



Deep River Water Pollution Control Authority

Special Meeting Minutes

Date: December 17, 2013

1. Call to order: This special meeting was called to order by Mackenzie at 7:50 pm
2. Members in attendance: MacKenzie, Reyher, Hebert and Bibbiani
3. Upon ***motion*** by Reyher, seconded by Bibbiani and carried unanimously, the Authority approved the following resolution titled "Resolution to Approve Benefit Fees for the Properties Included in the Kirtland and River Streets Sanitary Sewer System Project" a copy of which is attached to these minutes.
4. Adjournment: Upon Motion by Reyher, seconded by Bibbiani and carried unanimously this special meeting was adjourned @ 7:58 PM.

Peter Lewis

Acting secretary

TOWN OF DEEP RIVER
WATER POLLUTION CONTROL AUTHORITY

RESOLUTION TO APPROVE BENEFIT FEES FOR THE PROPERTIES INCLUDED IN
THE KIRTLAND AND RIVER STREETS SANITARY SEWER SYSTEM PROJECT

WHEREAS, at a Special Town Meeting held on May 2, 2013, those persons eligible to vote approved a "Resolution to appropriate \$4,000,000 for the extension of the sanitary sewer system to the eastern terminus of Kirtland and River Streets, as well as to all connecting streets; to finance the appropriation by accepting a grant from USDA of approximately \$1,200,000 and a loan not to exceed \$2,800,000, or by issuing Town bonds, notes or temporary notes in an amount not to exceed \$2,800,000" (the "Bond Resolution"); and

WHEREAS, the Bond Resolution required that if the Deep River Water Pollution Control Authority (the "WPCA") determines that each property, or each unit of assessment, that is benefited by the Kirtland and River Streets sewer expansion project shall be assessed a one time benefit fee, the benefit fee shall only take effect if approved at a special town meeting; and

WHEREAS, on December 2, 2013, the WPCA held a public hearing pursuant to Connecticut General Statutes 7-250 and has recommended that a one time benefit fee of \$5,000 be assessed against each property, or each unit of assessment, that is benefited by the project; and

WHEREAS, at a Special Meeting of the Board of Selectmen held on December 12, 2013 the benefit fee recommended by the WPCA was approved and forwarded to a Special Town Meeting; and

WHEREAS, at a Special Town Meeting held on December 17, 2013, the voters approved the benefit fees assessments for the project, as recommended by the WPCA.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Chapter 103 of the Connecticut General Statutes, a one time benefit fee of \$5,000 for each property benefited by the Kirtland and River Streets sewer line expansion project, allocable to properties on Kirtland and River Streets and to all connecting streets including River Lane, Old River Streets #1/#2, Fairview Avenue, Reed Street, Phelps Lane and Town Dock Road, as described in the schedule attached hereto and made part of this resolution, is hereby established and laid upon said properties benefited thereby, and the benefit fee shall constitute a lien upon the property and be continued, recorded, enforced and released in the same manner as property taxes.

FURTHER RESOLVED, that such benefit fees may be paid in installment payments over a period of thirty (30) years, together with interest at an interest rate of 2.75% per annum, which interest rate reflects the borrowing costs to the Town on its bonds to be issued

to the United States Department of Agriculture (USDA), Rural Utilities Service, to finance the project costs.

FURTHER RESOLVED, that the outstanding balance of any benefit fee, together with any unpaid interest, fees and charges, shall be due and payable in full upon the transfer of ownership of the property for consideration.