

Water Pollution Control Authority

Meeting Minutes

Tuesday, April 19, 2016

Present:

Mr. Robert Smith, Chairman
Ms. Noa Miller
Mr. Daniel Civitello
Mr. Paul Phillips
Mr. Ted Mannello

Absent:

Also in attendance:

Mr. Ed Bailly, WPCA Employee
Mr. Kenneth Long, WPCA Employee
Mr. Michael Angieri, Consulting Engineer
Attorney Brian Henebry, WPCA Counsel
Mr. Chris Thompson, Westshore Association
Ms. Marilyn Flynn, Westshore Association
Mr. Steve Molder Westshore Association
Ms. Sandra Rotella, 23 Yale Ave
Mr. Kurt Jones, Engineer representing a potential development on Washington Dr.
Ms. Maureen Del Vicario, Recording Clerk

1. Call to Order:

Mr. Robert Smith called the meeting to order at 7:30 p.m.

2. Approval of March 15, 2016 Meeting Minutes:

A **motion** was made by Mr. Paul Phillips and seconded by Mr. Dan Civitello to accept the meeting minutes of March 15, 2016, as modified below. This motion was unanimously approved by the members.

Throughout the minutes:

Correct the spelling of the name of Attorney Brian Henebry throughout the minutes.

Staff discussions, final sentence should read:

Attorney Jennifer Yoxall (not present at this meeting) provided the WPCA with a written summary of the status of projects in Middlebury.

3. Old and New Business:

a) Sandra Rotella, 23 Yale Ave RE: Sewer User Bill:

Ms. Sandra Rotella approached the WPCA to request the sewer user fees be modified to take into consideration the number of people living in a home and to provide a fee abatement for the elderly and disabled. Ms. Rotella presented the fact that she is a single person household while there are houses with five people living in the home who pay the same user fee. Ms. Rotella expressed the opinion that it would be more fair to take usage into consideration when calculating the user fees.

Mr. Smith explained to Ms. Rotella that the user fees cannot be based on usage since there are no water meters in Middlebury and assigning user fees based on family size would be considered discriminatory against families which is illegal in the state of CT. Mr. Smith further explained that the current rules do not allow for a reduction of user fees on an individual basis. Therefore, the WPCA is unable to take an action on Ms. Rotella's request.

b) Report on Meeting with Naugatuck Representatives:
and

c) WPCA's Contract with Naugatuck:

A **motion** was made at 8:00 p.m. by Mr. Smith and seconded by Mr. Civitello to enter into executive session for the purpose of discussion of pending litigation. Invited into the session were the WPCA Counsel and Consulting Engineer. This motion was unanimously approved by the members.

A **motion** was made at 8:20 p.m. by Mr. Smith and seconded by Mr. Civitello to come out of executive session. This motion was unanimously approved by the members.

No motions were made during the executive session.

d) Monthly Expenses:

The bills were distributed for review and signed by the Chairman for payment.

Additions to the agenda:

A **motion** was made by Mr. Smith and seconded by Mr. Civitello to add two items to the agenda. This motion was unanimously approved by the members.

Additions to the agenda (continued):

Kurt Jones re: potential development on Washington Drive:

Mr. Kurt Jones, a civil engineer representing a developer, approached the WPCA to discuss a preliminary proposal for a development of 48 townhouse units on 60 acres of land on Washington Dr. The development is currently proposed as 2 bedroom units, which would still fall within the R40 zoning. Mr. Jones asked if it is possible to obtain sewage capacity for such a development.

The members and Mr. Michael Angieri discussed the fact that future capacity has been reserved for commercial development and not residential. However, it was noted that a previous development on Washington Drive was never completed despite the WPCA's installation of sewers to accommodate that development. Since the previous development has breached their contract with the WPCA, the capacity that was granted to that development might be withdrawn from that property and potentially available for this new development.

There was discussion about the need for a more formal proposal before a decision on capacity could be made and Mr. Angieri noted this does not guarantee approval.

Westshore Homeowners Association:

Mr. Chris Thompson and Mr. Steve Molder of the Westshore Homeowners Association, along with Ms. Marilyn Flynn, approached the WPCA to discuss questions the association has regarding complying with requirements for DEEP, such as where they send the results of the required inspection of their system and if the frequency of the requirements could be adjusted due to the fact that a number of the homes are seasonal.

Mr. Angieri stated that these are questions to be posed to the DEEP who has dictated these requirements. Mr. Smith requested a copy of the reports be filed with the WPCA and suggested the Association provide a copy of these reports to the Town of Woodbury, as well.

Ms. Flynn requested clarification about the timing of sludge measurement along with the emptying of the septic and was informed that the septic pumping company would complete both of these tasks at the same time.

4. Staff Discussions:

A and B. Pump Stations - station upgrade project and Collection System:

Mr. Ed Bailly and Mr. Kenneth Long reported that expected maintenance on the pump stations is being performed but there have been no unusual problems to report.

Mr. Angieri recommended, with the end of the fiscal year approaching, the members make it a point to discuss plans for upgrading the older pump stations. It was noted that the

WPCA will likely have an idea of the expenses which will be involved for the Naugatuck Contract by the end of the year.

5. Adjournment of Meeting:

A **motion** was made by Mr. Phillips and seconded by Mr. Civitello to conclude the WPCA meeting at 8:28 p.m. This motion was unanimously approved by the members.

Respectfully submitted,

Maureen Del Vicario

Maureen Del Vicario, Recording Clerk, April 21, 2016

cc: WPCA members
Board of Selectman
Edith Salisbury, Town Clerk
Directors of Health
Mike Angieri, P.E.
Jennifer Yoxall, Attorney
File