

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

**Minutes of Meeting of April 29, 2009**

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

**Members Absent:** Tom Davis and Ed Farrell (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 7:00 p.m. at the East Windsor Water Pollution Control Authority Administration Building, 192 South Water St., East Windsor, CT.

**I. Designate Alternate to Sit for Absent Member**

Mr. Riggott sat in for absent member Tom Davis.

**II. Acceptance of Minutes of March 25, 2009**

**Motion:** To accept the minutes of March 25, 2009  
Riggott/Barton  
In favor: Riggott/Barton/Tyler  
Abstained: Livings  
Passed

**III. Payment of Bills**

**Motion:** To authorize the payment of the April 29, 2009 bill sheet in the amount of \$58,874.88.  
Livings/Barton  
Discussion: Mr. Leslie went over the Bill Sheet outlining any unusual bills.  
Passed unanimously

***\*Attorney Purnhagen arrived at 7:03 and remained until adjournment***

**IV. Visitors (15 Minute Time Limit)**

**Attorney Wayne Gerlt**

Attorney Gerlt distributed a motion that he had prepared asking the Board to deny his client's request. This would allow his client to appeal to OPM. Mr. Anderson didn't think that a motion could be made for an item under visitors. The WPCA doesn't have an application; there is nothing to deny. Mr. Leslie explained that Attorney Cummings had written a letter for another applicant in a similar situation. Mr. Anderson was not opposed to writing a letter. Mr. Tyler thought he might not be in favor of authorizing a letter. Mr. Barton didn't think the WPCA should become a party of saying ok – go ahead. Mr. Anderson explained that the letter would be neutral but clear. Attorney Purnhagen will write a letter with the same type of content as previously used. A draft of the letter will be sent to Board Members with a time limit for making comments. Attorney Gerlt thanked the Board and left the meeting at 7:15 p.m.

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

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

**Motion:** To open the public hearing on Proposed Revision to Sewer User Charges.  
Barton/Riggott  
Passed unanimously

Mr. Anderson read the beginning paragraphs of the Public Hearing Notice. There was no one from the public present for the Public Hearing.

**Motion:** To waive the individual reading of property listings on Revision to Sewer User Charges.  
Anderson/Barton  
Passed unanimously

**Motion:** To close the public hearing on Proposed Revision to Sewer User Charges.  
Livings/Riggott  
Passed unanimously

#### **VI. Receipt of Applications**

There were no new applications.

#### **VII. Approval of Applications**

4 Revay LLC, 4 Revay Rd

**Motion:** To approve the application of 4 Revay LLC, 4 Revay Rd.  
Mr. Leslie explained that this was a building modification to office space. There would not be any additional use of water; this is only on the agenda so that a 3 Year Review can be done.  
Barton/Riggott  
Passed unanimously

#### **VIII. Legal**

Pump Station Agreement – SJK Properties, Quarry Meadows

There was nothing new to report.

Rya Corporation

There was nothing new to report.

#### **IX. Action on Revision to Sewer User Charges**

**Motion:** To adopt the proposed revision to the sewer user charges as published in the *Hartford Courant* on April 17, 2009 and as submitted in the Public Hearing.  
Livings/Barton  
Passed unanimously

## **X. Adoption of FY2009-10 Budget**

**Motion:** To adopt the East Windsor WPCA FY2009-10 Budget as presented in the amount of \$1,155,220.  
Tyler/Livings  
Passed unanimously

**Motion:** To impose a rate of \$228 per sewer user unit based on 4,895 units, for a billable budget of \$1,114,220.  
Tyler/Riggott  
Passed unanimously

## **XI. Public Hearing Scheduled at 7:30 p.m.**

**Motion:** To open the public hearing for East Windsor Housing LTD LLC, 14 Field Circle, Meadow Farms and M&L Mason's Brook LLC, 18 Masons Brook Lane.  
Barton/Livings  
Passed unanimously

There was no one present for East Windsor Housing LTD LLC, 14 Field Circle, Meadow Farms. Mr. Leslie explained that this was a new single family house and one half of the FCC has been paid.

There was no one present for M&L Mason's Brook LLC, 18 Masons Brook Lane. Mr. Leslie explained that this was a new single family house and one half of the FCC has been paid.

## **XII. Action on Facility Connection Charges**

**Motion:** To impose the FCC for East Windsor Housing LTD LLC, 14 Field Circle, Meadow Farms and M&L Mason's Brook LLC, 18 Masons Brook Lane as published.  
Barton/Riggott  
Passed unanimously

## **XIII. Unfinished Business**

### **Modification of Sewer Service Area**

Mr. Leslie reported that the changes were made that were discussed at the last meeting. Town Planner Laurie Whitten has asked Mr. Leslie when the SSA Map would go to public hearing. He will get a copy of the map to the P&Z Commission. Mr. Anderson stated that the WPCA needs to get this done and move forward with it. Mr. Leslie will send a draft of the map to Board Members. The map will be discussed at the May meeting and a public hearing will be scheduled.

### **North Road Sewer Design**

Mr. Leslie reported that the design is almost done; it is very expensive. There will be a Wetlands Public Hearing next Wednesday; Mr. Leslie has asked for letters from P&Z, Economic Development and North Central Health. There will only be a temporary disruption of 4,500 square feet of wetlands. If the WPCA gets approval at the Public Hearing, a joint meeting with the Board of Selectmen, Board of Finance and the WPCA will be scheduled after the budget season. This project is still on the Shovel Ready list.

### **Newberry Road Assessments**

Mr. Leslie met today with First Selectman Denise Menard and one of the property owners. Mr. Tyler wants a written memo from Ms. Menard stating that the assessments need to be collected. Mr. Leslie

explained that Ms. Menard will attend the Public Hearing on May 20<sup>th</sup>. Mr. Tyler wants something in writing also. Mr. Leslie reported that the oldest CO from Newberry Rd was 51/2 years old; some were less than 3 years old. He presented a letter from an attorney representing a property seller on Newberry Rd asking about the assessments; money was being put into escrow to cover the assessment. There were caveats filed and this was the correct way to handle it. Mr. Leslie and Mr. Anderson met with Ms. Menard the morning after the Public Hearing and explained the legitimate complaints. Ms. Menard felt that everyone should pay an assessment if receiving a benefit. Mr. Anderson stated that at the continued hearing they will accept new input only. The Public Hearing will be closed and the WPCA will have 30 days to make a decision. There was a lengthy discussion concerning putting the assessment method in writing. Mr. Tyler felt it should be put in the regulations, that way the public could come in and look at the regulations to see how it's done. Mr. Anderson stated that this could be done in the future; you can't develop a policy in the middle. Mr. Barton was concerned with how long it takes to do the assessments. Attorney Purnhagen stated that this went on for a long time but, he remembered Mr. Leslie coming in with information, the Board discussing it and asking for more information. Mr. Anderson explained that what's done with Newberry Rd will impact the Prospect Hill Rd assessments.

#### Prospect Hill Road Assessments

This will be addressed when the Newberry Rd Assessments are completed.

#### **XIV. New Business**

##### Superintendent's Report

Mr. Leslie didn't have anything to report.

##### Legal Notices

Mr. Anderson explained that he thinks the Town is in error using the Hartford Courant for advertising rather than the local paper, the Journal Inquirer. He wrote a letter expressing his opinion and it appeared in the JI today. The Town is using the Hartford Courant for cost saving reasons. Mr. Anderson stated that the application fees are used for covering the cost of advertising; the cost is not significant. Mr. Barton thought it was important to print all notices in the same paper.

Mr. Anderson reported that he attended a training workshop in April on Parliamentary Procedures. He distributed a guideline that could be used for smaller meetings (meeting with fewer than a dozen). The procedures can be less formal.

#### **XV. Adjournment**

**Motion:** To adjourn the meeting at 8:29 p.m.  
Tyler/Livings

Respectfully submitted,

Laura Michael  
Recording Secretary