

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

Minutes of Meeting of February 23, 2005

Members Present: Paul Anderson, Mark Livings, Dave Tyler and Jim Barton (Alternate)

Members Absent: Tom Davis, Reginald Bancroft, and Frank Smith (Alternate)

Others Present: WPCA Superintendent Kevin Leslie, WPCA Attorney Hal Cummings, Jay Ussery of JR Russo, Richard Leno of KRL Builders, Frank Marci of 9-13 Shoham Road LLC and Recording Secretary Laura Michael.

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the East Windsor WPCA Administration Building.

I. Designate Alternate to Sit for Absent Member

Jim Barton was designated to sit in for absent member Reginald Bancroft.

II. Acceptance of Minutes of Special Meeting February 10, 2005

Motion: To accept the Minutes February 10, 2005.
Barton/Livings
Passed unanimously.

III. Payment of Bills

Motion: To authorize payment of the February 23, 2005 bill sheet in the amount of \$33,889.19.
Livings/Barton
Discussion: Mr. Leslie explained several of the bills, including a bill from Cummings, Lanza and Purnhagen for the Developer's Agreement for the North Road Sewer, a bill from Environmental Monitoring for mandatory testing, a bill from the Journal Inquirer for legal notices and a bill from Riek Engineering for the plant computer and alarm system.
Passed unanimously.

Dave Tyler arrived at this point in the meeting.

IV. Visitors

Jay Ussery, JR Russo and Associates

Mr. Ussery explained that the Depot LLC is finishing Hillside Farms and would like to extend into adjacent property. They would like to build 40+ active adult units and single-family housing. The sewer line would run through Hillside Farms back to the street through the German Club and further east to the 28 acres of the extended development. The discussion was continued after the public hearing.

V. Public Hearing Scheduled at 7:15 p.m.

Motion: To suspend the regular meeting for the purpose of holding the public hearing at 7:15 p.m.
Tyler/Livings
Passed unanimously.

Motion: To open the public hearing as published in the legal notice for 9-13 Shoham Rd LLC, 9 Shoham Rd. through KGS Realty, LaNotte, 17 Thompson Rd.
Livings/Tyler
Passed unanimously.

Hal Cummings arrived at this point in the meeting and remained through adjournment.

Frank Marci was present for 9-13 Shoham Road LLC. Mr. Leslie explained this was an existing commercial building originally on a septic system. The septic system was crushed and they had to connect to the sewer system. They were averaging 9 units of use over the 3-year period of 1997, 1998 and 1999. They paid for one-unit and are granted one unit for growth; there is an additional charge of 7 units. Mr. Marci explained that there is a pollution control mist system and they are being billed for water coming into the building but not going into the sewer. It was suggested to Mr. Marci that a meter be installed to track the water used in the misting units. Mr. Marci asked if the WPCA would be able to forgive part of the charge? Mr. Anderson stated that the regulations obligate that the FCC be imposed. Attorney Cummings suggested continuing the public hearing to the next meeting; he could look at the regulations for the procedure for protesting a charge.

Motion: To continue the public hearing of 9-13 Shoham Road LLC to the next meeting.
Tyler/Livings
Passed unanimously.

There was no one present for Southern Auto Sales Inc., Recon. Addition, 161 South Main St. Mr. Leslie stated that notice of the public hearing had been sent, the charge was calculated from water company records and Southern Auto has agreed to pay the charge.

Motion: To close the public hearing for Southern Auto Sales Inc., Recon. Addition, 161 South Main St.
Tyler/Livings
Passed unanimously.

There was no one present for KGS Realty, LaNotte, 17 Thompson Rd. Mr. Leslie stated that notice of the public hearing had been sent, water company records and CO dates were gathered; he feels confident the charge is correct.

Motions: To close the public hearing for KGS Realty, LaNotte, 17 Thompson Rd.
Tyler/Livings
Passed unanimously.

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

Motion: To open the public hearing as published in the legal notice for Coleman Farms East Windsor LLC, 11 Steeple Chase Rd through Southern Auto Sales, Inc., 191 So Main St.
Livings/Tyler
Passed unanimously.

There was no one present for Coleman Farms East Windsor LLC, 11 Steeple Chase Rd. 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 Coleman Farms East Windsor LLC, 13 Steeple Chase Rd. 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 Coleman Farms East Windsor LLC, 16 Steeple Chase Rd. 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 Coleman Farms East Windsor LLC, 12 Old Barn Rd. 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 Coleman Farms East Windsor LLC, 14 Old Barn Rd. 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 Coleman Farms East Windsor LLC, 17 Old Barn Rd. 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 Coleman Farms East Windsor LLC, 19 Old Barn Rd. 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 Coleman Farms East Windsor LLC, 22 Old Barn Rd. 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 Dugas, 173 Scantic Rd. . Mr. Leslie stated that this is an existing single-family property and one-half of the FCC has been paid.

There was no one present for Ceppetelli, 42 Skinner Rd. Mr. Leslie stated that this is an existing single-family property and one-half of the FCC has been paid.

There was no one present for Benson Enterprises Inc., 14A Pasco Dr. Mr. Leslie stated that this is a commercial unit and one-half of the FCC has been paid.

There was no one present for Benson Enterprises Inc., 14B 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 Benson Enterprises Inc., 20A Pasco Dr. Mr. Leslie stated that this is a commercial unit and one-half of the FCC has been paid.

There was no one present for Rejean Realty LLC, 10A-D Reggie Way. Mr. Leslie stated these are four units in a new building and one-half of the FCC has been paid.

There was no one present for the Depot LLC, 29 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, 47 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 Gracewood LLC, 1 Broad Brook Rd. Mr. Leslie stated that this is a single-family residential property and one-half of the FCC has been paid.

There was no one present for Gracewood LLC, 3 Broad Brook Rd. Mr. Leslie stated that this is a single-family residential property and one-half of the FCC has been paid.

There was no one present for Olender Family Limited Partnership, 40 North Rd. Mr. Leslie stated that this is a new commercial building and none of the FCC has been paid.

There was no one present for Olender Family Limited Partnership, 1 Shoham Rd. Mr. Leslie stated that this is an addition to an existing commercial building and there is no additional FCC.

There was no one present for Sleepy's Inc., 4 Craftsman Rd. Mr. Leslie stated that this is an addition to an existing commercial building and none of the FCC has been paid.

There was no one present for TBK Ventures, 200 So Main St. Mr. Leslie stated that this new commercial building and none of the FCC has been paid.

There was no one present for MT Sure Shine, 214 So Main St. Mr. Leslie stated that this a new commercial building and none of the FCC has been paid.

There was no one present for Southern Auto Sales, Inc., 191 So Main St. Mr. Leslie stated that this is the old Railroad Salvage building and there is no additional FCC.

Motion: To close the public hearing.
Livings/Tyler
Passed unanimously.

Motion: To return to the regular meeting.
Barton/Livings
Passed unanimously.

VII. Receipt of Applications - none

VIII. Approval of Applications - none

IX. Legal

Jay Ussery, JR Russo

Mr. Ussery explained to Attorney Cummings that the Depot LLC is finishing up Hillside Farms and would like to extend their development into adjacent land. He provided Attorney Cummings with the details. Mr. Ussery explained that a stub was left at the property line to tie in the sewer to provide use to an active adult community and to the residential homes. A discussion continued about running the sewer through the private road and the town road; whose responsibility would it be to maintain the line? Would there be a need for easements? Attorney Cummings stated that according to State Statute 7-246f the WPCA has the authority to access and repair the community sewer line, at the expense of the owner, therefore an easement would not be needed. Mr. Ussery left the meeting at this time.

Visitors – Continued

Richard Leno, KRL Builders

Mr. Leno explained to the board that he is interested in building a house on a lot on Woolam Road that has a lot of wetlands. He would not be able to get approval for a septic system from North Central Health because of the wetlands. He wanted to get the feel of the board about being able to connect to the public sewer before pursuing further with the Wetlands Commission and with an engineer to draw up plans. He explained that the lot is about 1300 feet from the manhole by the town garage. A discussion continued about similar situations. Mr. Leslie told Mr. Leno he would contact Town Engineer Len Norton with this information. Mr. Leno thanked the board for their time and left the meeting.

Legal - Continued

Brookside Drive, Millbrook Condominiums, Suspension of Sewer User Charges

Attorney Cummings reported that he read the letter from United Technologies and did not see a problem with suspending the sewer user charges.

Motion: To suspend billing of sewer use charges as of January 1, 2005 for 21 units during remediation until such time as discharge begins. Sewer user charges will be imposed as of the date of discharge recommences into the East Windsor Sewer System.
Tyler/Barton
Livings abstained
Passed

X. Action on Facility Connection Charges

Motion: To impose the Facility Connection Charge for Southern Auto Sales Inc., Recon. Addition, 161 So Main St. in the amount published.
Livings/Barton
Passed unanimously.

Motion: To impose the Facility Connection Charge for KGS Realty, LaNotte Restaurant, 17 Thompson Rd. in the amount published.
Livings/Barton
Passed unanimously.

Motion: To impose the Facility Connection Charges, for Coleman Farms East Windsor LLC, 11 Steeple Chase Rd through Southern Auto Sales Inc., 191 So Main St. in the amounts published.
Livings/Barton
Passed unanimously.

XI. Unfinished Business

Prospect Hill Road Sewer

Mr. Leslie reported that work should start up again shortly. He explained that are some change orders that will need to be reviewed. A discussion followed about holding a special meeting about the change orders and possibly appointing a subcommittee to review the change orders and report to the board at the next scheduled meeting. It was decided that a daytime meeting would be scheduled and a recommendation would be made to the board about the change orders.

XIII. New Business

Discussion of Superintendent's Report

Mr. Leslie showed the board the plaque the WPCA was awarded by the EPA. Mr. Leslie explained that Ed Alibozek and Konrad Karolczuk were supposed to go to Boston to receive the award but because of a snowstorm were unable to go. The board was very impressed, it shows that the East Windsor WPCA is the best in the state.

Review of Capital Expenditures

The plant computer and alarm system are complete. Funds will be transferred from the sinking fund for reimbursement.

Request for CIP Reimbursement

The first half of the capital improvements project money, \$33,500.00, has been reimbursed; it is now time to submit for the second half. The plant upgrades have been completed and the CIP money will be put into the operating account.

Developer's Agreement

Attorney Cummings distributed a draft copy of the Developer's Agreement for the North Road Sewer. Attorney Cummings went through the agreement and explained it to the board.

Charter Revision Committee

Mr. Anderson explained that the Town has formed a Charter Revision Committee that will be looking at the possibility of rewriting the Town Charter.

Mr. Leslie has been appointed as the Facilities Committee Representative.

XIV. Adjournment

Motion: To adjourn the meeting at 9:28 p.m.
Livings/Tyler
Passed unanimously

Respectfully submitted,

Laura Michael
Recording Secretary