

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

**Minutes of Meeting of May 27, 2015**

**Members Present:** Paul Anderson, Dave Tyler and Kirk Montstream

**Members Absent:** Chuck Riggott

**Others Present:** Superintendent E. Arthur Enderle III, Chief Operator Ed Alibozek, WPCA Attorney Michael Lanza, Selectman Dale Nelson, Board of Finance Member Kathy Pippin and Recording Secretary Laura Michael

**Time and Place**

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the WPCA Admin Building, 192 South Water St, East Windsor, CT

**I. Public Hearing Scheduled at 7:00 p.m.**

**Revision to Sewer User Charges**

**Motion:** To dispense with the reading of the individual revisions as itemized in the legal notice published in the *Journal Inquirer* on May 15, 2015.  
Tyler/Montstream  
Passed unanimously

Mr. Anderson reported that the public hearing was open and he read the opening paragraph of the legal notice. Mr. Anderson asked if there was any discussion or input from the public. There was none.

**Motion:** To close the public hearing on the Revision to the Sewer User Charges.  
Tyler/Montstream  
Passed unanimously

**II. Action on Revision to Sewer User Charges**

**Motion:** To adopt the proposed revision to the sewer user charge as published.  
Tyler/Montstream  
Passed unanimously

**III. Added Agenda Items**

Mr. Anderson asked that discussion of the meeting schedule be added under new business.

**IV. Acceptance of the Minutes of April 29, 2015**

**Motion:** To accept the minutes of April 29, 2015  
Tyler/Montstream  
Passed unanimously

**V. Communications**

There were no communications.

**VI. Visitors**

There were no visitors.

**VII. Public Participation**

There was no public participation.

### **VIII. Receipt of Applications**

There were no new applications.

### **IX. Approval of Applications**

There were no applications to be approved.

### **X. Legal**

#### **Discussion of Delinquent Collection Policy**

Mr. Enderle reported that he and Attorney Lanza met with Patti Kratochvil, East Windsor Tax Collector. They had a good discussion and learned a lot. Mr. Enderle asked Attorney Lanza for a legal recap. Attorney Lanza explained that the Tax Collector is holding tax sales for collection of delinquent taxes. A delinquent notice is sent to the property owner. If they do not pay after a certain period of time, a date for the tax sale is set and anyone from the public can purchase the property for the amount of the tax lien. The property owner is given a six month redemption period after the tax sale. If there is equity in the property, they can try to come up with the money to pay the tax lien or they can sell the property. If there is no equity, they will usually walk away from the property. When the Tax Collector does the tax sale, she includes the sewer use lien. The Tax Collector is also using an aggressive Marshal who has been very successful. She suggested referring some of the accounts that the WPCA hasn't had success collecting to her Marshal. Attorney Lanza thinks that is a great idea but it would be a Board decision. Attorney Lanza reported that it was brought to his attention that there were three properties that transferred ownership and the sewer use fees were not paid even though liens were filed. That's not what's really happening. What has happened is, two of these properties were sold in foreclosure or acquired by the bank and they may not pay the fees immediately. They may wait until they market the property. When there is a title insurance policy, it guarantees that the property is free and clear of any liens or encumbrances. If there are any liens, and they are not cleared, than the title insurance company is on the hook. If someone were to pay cash for a property, the liens may not get paid off. Attorney Lanza didn't have information on the third property. Mr. Enderle explained that the new owner of the third property has sent a letter to the WPCA regarding the sewer bill and he has also come into to the office prior to purchasing the property to inquire about getting a deal. It was explained that this is a tax and no deals are allowed. Attorney Lanza will write to the property owner and inform him that he will need to pay the bill. He felt this would be a situation that if the property owner doesn't pay, they should proceed with foreclosure. The property owner purchased the property knowing the bill was owed. Attorney Lanza suggested experimenting with the new marshal and let the Marshal report if there are hardships. Mr. Enderle explained that the Tax Collector's Marshal is willing to take accounts over \$500. The Tax Collector suggested that the returned warrants be turned over to the new marshal. Mr. Enderle explained that the Tax Collector turns accounts over to collection after 2 full grand list years. She does allow payment plans but the accounts need to be paid off within one year. Mr. Anderson asked Attorney Lanza about the tax sales. Attorney Lanza explained that the Tax Collector has the power to do a tax sale; it is a legal process. The Tax Collector has her own attorney for the tax sales. It was suggested that the WPCA piggy back with the Tax Collector with the tax sales and use her Marshal. Mr. Enderle explained that the longer the accounts are delinquent, the harder it is for people to pay.

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

**Motion:** To open the public hearing for WBGLA of Westfield, MA LLC, 7 Winkler Rd through Heumann, 206 North Rd.  
Tyler/Montstream  
Passed unanimously

There was no one present for WBGLA of Westfield, MA LLC, 7 Winkler Rd. Mr. Enderle explained that this is the Noble gas station and none of the FCC has been paid.

There was no one present for McCuda LLC, 4 New Park Rd. Mr. Enderle explained that this is the new Blake building and none of the FCC has been paid.

There was no one present for Gallipo, 29 Rolocut Rd. Mr. Enderle explained that this is a single family residential and one half of the FCC has been paid.

There was no one present for Robert, 192 Scantic Rd. Mr. Enderle explained that this is a single family residential and one half of the FCC has been paid.

There was no one present for Heumann, 206 North Rd. Mr. Enderle explained that this is a single family residential and \$2,625 of the FCC has been paid.

Mr. Enderle reported that 4 of the connections were due to the North Road Project.

**Motion:** To close the public hearing for WBGLA of Westfield, MA LLC, 7 Winkler Rd through Heumann, 206 North Rd.  
Tyler/Montstream  
Passed unanimously

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

**Motion:** To impose the Facility Connection Charges as published.  
Tyler/Montstream  
Passed unanimously

## **XIII. Unfinished Business**

### Action on Delinquent Policy

Mr. Anderson explained they were not ready to take action at this time. Mr. Enderle thanked Attorney Lanza for taking the time to meet with Patti Kratochvil and him. He explained that they need to put a policy together as the budget is based on a 98% collection rate.

### IT Status

It has been working.

## **XIV. New Business**

### Bill Sheet Review

The budget is in pretty good shape. Mr. Enderle explained there are a number of things he and Mr. Alibozek would like to get done before the end of the year. They expect to do 3 – 4 projects. The goal of a good budget is to not have any money left at the end of the year.

### Superintendent's Report

Mr. Enderle reported that Steve Bednarz has been placed on the President's List at Manchester Community College and was inducted into the International Business Honor Society. He has been working hard and advancing his licensing.

It has been a busy month; the plant is running good and there have been new connections. They are trying to get out jet flushing and continue to work on the FOG program. Mr. Enderle, Mr. Alibozek and Mr. Ference were all speakers at the Management Class this month. Mr. Enderle pointed out that Corrosion Probe completed the assessment of the pump stations and provided a report. There was nothing glaringly wrong. In their report, Corrosion Probe thanked the EW Staff for their support and their exemplary safety detail and coordination. Mr. Montstream asked if they were planning to raise the Route 5 pump station. Mr. Enderle replied they would not. They will make improvements. A parking space will be added up top and there will be an area for snow removal. The felt it was safer to keep the pump station down below then level with the road. The road has been stabilized.

Mr. Enderle provided a draft of a Sanitary Sewer Construction Agreement. He explained that they don't currently have an agreement. Mr. Tyler asked if this was for developments or single family construction. Mr. Enderle replied it was for developments. Mr. Tyler felt there is a need to spell out what a development is. Mr. Anderson agreed they would need to define it. Mr. Alibozek suggested that

the Board read the manual, make notes and then discuss it next month. Mr. Tyler felt the development should be defined as anything over 5 lots. Attorney Lanza agreed that would make sense.

#### Meeting Schedule

Mr. Anderson explained that P&Z is starting their meeting earlier and he and Mr. Enderle were discussing the possibility of starting WPCA meetings earlier. Mr. Tyler stated that if the meetings start earlier, he won't be able to make it. It was decided they would leave the start time at 7:00 p.m.

#### **XV. Adjournment**

**Motion:** To adjourn the meeting at 8:14 p.m.  
Tyler/Montstream

Respectfully submitted,

Laura Michael  
Recording Secretary