

**TOWN OF EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

Minutes of Meeting of September 29, 2004

Members Present: Paul Anderson, Tom Davis and Reginald Bancroft

Members Absent: Mark Livings, Dave Tyler, G. Martin Henry Jr. (Alternate), and Frank Smith (Alternate)

Others Present: WPCA Superintendent Kevin Leslie; WPCA Attorney Vincent Purnhagen; and Recording Secretary Laura Michael

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:04 p.m. at the East Windsor WPCA Administration Building.

I. Designate Alternate to Sit for Absent Member –There were no alternates present.

II. Acceptance of Minutes August 25, 2004

Motion: To accept the Minutes August 25, 2004.
Bancroft/Davis
Passed unanimously.

III. Payment of Bills

Motion: To authorize payment of the September 29, 2004, bill sheet in the amount of \$32,176.30.
Bancroft/Davis

Discussion: Mr. Leslie explained several of the bills including: a bill from Cota Construction for manhole raising, the bill was split with the Public Works Department, a bill from Mr. Crowley who had a sewer problem and the WPCA agreed to pay half of the bill for the repair, a bill from FJ Smith for a repair at the Perri Lane Pump Station, and a bill from Riek Engineering for the plant software.
Passed unanimously

WPCA Attorney Vincent Purnhagen arrived at this time and remained until adjournment.

IV. Visitors – none.

V. Receipt of Applications

53 Prospect Hill Road LLC, 53 Prospect Hill Rd, Wingate Inn

Mr. Leslie reported that the application was complete.

Motion: To accept the application of 53 Prospect Hill Rd LLC, 53 Prospect Hill Rd, Wingate Inn.
Bancroft/Davis
Passed unanimously.

VI. Approval of Applications

53 Prospect Hill Rd LLC, 53 Prospect Hill Rd, Wingate Inn

Motion: To approve the application of 53 Prospect Hill Rd LLC, 53 Prospect Hill Rd, Wingate Inn.
Davis/Bancroft
Passed unanimously.

VII. Legal - would be addressed during the Unfinished Business portion of the meeting.

Motion: To go out of order of the regular meeting to Unfinished Business.
Bancroft/Davis
Passed unanimously.

VIII. Unfinished Business

Prospect Hill Rd Sewer

Mr. Leslie reported that the contract had been awarded, the pre-construction meeting was held, and they are waiting for the permit from the DOT. Mr. Leslie and Len Norton would be marking trees that needed to be taken down for the project.

Plant Computer System Upgrade

Mr. Leslie reported that the upgrade is a little more than halfway complete and is going very well.

IX. New Business

Discussion of Superintendent's Report

Mr. Leslie reported that the new plant permit had been received. Flow monitoring would be studied but they would not need to do any construction.

Mr. Leslie discussed the Newberry Rd assessments. Carol Madore, Town Assessor, is not done with reassessing the Newberry Rd properties. Mr. Leslie asked Attorney Purnhagen if the sewer assessments should be done before or after the property re-assessments. Attorney Purnhagen reported that it would not matter as long as they were consistent with all properties.

X. Public Hearing Scheduled at 7:30 p.m.

Motion: To suspend the regular meeting for the purpose of holding the public hearing at 7:30 p.m.
Bancroft/Davis
Passed unanimously.

Motion: To open the public hearing as presented on the agenda for Tartsinis, 122 Prospect Hill Rd Unit 19 through The Depot LLC, 34 Hillside Farms Dr.
Bancroft/Davis
Passed unanimously.

There was no one present for Tartsinis, 122 Prospect Hill Rd Unit 19. Mr. Leslie stated that this is a unit in a plaza being replaced and there would not be any additional flow.

There was no one present for Lomac, 10 South Main St. Mr. Leslie stated that this is an addition to a building and there would not be any additional flow.

There was no one present for Southern Auto Sales, 161 South Main St. Mr. Leslie stated that this is an addition to replace trailer being used as offices, there would not be any additional flow.

There was no one present for Benson Enterprises Inc., 16B Pasco Dr. Mr. Leslie stated that this is a residential unit and one-half of the FCC has been paid.

There was no one present for The Depot LLC, 14 Hillside Farms Dr. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for The Depot LLC, 32 Hillside Farms Dr. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for The Depot LLC, 34 Hillside Farms Dr. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

Motion: To close the public hearing.
Bancroft/Davis
Passed unanimously.

Motion: To return to the regular meeting.
Bancroft/Davis
Passed unanimously.

XI. Action on Facility Connection Charges

Motion: To impose the Facility Connection Charges, beginning with Tartsinis, 122 Prospect Hill Rd. through The Depot LLC, 34 Hillside Farms Dr., in amounts published.
Davis/Bancroft
Passed unanimously.

Unfinished Business Continued

Mr. Anderson had several questions, which were answered. One of which was about the Legal Publication Memo. There was a discussion about the memo and it was decided that the residential application fee would be looked at and adjusted to cover the cost of the legal notice publication, sewer user fees should not be used to cover this cost.

3-Year FCC Review

Mr. Leslie asked Attorney Purnhagen several questions about the 3-year review. Would a public hearing be needed for reviews that would not have any change? The regulations state that the WPCA shall conduct a public hearing whenever establishing or revising a facility connection charge. Attorney Purnhagen replied that a public hearing would not be needed, but the property owner would need to be notified of the review, it would need to come before the board, be listed as an agenda item and be recorded in the minutes.

How should state properties be handled, since they do apply for building permits or receive a certificate of occupancy? Attorney Purnhagen stated that they should be handled as any other property, they are not exempt from the review in the regulations.

How should properties with very high water usage during the 3-year review period, but lower usage after the review period be handled? Attorney Purnhagen replied that the review would need to be based on the 3 years of the review period.

A discussion of the 3-year review continued. It was decided that the 3-Year Review would be an added agenda item. The properties in need of review would appear as an agenda item for discussion, clear up the ones with no change and decide which would a public hearing. The 3-Year Review Public Hearings will be held at 7:30 and the regular FCC Public Hearings will be held at 7:15. A guide document will also be created so all reviews will be handled in the same manner.

XII. Adjournment

Motion: To adjourn the meeting at 8:29 pm.
Bancroft/Davis
Passed unanimously

Respectfully submitted,

Laura Michael
Recording Secretary