

Water Pollution Control Authority

Meeting Minutes

Tuesday, March 17, 2020

Present:

Mr. Robert Smith, Chairman
Mr. Daniel Civitello
Mr. Ted Mannello

Absent:

Ms. Noa Miller
Mr. Paul Phillips

Also in attendance:

Attorney Brian Henebry, WPCA Counsel
Mr. Michael Angieri, Consulting Engineer
Mr. Ed Bailly, WPCA Employee
Mr. Drue Greene, WPCA Employee
Ms. Maureen Del Vicario, Recording Clerk
Mr. George Caughman, Milone & MacBroom
Mr. David Theroux, Drubner Commercial Real Estate
Mr. Mark Michaud, Michaud Development Group
Mr. Peter Yeskey, First Hartford Development

1. Call to Order:

Mr. Robert Smith called the meeting to order at 6:00 p.m.

2. Acceptance of February 18, 2020 Meeting Minutes:

A **motion** was made by Mr. Smith and seconded by Mr. Daniel Civitello to accept the meeting minutes of February 18, 2020, as amended below. This motion was unanimously approved by the members.

To be added to minutes:

Just prior to the start of the meeting, Mr. Smith swore in Mr. Paul Phillips for a new term as a member of the WPCA.

3a) Industrial Development Group LLC requests the return of a sewer assessment for lot on 1700 Straits Tpke, Middlebury, CT – check amount \$23,500., date 2/16/07:

Second sentence of the second paragraph should read:

Attorney Henebry reported, based on the CT General Statutes 7-249 and 7-250, the request made in December 2019 for a refund of the assessment is time barred.

3. Old and New Business:

- a) Regan Rd, Stevens Rd senior housing – 29 Units, 58 Bedrooms, sewer connection fee (assessment and user fees):

Mr. David Theroux, Drubner Commercial Real Estate and Mr. Mark Michaud, Michaud Development Group, approached the WPCA to request a modification of the method that is used to determine the connection assessment fee. Mr. Theroux requested the assessment be based on the number of bedrooms, rather than per unit, so that this multi-unit project development would be financially feasible. Mr. Theroux also pointed out the benefit to the Middlebury tax basis if this development is built.

Mr. Smith and Mr. Michael Angieri noted that the connection assessment has been a flat fee for many years with only a few exceptions to the amount for special circumstances such as a developer that paid for a sewer extension that benefited other property owners that needed to be sewered due to groundwater contamination. Mr. Smith noted that the WPCA is a separate entity from the town of Middlebury and an increased tax base does not impact the WPCA. It was also noted that user fees are, comparatively, still quite low.

After explaining the WPCA's rules and historical decisions, this request for a modification of the connection assessment was denied.

- b) First Hartford Realty Corp. RE: proposed Cumberland Farms, 1680 Straits Turnpike, Capacity Appl. with \$250. Fee:

Mr. Peter Yeskey, of First Hartford Development, presented a capacity application for a proposed extension to the sewer line for a Cumberland Farms which is to be located at the corner of Straits Tpke and Park Rd. Mr. Yeskey noted that the project engineer was unable to attend this meeting. Mr. Yeskey provided information on the expected usage at the site, including wastewater which is mostly from coffee service and that the facility will utilize a grease trap.

Mr. Angieri requested that Mr. Yeskey have the project engineer contact him so Mr. Angieri can obtain further details on the business. Attorney Henebry agreed to establish contact with the neighboring property owners so they may be included in the public hearing and the recertification process with DEEP.

A **motion** was made by Mr. Ted Mannello and seconded by Mr. Civitello to approve the capacity application for 1,200 gallons per day, subject to additional information on the application and subject to the public hearing on the extension. This motion was unanimously approved by the members.

- c) WPCA Contract with Naugatuck:

Attorney Henebry reported that the 2018-2019 bill has been received but it needs to be reviewed prior to payment.

- d) West Shore Update:

There was no update on this matter.

- e) Monthly Expenses:

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

4. Staff Discussions:

A and B. Pump Stations and Collection Systems:

Mr. George Caughman, Milone & MacBroom, presented an update on the status of the upgrades to pump stations 4, 6 and 7. Mr. Caughman reported there are a few things yet to be done but the substantial completion date on track for prior to the end of April, 2020.

Mr. Caughman reported the Benson Road project is currently waiting for the DOT to complete their modifications to the drawings of the location of supports before the WPCA modifications are made.

5. Adjournment of Meeting:

A **motion** was made by Mr. Smith and seconded by Mr. Civitello to conclude the WPCA meeting at 6:55 p.m. This motion was unanimously approved by the members.

Respectfully submitted,

Maureen Del Vicario

Maureen Del Vicario, Recording Clerk, March 19, 2020

cc: WPCA members
Board of Selectman
Brigitte Bessette, Town Clerk
Directors of Health
Mike Angieri, P.E.
Jennifer Yoxall, Attorney
Brian Henebry, Attorney
File