed tomorrow. Concrete will be poured on Friday for the generator pad.

40 & 64 Laurel Hill Road: The discharge permit for building three has been signed. Buildings one and two are still capped waiting on internal plumbing work. All buildings should be connected by July.

398 Federal Road: The developer has done some work on the southern building and some pipe and manholes. The property is not ready for connection. Atty. Sienkiewicz mentioned that the WPCA is waiting for plans from Steve Sullivan, and K. McPadden stated that the approval letter has been issued. K. McPadden will send a copy of the approval letter to Atty. Sienkiewicz.

901 Federal Road/Newbury Village: The pipe has been installed for the last building.

Kenosia Construction/57 Laure Hill Road: Kenosia has broken ground at 57 Laurel Hill Road. The developer has framing going up, but won’t be ready for sewer inspections for approximately three weeks.

Oak Meadows/540 Federal Road: The townhomes have opened the pool and recreation center. The pool is not connected to the sewer.

D. Will stated that he has continued to fill in with the High Meadow Project as needed.

Surveys: There were about five surveys completed this month.

Field Service: Efficient Lighting Consultants of Newtown began installation of the lights today. The installation should be completed by tomorrow.

Sandy Lane Easement: D. Will met with Paul Scalzo last Thursday regarding the need for sewer easement through the Sandy Lane Condo property in order to connect Rollingwood via gravity. Mr. Will is making an appointment next week for himself and Andrea Scalzo, who runs the property management side, the property manager, and the Sandy Lane Board.

Smoke Testing Results: There has been some progress resolving the issues discovered from the smoke testing. I-95 Radio Station and Webster Bank have been repaired. 31 Old Route 7 and PRZ Energy are in process of repair, and D. Will will be in contact with Sal Sproviero, owner of the new feed store (849 Federal Road).

D. Will attended a one-day seminar on the FOG program at the DEEP building in Hartford.

Mr. Will reported that the new hire is doing well. Upon inquiry from T.E. Lopez about possibly having Mr. Conway handle the mowing of the pump stations, D. Will stated that the WPCA has signed a two-year agreement with A to Z Property Maintenance for property maintenance.

8. Maintenance Manager's Report: R. Prinz presented the Maintenance Manager's Report.

Rollingwood Sewer Extension: The easements need to be acquired.

Laurel Hill North Extension: The developer's engineer has given suggestions on cost reductions.

Brooks Quarry Sewer: The project is awaiting approval of financing.

High Meadow Sewer Extension: The Eastview pump station is now in operation. High Meadow Extension, Eastview, Pondview, Westview and the pool house and most of Ledgewood Drive are flowing. Brooks Lane is connected to the gravity sewer on Silvermine. Manhole replacements are needed in Newbury in lieu of CIPP: \$66,000 versus \$51,500 budgeted. This amount will be offset by the rock savings. The contractor has given assurance that all properties will be on the line prior to June 30th. The Maintenance Manager and Inspector attended a Ledgewood Association meeting to explain progress and costs. R. Prinz stated that the contractor needs to be put on notice, and informed that if connections are not made by June 30th, the WPCA should consider possible damage charges.

Federal Road Sewer Improvements: Miscellaneous items are being addressed i.e. flow meter, site improvements. The bid package will be ready for next month's meeting.

Commerce Road Pump Station: The contractor has started the projects, and the land has been cleared.

Caldor Station Generator Replacement: Natural gas heating unit and generator supply piping are needed. The expected delivery date for the generator is June 10th. There is electric heat currently on site, and instead of spending \$10,000 for gas to be installed at the property, it is now \$4,800, and a gas heater needs to be installed.

Railroad Station: The generator has been added to upgrade plans, generator and controls location settled, site plan in progress.

Monitoring System: R. Prinz stated that he will be requesting Andy to come to the site to help with the system.

Water Pollution Facilities Plan: Langan has been instructed to proceed with facilitating grants, costs and plan forward.

Miscellaneous:

The part time worker has started with good results.

Roofs at pump station one and the Garage have been replaced.

The lighting upgrade work is in progress.

There was an issue cleared up at Stony Hill pump station, brown-out related to rebooted computer.

Claim against CL&P (now Eversource) for brown-out at Stony Hill is still open.

9. Engineer Comments/Project Update

- a. High Meadow/Ledgewood/Newbury Crossing Project Update: Mr. Utschig stated that Langan is working with R. Prinz on the payment requisitions for this project. The contractor will be put

on notice so there is identification of the timing and failure to meet it. Mr. Utschig stated that the plan is to send the letter to the contractor in the next day or so. Another contract item requires care and clean-up of the site. Mr. Utschig stated that 75% of the work is completed, and the requisition request has been made for approximately 60% of the work. Atty. Sienkiewicz suggested that a running calculation be done for the liquidated damages estimation. Atty. Sienkiewicz asked for a percentage of completion, and R. Prinz and Mr. Utschig agreed that the work is more than 75% complete. P. Kurtz stated that the goal is to have the contractor complete the project as close to the deadline as possible. Mr. Utschig stated that this project is completely on budget if not under budget, and there have not been many change orders.

- b. Route 7 Overpass & 777 Federal Road PS Upgrade Update – Mr. Utschig stated that the overpass and pump station projects are ready for bid, as is the north and railroad pump station projects. By next month’s meeting, there will be a recommendation about how to bid the projects. Chairman Malwitz mentioned that it seems as though it would be easier to have one contractor for the bids.
- c. GIS System Modeling – Langan has hired an intern, who is ready to begin work on this project. Required information has been obtained from Scott Sharlow, so the project should now move forward in June.
- d. Pump Station Upgrades: North and Railroad – *This item discussed as part of the Route 7 Overpass & 777 Federal Road PS Upgrade Update.*
- e. Clean Water Funds Application – Mr. Utschig stated that this application will be delivered next month.
- f. Brooks Quarry Update – *This item discussed earlier, during Maintenance Manager’s report.*
- g. Water Pollution Facilities Plan – There is not yet a schedule, but one will be presented next month.
- h. Other Engineering Matters – There were none at this time. The requisition for Earthmovers will most likely require some discussion as part of Vouchers review.

10. Legal Matters

- a. 57 Laurel Hill Road PMA – Mr. Utschig has given his feedback, and Atty. Sienkiewicz has sent the information to Atty. Kahn today.
- b. Levy and Sale Properties Wednesday June 14 – The date is actually June 17th. The Gereg sale has been canceled. The Bank of New York is the record owner of the property of 30 Cedarbrook, and there has been no word from the owner. Atty. Sienkiewicz reviewed the levy and sales with the Authority.
- c. Public Hearing High Meadow Project Wednesday June 24: Atty. Sienkiewicz noted that the Authority needs to review the proposed resolution to levy benefit assessments. Atty. Sienkiewicz and Chairman Malwitz reviewed revisions to the proposed resolution. The Authority discussed the location of the proposed public hearing. K. McPadden mentioned a correction to the proposed resolution: “Twenty equal installments of principal.” Atty. Sienkiewicz reviewed the notice of public hearing procedure. K. McPadden stated that each owner will receive a legal notice. Atty. Sienkiewicz stated that the legal notice in the paper will not list every owner. The public hearing will be held in room 133. **L. Trojanowski-Marconi made a motion to adopt the resolution as presented with the changes discussed to paragraph two and paragraph four. I. Agard seconded the motion, and T.E. Lopez recused himself from the vote. The vote carried, with five members voting (Chairman Malwitz, Vice Chair L. Trojanowski-Marconi, I. Agard, P. Kurtz, and M. Brown).**
- d. Letter regarding newspaper publications of Public Notices – Chairman Malwitz stated that Atty. Sienkiewicz had written a letter to Clark Chapin and Steve Harding regarding CT legal notice requirements. Atty. Sienkiewicz stated that he has also followed up over the phone. Atty. Sienkiewicz explained some of the previous cases where legal notices had not been properly filed. Atty. Sienkiewicz reviewed the price of legal notices with the advertisement in *The News Times*. K. McPadden reviewed the fees last month for *The News Times* and for *The Penny*

Saver. Chairman Malwitz stated that at this point the cost of the legal notices are absorbed by the District when a legal is for a specific project.

- e. Other Legal Matters – There were none at this time.

11. Other WPCA Business

- a. OPEB (Other Post Employment Benefits) – The RBAC (Retirement Benefit Advisory Committee) drafted a funding plan for OPEB, which both the Board of Selectmen and Board of Finance have endorsed. The BOS will determine every year how much money to contribute to OPEB, and the WPCA would be annually informed as to its required contribution. I. Agard stated that actuaries recommend the amount of the OPEB contribution. I. Agard asked the Authority to request that Chairman Malwitz sign the document. I. Agard reported that the Town has established a trust fund for OPEB planning/funding. The WPCA will participate in the OPEB Funding Plan, dated 2015 to 2022.
- b. Use Charge Study Sub-Committee Update – I. Agard gave an update of the Committee’s progress. The Sub-Committee has a list of questions to send to Towns regarding use charges in other Towns. Chairman Malwitz suggested that the Sub-Committee continue its work after the Tighe & Bond report/study has been delivered. I. Agard suggested that the Sub-Committee meet to discuss the proposed Tighe & Bond study.
- c. Other WPCA Business – There will be a staff meeting on Monday, June 1st. Chairman Malwitz reviewed that a “lighter duty” employee review be done for each WPCA employee. Chairman Malwitz stated that this item will be discussed at the June 1st meeting, but reviews will not be due until the next staff meeting.

- 12. Vouchers:** The Authority reviewed the vouchers. Mr. Utschig reviewed the two requisitions received from Earthmovers. Mr. Utschig and R. Prinz stated that payment requisition ten shows the contractor’s effort to accurately calculate the footage of pipe. However, there is a math error in the requisition, which is approximately \$3,000 to \$4,000. Requisition eleven has been reviewed and adjustments have been made, but not yet reflected on requisition eleven. Mr. Utschig suggested that authorization be made to pay Earthmovers up to and not to exceed \$305,000. **I. Agard moved to agree to pay requisitions #10 and 11 to Earthmovers for a combined amount not to exceed \$305,000 based on recommendations approved by R. Prinz and Mr. Utschig. T.E. Lopez seconded the motion, and it carried unanimously.**

L. Trojanowski-Marconi made a motion to approve the vouchers as presented, not including Earthmovers invoice ten and eleven on the voucher sheet. T.E. Lopez seconded the motion, and it carried unanimously.

- 13. Adjournment:** **L. Trojanowski-Marconi made a motion to adjourn the meeting at 10:20 PM. T.E. Lopez seconded the motion, and it carried unanimously.**

*** Next meeting June 24, 2015 ***

RESOLUTION: HIGH MEADOW SEWER EXTENSION

WHEREAS the Water Pollution Control Authority, acting for the Town of Brookfield, has constructed a municipal sewerage system known as the High Meadow Sewer Extension to serve High Meadow Condominiums, Ledgewood Condominiums and Newbury Crossing Condominiums; and

WHEREAS the Authority has determined that benefit assessments should be levied upon the lands and buildings, and upon the owners thereof, that are especially benefited by said High Meadow Sewer Extension; and

WHEREAS, after consideration of the relevant factors to be considered as described in Connecticut General Statutes, Section 7-249, the Authority has determined that the most equitable method of apportioning the cost of said improvements among the owners of the lands and buildings especially benefited thereby is to levy against each such property and the owner thereof a benefit assessment based upon the assessed value of such property on the October 1, 2014 Grand List of the Town of Brookfield (October 1, 2011 revaluation);

NOW, THEREFORE, BE IT RESOLVED by the Brookfield Water Pollution Control Authority that:

1) The lands and buildings especially benefited by the High Meadow Sewer Extension are those set forth on Schedule A attached hereto and made a part hereof.

2) The total benefits which have accrued to such land and buildings as a result of the construction of the High Meadow Sewer Extension which are to be recovered through the levy of benefit assessments upon the properties set forth on Schedule A is **\$2,222,913.00**, which sum includes \$75,000.00 as a one-time cost of connection through the Center School Sewer System.

3) The Authority proposes that a benefit assessment be levied against each such property listed on Schedule A in a principal amount equal to 8.8 percent (8.8%) of such property's assessed value on the October 1, 2014 Grand List of the Town of Brookfield.

4) The Authority proposes that the benefit assessment levied against each such property may, at the option of the owner thereof, be paid in **20 equal** installments of principal, together with interest on the unpaid principal amount of such benefit assessment at the rate of **3.0% per annum** or at such other rate of interest not to exceed the maximum rate of interest which the Town of Brookfield is obligated to pay to finance said project as determined by the Authority to be appropriate; provided, 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, together with all unpaid interest, shall become immediately due and payable. In addition, 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. Notwithstanding the foregoing, any property owner may prepay any or all installments 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.

5) A public hearing shall be held by the Water Pollution Control Authority on Wednesday, **June 24, 2015** at **7:00 p.m.** in **Room 133** of the Brookfield Municipal Center, 100

Pocono Road, Brookfield, Connecticut at which the owners of all properties listed on Schedule A shall have an opportunity to be heard concerning the proposed benefit assessments. The Executive Administrator of the Authority is directed cause notice of the time, place, and purpose of said hearing to be published in a newspaper having circulation in the Town of Brookfield and in the Brookfield Yankee Pennysaver, not later than **June 12, 2015** and to mail a copy of such notice to the owner of each property set forth on Schedule A at the owners address as shown on the last completed Grand List, or any such subsequent address of which the Authority may have knowledge.

The Executive Administrator of the Authority is further directed cause a copy of the proposed assessments to be filed in the Office of the Town Clerk for public inspection not later than **June 12, 2015**.

6) For properties which are not set forth on Schedule A but which connect directly or indirectly to the High Meadow Sewer Extension and for benefitted properties set forth on Schedule A that are improved subsequent to October 1, 2014 so as to increase their assessed valuation for tax purposes, the Authority *proposes that it shall levy a benefit assessment or a supplemental benefit assessment in the following manner:*

A. For residential properties, including residential condominium units:

Step One: Determination of Assessment Valuation

a) The assessment for tax purposes of the subject property as of the date that such benefit assessment or supplemental benefit assessment is to be levied shall be adjusted to October 1, 2011. The purpose of such adjustment is to equalize the then current assessed value of the subject property for tax purposes to the value it would have had had it been assessed as part of the original levy of benefit assessments in 2015.¹

b) The current assessment for tax purposes shall be adjusted to October 1, 2011 using the House Price Index Statistical Report - *All Transactions Index Not Seasonally Adjusted*² for Connecticut (1980 = 100) as published by the Federal Housing Finance Agency (FHFA) with the base index number for October 1, 2011 **fixed at 394.59 (i.e., 2011 Q3 = 394.59)**.

c) The ratio between the index number³ for the third quarter of the last revaluation year (as published on the date that the proposed benefit assessment or proposed supplemental benefit assessment is calculated⁴) and the October 1, 2011 index number (394.59) shall be established by

¹ Note: The 2015 **proposed** benefit assessments are based on tax assessments on the October 1, 2014 Grand List. The October 1, 2014 Grand List is presumed to be equalized to the October 1, 2011 revaluation as required by State law.

² Currently at http://www.fhfa.gov/DataTools/Downloads/Documents/HPI/HPI_AT_state.txt

³ Since the benefit assessment or supplemental benefit assessment is based on the October 1 assessment, the third quarter (Q3) index number for the particular year should be used if it is available. Otherwise the second quarter (Q2) index number should be used.

⁴ The historical HPI index numbers are updated quarterly and as a result are subject to change. It is presumed that the change is within the range of the standard error as published as part of the HPI. As such, the index number to be used is the number as published on the date that the calculation is made.

dividing the 2011 index number (394.59) by the index number for the third quarter of the last revaluation year. The quarterly index number is for the third quarter of the last revaluation year, not necessarily the year in which the supplemental benefit assessment is levied⁵.

d). The current tax assessment⁶ (based upon the last revaluation year) shall then be multiplied by the ratio between the 2011 index number (**394.59**) and the index number for the third quarter of the last revaluation year to determine the equalized assessed value of the subject property as of October 1, 2011.

Step Two: Calculation of Benefit or Supplemental Benefit Assessment

e) The benefit assessment or supplemental benefit assessment shall be levied in an amount equal to **8.8 percent (8.8%)** of such property's equalized assessed value as of October 1, 2011 determined in accordance with Step One.

The Resolution adopted March 21, 2007, concerning Benefit Assessment Adjustments - Federal Road Sewer Project, paragraph 7(A)(c), (d) and (e) contains examples of how the calculations is to be made with respect to residential properties after the next property tax revaluation.

B. For industrial and commercial properties, including industrial or commercial condominiums and apartment houses:

Step One: Determination of Assessment Valuation

aa. The assessment for tax purposes of the subject property as of the date that such benefit assessment or supplemental benefit assessment is to be levied shall be adjusted to October 1, 2011. The purpose of such adjustment is to equalize the current assessed value of the subject property for tax purposes to the value it would have had had it been assessed as part of the original levy of benefit assessments in 2015.⁷

bb. The current assessment for tax purposes shall be adjusted to October 1, 2011 using the Industrial Cost Trend data published by Factory Mutual Insurance Company within the FM Global Property Loss Prevention Data Sheets and entitled "Industrial Cost Trends"⁸ for *New England* with the base index number for October 1, 2011 fixed at 318.00 (*i.e., 2011 = 318.00*).

cc. The ratio between the index for July of the last revaluation year⁹ (as published on the date that the proposed benefit assessment or proposed supplemental benefit assessment is

⁵ If the supplemental assessment is levied in 2015, the index number utilized would be for 2011 Q3, since 2011 would be the last revaluation year prior to 2015.

⁶ The current tax assessment is presumed to be equalized to the last revaluation year by the Tax Assessor in accordance with state law.

⁷ Note: The 2015 benefit assessments are based on tax assessments on the October 1, 2014 Grand List. The October 1, 2014 Grand List is presumed to be equalized to the October 1, 2011 revaluation as required by State law.

⁸ See <https://www.fmglobal.com/fmglobalregistration/Vshared/FMDS0903.pdf>.

⁹ Data is compiled as of January and July of each year. Since the benefit assessment or supplemental benefit assessment is based on the October 1 assessment, the most current index number available (preferably July) should be used.

calculated¹⁰) and the October 1, 2011 index number (**318.00**) shall be established by dividing the 2011 index number (**318.00**) by the New England index number for July of the last revaluation year. **The July index number is for July of the last revaluation year, not necessarily the year in which the supplemental benefit assessment is levied.**

dd. The current tax assessment shall then be multiplied by the ratio between the 2011 index number (**318.00**) and the July index number for the last revaluation year to determine the equalized assessed value of the subject property as of October 1, 2011.

Step Two: Calculation of Benefit or Supplemental Benefit Assessment

ee. The benefit assessment or supplemental benefit assessment shall be levied in an amount equal to **8.8 percent (8.8 %)** of such property's equalized assessed value as of October 1, 2011 determined in accordance with Step One.

The Resolution adopted March 21, 2007, concerning Benefit Assessment Adjustments - Federal Road Sewer Project, paragraph 7(B)(cc), (dd) and (ee) contains examples of how the calculation is to be made with respect to commercial and industrial properties after the next property tax revaluation.

7. The Authority *proposes that* the funds derived from such all benefit assessments and supplemental benefit assessments be placed in a specially designated *and segregated* fund to be used from time to time in a manner determined by the Authority for one or more of the following purposes: (a) to meet the payment obligations with respect to any bonds or debt obligations issued by the Town of Brookfield in connection with the High Meadow Sewer Extension; (b) to reduce, on a proportionate basis, the amounts owed by reason of the benefit assessments and supplemental benefit assessments levied against the properties especially benefitted by the High Meadow Sewer Extension; and (c) for extensions within the area of and improvements to the High Meadow Sewer Extension, including any capital projects related to increased use of the High Meadow Sewer Extension or downstream facilities.

8. The Authority proposes that it shall review the assessment program with respect to the High Meadow Sewer Extension from time to time. If it appears to the Authority that it will substantially¹¹ over-collect the amount necessary to pay for all capital and borrowing costs associated with the construction, expansion, extension within the area of and improvements to the High Meadow Sewer Extension facilities, the Authority shall consider providing credits or reductions to the assessment rate to reduce, on a proportionate basis, the amounts owed by reason of the benefit assessments and supplemental benefit assessments.

¹⁰ It is assumed that any discrepancy will be within the range of error of the published index number. As such, the index number to be used is the number available as of the date that the calculation is made.

¹¹ The Authority retains discretion to determine when future reductions in or credits against benefit assessments may be considered. Notwithstanding such discretion, the Authority proposes that a twenty percent (20%) over-collection shall be deemed substantial.

SCHEDULE A

<u>PROPERTY</u>	<u>OWNER</u>	<u>PROPOSED ASSESSMENT</u>
2 Ledgewood Drive	FREEDMAN, DAVID & EILEEN M.	15,670.16
4 Ledgewood Drive	STUART, STEPHEN J.	14,987.28
6 Ledgewood Drive	CALLAHAN, BETTY AND JAMES	16,839.68
8 Ledgewood Drive	BIBB, JANET M.	15,645.52
10 Ledgewood Drive	ODONNELL, ELLEN	16,814.16
12 Ledgewood Drive	WETMORE, JACQUELINE B. & DONALD E. LIVING TRUST	16,491.20
14 Ledgewood Drive	YASHAVANT, ANIL B. & SUNITA A.	16,153.28
16 Ledgewood Drive	CITRONE, PETER & NANCY	13,810.72
18 Ledgewood Drive	HOYT, KATHLEEN M. & MATTHEW W.	15,209.92
20 Ledgewood Drive	OLSZEWESKI, JAN & ELZBIETA	16,111.04
22 Ledgewood Drive	LOFRUMENTO, MICHAEL F.	16,318.72
24 Ledgewood Drive	BARRETT, SHAWN A. & JANET B.	16,661.92
26 Ledgewood Drive	HICKEY, DAVID J. JR.	15,235.44
27 Ledgewood Drive	MOSHAY, PETER	14,891.36
28 Ledgewood Drive	TALBOT, WARD J.	13,667.28
29 Ledgewood Drive	KNOX, SUZANNE A.	14,393.28
30 Ledgewood Drive	PENA, ADRIANA E. JR.	15,268.00
31 Ledgewood Drive	DIESTA, VICENTE & MARIA REGINA	14,259.52
32 Ledgewood Drive	TALBOT, CATHERINE V.	14,276.24
33 Ledgewood Drive	BIRAGLIA, JOSEPH	14,393.28
34 Ledgewood Drive	FUNICELLA, APRIL D.	15,285.60
35 Ledgewood Drive	FARRELL, DOUGLAS K. & SUSAN K.	14,383.60
36 Ledgewood Drive	FILZER, HEINZ K.	15,775.76
37 Ledgewood Drive	DODD, SUSAN A.	14,637.04
38 Ledgewood Drive	MCCALLION, JUDITH	16,538.72
39 Ledgewood Drive	OBRIEN, MORGAN	14,506.80
40 Ledgewood Drive	PIERZ, JOHN & HOLICK, KERRI A	15,423.76
41 Ledgewood Drive	AL RIFAIE, AHMED	14,322.88
42 Ledgewood Drive	KWAS, BRIAN P. & KEVIN C.	14,964.40
43 Ledgewood Drive	MCNAIR, DANIEL F. & BEATRICE M.	14,107.28
44 Ledgewood Drive	BILLINGS, JILL L.	15,158.88
45 Ledgewood Drive	DODARO, ANNA M.	13,794.00
46 Ledgewood Drive	FUSELIER, CATHERINE	14,336.96
48 Ledgewood Drive	YU, MAOLIN & LI, GUIXAO	16,290.56
50 Ledgewood Drive	WRIGHT, ANDREA J.	15,775.76
52 Ledgewood Drive	KADYSHEVA, IRINA O. & NINA	16,076.72
54 Ledgewood Drive	DWYER, STEVEN J.	16,397.92
56 Ledgewood Drive	COOK, PATRICIA J.	15,521.44
58 Ledgewood Drive	DELILLE, SHEILA	15,397.36
60 Ledgewood Drive	SPECTOR, JASON D. & JOAN E.	16,950.56

1	East View Road	ROBERTS, TIMOTHY	17,122.16
3	East View Road	HAVASI, EDITH	15,181.76
4	East View Road	NAPPI, NANCY	13,869.68
5	East View Road	MCMAHON, GEORGE E. & DAWN	14,951.20
6	East View Road	BECK, MARIA A.	14,395.92
7	East View Road	GUGLIELMO, WILLIAM J.	16,858.16
8	East View Road	UBILLUS, CATHY	14,713.60
9	East View Road	GRAMLING, LISA	14,483.04
10	East View Road	DIDIO, FRANCO R.	13,988.48
11	East View Road	FREDERICK, JOHN & MARIA	14,114.32
12	East View Road	WANG, LEI	14,107.28
14	East View Road	HATTAR, ANITA J.	13,854.72
1	Pond View Road	ATAYA, HODA	15,933.28
2	Pond View Road	LOPEZ, TULIO E. & ISABEL	15,234.56
3	Pond View Road	JUDD, KAREN S.	14,967.92
4	Pond View Road	REISEN, EVANIA F. & WILLIAM F.	14,910.72
5	Pond View Road	OSBORNE, DEBORAH R.	15,234.56
6	Pond View Road	BOLOGNA, CYNTHIA A.	15,568.96
7	Pond View Road	SMITH, DEBRA	16,500.00
8	Pond View Road	DUNCAN, DIANE B.	15,176.48
9	Pond View Road	PHILLIPS, KATHLEEN O. & DOUTNEY, SARA A. & JOSHUA E.	15,572.48
10	Pond View Road	HILPERT, GERALD & MARILYN M. & CUMMINS, CAROLINE	15,595.36
11	Pond View Road	TELESHA, ANDREA C.	15,969.36
12	Pond View Road	GALER, KENNETH J.	17,220.72
1	Westview Lane	OBRIEN, MARGARET H.	27,447.20
2	Westview Lane	SUTORIUS, ANNA	28,594.72
3	Westview Lane	AYVAZLAN, BRETT Z. & WERLAU, PATRICIA	20,998.56
4	Westview Lane	BOGART, KARIN B.	20,113.28
6	Westview Lane	TUTTLE, ARTHUR W.	20,401.04
8	Westview Lane	RAGETTE, LORRAINE F.	27,447.20
10	Westview Lane	LAWRENCE, MICHAEL	20,958.96
12	Westview Lane	GUNNING, JEAN M.	27,982.24
14	Westview Lane	CARON, JEFF & NANCY & BUSCHEL, DOUGLAS	21,021.44
16	Westview Lane	EGGE, ELIZABETH	24,572.24
18	Westview Lane	BARROQUEIRO, FRANK & JUDY	27,462.16
20	Westview Lane	DISTEFANO, ROBERT S.	22,286.00
22	Westview Lane	CATAPANO, FRANCIS J. & ANNE L.	20,790.00
24	Westview Lane	DANDE, AMIT S. & PANDIT, AMRITA SHREENIWAS	26,630.56
26	Westview Lane	FORD, MARTIN J. & EILEEN C.	21,004.72
1	Arbor Drive	NALLEY, RENATE	10,944.56
2	Arbor Drive	FISHER, THOMAS F. JR.	9,652.72
3	Arbor Drive	MCPADDEN, EMILY	6,182.88
4	Arbor Drive	DRETEL, AARON	7,677.12
5	Arbor Drive	DILL, JONATHAN W.	7,939.36

6	Arbor Drive	BEARDSLEY, DONALD A.	10,944.56
1	Boxwood Drive	TRUESDALE, HAROLD S.	11,739.20
2	Boxwood Drive	WOCHEK, WARREN K. & CHARLOTTE M.	8,301.04
3	Boxwood Drive	OSBORN, EDWARD M.	8,227.12
4	Boxwood Drive	DAYTON, SUSAN K.	8,270.24
5	Boxwood Drive	BALLAUDO, HUGO & FRANCISCA	8,534.24
6	Boxwood Drive	FITZGERALD, ILLONA M.	11,122.32
7	Boxwood Drive	DARCY, LOUISE	9,924.64
8	Boxwood Drive	MCKENNEY, EILEEN	9,805.84
9	Boxwood Drive	PEATFIELD, CHERYL	9,706.40
10	Boxwood Drive	FREUNDT, KENNETH	9,801.44
11	Boxwood Drive	GALLIFORD, SANDRA J.	8,291.36
12	Boxwood Drive	SCHULZE, ROBERT T.	12,531.20
1	Douglas Drive	LUTZ, ROBERT S. & MARGARET A.	10,803.76
2	Douglas Drive	SFERRAZZA, FRED & JUDITH	10,733.36
3	Douglas Drive	ERICKSON, JUDITH A.	8,279.04
4	Douglas Drive	HILL, NATHANIEL	8,279.04
5	Douglas Drive	BUCZEK, CYNTHIA A.	8,279.04
6	Douglas Drive	BUCZEK, CYNTHIA	8,279.04
7	Douglas Drive	OPPENHEIMER, M. JOAN	10,250.24
8	Douglas Drive	DELOHERY, DONNA M.	8,279.04
9	Douglas Drive	TITUS, JAMES E. TRUST & TITUS, MARK A. & LAPAK, MAUREEN T. TRUSTEES	10,468.48
10	Douglas Drive	OSTER, BARBARA J.	8,401.36
11	Douglas Drive	RICHA, CHRISTINA	8,401.36
12	Douglas Drive	VILLEGAS, HENRY & VIRGINIA	13,154.24
13	Douglas Drive	CERASOLI, DIANE & SCELIA, KAREN	10,767.68
14	Douglas Drive	DAMICI, AMY MARIE	10,668.24
15	Douglas Drive	MOLINE, SANDRA J.	13,208.80
16	Douglas Drive	KARDELKY, MARGARET & BRANDT, ASTRID TRUSTEE	11,470.80
1	Lambert Lane	CAHILL, ELIZABETH	12,232.88
2	Lambert Lane	RUOPP, PETER D. & SCHNELL, PENNY G.	12,200.32
3	Lambert Lane	BLANCHFIELD, PATRICK M.	12,232.88
4	Lambert Lane	OSTER, BARBARA J.	12,239.04
1	Bristol Path	CARLSON, JAMES A. & JUDITH A.	12,572.56
2	Bristol Path	PACK, TACY	13,492.16
3	Bristol Path	LATTIN, BURTON A. SR. & GENEVIEVE A.	10,165.76
4	Bristol Path	DINEEN, CYNTHIA	10,134.08
5	Bristol Path	BALLARD, PATRICIA A.	9,824.32
6	Bristol Path	BOWMAN, LINDSEY ANN	10,657.68
7	Bristol Path	BRISTOL, GAIL R.	11,932.80
8	Bristol Path	BIRCH, AMY	14,061.52
9	Bristol Path	KIRSHNER, MARY	13,269.52
10	Bristol Path	SANCHEZ, PEDRO III & JASMINE	13,283.60

11	Bristol Path	BOULAIS, BERNADETTE	11,041.36
12	Bristol Path	BRODERICK, ANNETTE & CHRISTOPHER	9,203.92
13	Bristol Path	SERRA, FILOMENA P.	9,812.00
14	Bristol Path	VINGO, NICOLE C.	10,618.96
15	Bristol Path	WOODRUFF, CAROL T.	14,294.72
16	Bristol Path	FOX, S. BLANCHE	13,327.60
1	Brooks Lane	BARROW, MICHAEL A.	12,519.76
3	Brooks Lane	HLAVAC, KYLE W. & RAMEY, ALYSE L.	10,142.88
5	Brooks Lane	YULO, RALPH P. & DEBORAH A.	10,590.80
7	Brooks Lane	FEDERAL HOME LOAN MORTGAGE CORPORATION	9,944.00
9	Brooks Lane	STOTTS, RONALD T. & MARIANNE D.	9,734.56
11	Brooks Lane	BURGDOERFER, LAUREL S.	13,420.88
13	Brooks Lane	SPROVIERO, CHRISTINA IRREVOCABLE TRUST	13,598.64
15	Brooks Lane	GAUTHIER, ROBERT	10,969.20
17	Brooks Lane	HEINEKEN, JOEL C.	11,686.40
19	Brooks Lane	WONG, SHUKWAH & CHOI, JOHNNY	11,953.04
1	Comstock Trail	SCHREIBER, F. WALTER & RUTH A.	13,449.92
2	Comstock Trail	FARRELL, PATRICIA R.	14,314.96
3	Comstock Trail	KEEVER, RICHARD E. & JOANNE	10,237.92
4	Comstock Trail	TAL, AMIHOUD & LEA	10,058.40
5	Comstock Trail	VENTURA, AMERICO S. & LUCINDA N.	11,228.80
6	Comstock Trail	FARHAT, OMAR & NADA	9,694.08
7	Comstock Trail	CABRAL, MANUEL P. JR.	13,283.60
8	Comstock Trail	HACKEL, MARGO	13,984.08
9	Comstock Trail	MILLER, RICHARD J. & THERESA T.	13,820.40
10	Comstock Trail	DEFRESNE, MARK	13,143.68
11	Comstock Trail	PROHASKA, ELLEN FRANK	10,545.92
12	Comstock Trail	RUOCCO, RONALD W. & KRISTIN E.	11,709.28
13	Comstock Trail	ALARCAO, ANA FLAVIA & FERREIRA, DJALMA JR.	10,479.92
14	Comstock Trail	DAVE, JAY & KRUTI J.	10,376.08
15	Comstock Trail	MIMS, BRUCE L. c/o Richard Terbrusch	12,943.04
16	Comstock Trail	BENDANA, ERNEST J. & MARILYN T.	11,116.16
18	Comstock Trail	ALFERI, JULIE	9,430.96
20	Comstock Trail	BRADBURY, BARBARA	13,395.36