

**WATER POLLUTION CONTROL AUTHORITY
REGULAR MONTHLY MEETING
TUESDAY, SEPTEMBER 8, 2009**

MEMBERS PRESENT: Jeffrey Ives, Gary Laurito, Joseph Calsetta, Dennis DeMaine, and John McSweegan

MEMBERS ABSENT: Steven N. Wawruck, Jr., Denise Balboni, and Edward Ferrari
Scott C. Lappen, Director of Public Works, Ex Officio
Dana Steele, Town Engineer, Ex Officio

ALSO PRESENT: Gary Kuczarski, Superintendent
Heather Kane, Recording Secretary

CALL TO ORDER: The meeting was called to order at 6:00 p.m. by Jeffrey Ives.

MINUTES: John McSweegan made a motion: **"TO APPROVE THE MINUTES FROM THE AUGUST 11, 2009 REGULAR MONTHLY MEETING"** - Seconded by Dennis DeMaine (passed 4 – 0, with one abstention for Jeffrey Ives)

PUBLIC INPUT: None

FINANCIAL REPORTS:

- a. **August 2009 Cash Reports:** Gary Laurito made a motion: **"TO ACCEPT THE AUGUST 2009 CASH REPORTS AS PRESENTED"** – Seconded by Joseph Calsetta. With no further discussion, the motion passed unanimously.
- b. **CD Investments – update and changes:** Since the WPCF has not yet received the CD Investment Statement for August, there are no update and changes to share with the Authority. Gary Laurito requested that the CD spreadsheet be e-mailed to the Authority once it is updated from the August Statement.

CORRESPONDENCE: A spreadsheet noting the transfers that were approved during last month's meeting and the updated balance for the FY 2008-2009 budget was handed out to the Authority at the meeting. This was handed out for informational purposes only.

OLD BUSINESS:

- a. **Appeals – 2009-2010 Sewer User Fee Appeals – wells:** Jeffrey Ives began the discussion by recapping that during last month's meeting there was a question regarding the well appeals. Dennis DeMaine abstained from any part of the discussion as he has submitted an appeal to reduce his well sewer user fee to the minimum. Joseph Calsetta stated that last month there was a question as to whether the way the WPCA determines the well use was fair compared to the minimum residential user fee. After thinking about it for another month, Joseph Calsetta recommended that the way to control this process is to have the residents install a meter on the wells and have the WPCF read the meters. Joseph Calsetta is sure that some of the residents that filled out appeals have not used the full \$205.92 amount of water yet he also believes that some of the residents that filled out appeals have gone over the \$205.92 average. As it is - circumstances change. Jeffrey Ives noted that the well appeals have been going on for a long period of time – at least since around 1985. There were fewer appeals when it first started out. Originally, the people on the Authority personally knew the residents that were filling out the appeals and knew their home circumstances and they made some assumptions regarding their water use. There are currently 4514 residential accounts; 1707 of them pay the minimum amount – about 38%. The past precedence has been that the Authority read the appeals, made some judgments, and (by using the rule of thumb of two people in the household) approved the appeals. Jeffrey Ives personally feels that the Authority has a subjective base for approving the appeals and a rock solid base for denying the appeals. This is an opportune time to come up with a policy that fits how the Authority is treating everyone. If a resident feels strongly enough

that they are being overcharged for sewer use, they should install a meter on their well. It would be an initial expense for the resident to install the meter, but if they are being overcharged they will be paid back for the initial expense in two or three years. If a resident does not think he/she falls under the average, they probably will not even pursue installing a meter. Gary Laurito stated that his intention in making a motion to deny during last month's meeting was in order to have a unified policy. Without documented evidence, why should the Authority deviate from policy? If the residents do put in a meter, there is factual evidence to base a decision on. Right now it is guess work. Joseph Calsetta stated he does not feel there is anyway the Authority can go against their policy and approve the appeals without any proof. Jeffrey Ives recommends that when a letter goes out to these residents stating that their appeal was denied, the letter should state that the policy regarding questions about overcharging due to an incorrect record of resident's water consumption – whether it is due to a pool, a sprinkler system, or a well – is that the resident should install a meter on that line so that an actual water usage reading could be taken. That is the only recourse at this point should the resident want to pursue this any further. The WPCF will read the meters around May 31st each year. Jeffrey Ives recommended taking a vote on the appeals individually so that it is reflected that each appeal was considered individually and not as a group.

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY RUTH E. BABIASZ, ACCOUNT #8027”** – Seconded by John McSweegan (passed unanimously).

John McSweegan made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY FREDERICK J. BARBERI, ACCOUNT #8028”** – Seconded by Gary Laurito (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY KENNETH L. CHRISTIAN, ACCOUNT #8036”** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY ANDREW AND CLAUDETTE DAVIES, ACCOUNT #8043”** – Seconded by John McSweegan (passed unanimously).

Dennis DeMaine withdrew his appeal from consideration.

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY GEORGE R. FARRELL, ACCOUNT #8054”** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY CYNTHIA M. FISHER, ACCOUNT #8056”** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY NANCY GAJ, ACCOUNT #8084”** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY ROSE GIANNUZZI, ACCOUNT #8059”** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY JOSEPH HANNIGAN, JR., ACCOUNT #8064”** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY ROBERT KULAS, ACCOUNT #8069”** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY JOSEPH C. AND DIANE B. LEROUX, JR., ACCOUNT #8070”** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **“TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY RICHARD AND JANICE MATTARAZZO, ACCOUNT #8001”** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY MARK AND LINDA MONA, ACCOUNT #8075"** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY MATTHEW MONTEMERLO, ACCOUNT #8033"** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY WILLIAM AND MAUREEN MOSELSKY, ACCOUNT #8076"** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY WALTER MURKOWICZ, ACCOUNT #8077"** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY LORENZO A. NOVELLA, ACCOUNT #8079"** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY JOE PAOLETTI, ACCOUNT #8088"** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY THEODORE RACHEL, ACCOUNT #8096"** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY RYSZARD AND BARBARA RAMOTOWSKA, ACCOUNT #8097"** – Seconded by Joseph Calsetta (passed unanimously).

Dick Rolocut had previously withdrawn his appeal.

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY TERESA RUSH, ACCOUNT #8100"** – Seconded by John McSweegan (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY JUDITH WERTH, ACCOUNT #8124"** – Seconded by Joseph Calsetta (passed unanimously).

Gary Laurito made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY RONALD WOZNAK, ACCOUNT #8127"** – Seconded by John McSweegan (passed unanimously).

The Authority would like the following to be included in the letter to the residents:

- 1) That there was not enough information on water usage to approve the appeals.
- 2) That the Authority suggests that the well-users install an approved water meter on their well in order for the sewer user fee to be based on actual usage instead of the average of residential users. (Using the same wording that the WPCF has used in the past for residents that use sprinkler systems.)
- 3) That a list of approved meters will follow the letter.

The only way to be billed the residential minimum rate is to prove that you actually use less than the minimum. Gary Kuczarski will check with the CT Water Company to see what they recommend for water meters. Residents will be caught with this again next year. The residents need to have the meters installed before May 31, 2010 in order for the bill for FY 2011-2012 to be based on actual usage.

- b. **Appeals – David McCue – 165 Spring Street:** The reply from the Town Attorney with the corresponding State Statute governing the adjustment on sewer user fees was handed out to the Authority at the meeting. It references that the Authority (like the Tax Collector) is governed by State Statutes and does not have any authority to waive interest or lien fees. The Authority can defer payment if approved through an established ordinance but the sewer user fees must be paid when the title changes hands. The WPCA does not have such an ordinance in place. In addition, the State Statutes state that whether a resident receives a bill or not the resident is still liable for the tax as of July 1st and therefore is liable for any interest accrued since the due date.

This particular resident is not at the level where their account is being turned over to the attorney. The only thing the Authority can do is to inform the resident to continue to make the payments as the interest will continue to accrue. John McSweegan made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED BY DAVID MCCUE AND LOUISE MONTMINY"** – Seconded by Gary Laurito (passed unanimously).

- c. **Weekly payroll reports from the Finance Department:** Heather Kane informed the Authority that the Finance Department is providing the WPCF with weekly payroll reports.

NEW BUSINESS:

- a. **Appeals – Evelyn Navaroli – 251 S. Elm St.:** Gary Laurito abstained from voting on this appeal as the signer, Jack Navaroli, works for him. John McSweegan made a motion: **"TO DENY THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED FOR EVELYN NAVAROLI, ACCOUNT #8078"** – Seconded by Dennis DeMaine (passed 4-0, with one abstention for Gary Laurito). The Authority would like to note in the letter to the resident that the appeal was submitted past the cut-off date and that there needs to be proof of actual water usage for approval since this is a well account.
- b. **Appeals – Sharon Chamberland – 92 N. Main St.:** The water meter was turned off on 6/26/09 and removed on 7/15/09. If the meter was reinstalled, it will show up on our list from the CT Water Company. Joseph Calsetta made a motion: **"TO APPROVE THE 2009-2010 SEWER USER FEE APPEAL SUBMITTED FOR SHARON CHAMBERLAND, ACCOUNT #3590"** – Seconded by Gary Laurito (passed unanimously).

At 6:50 p.m. there being no other business to discuss, Joseph Calsetta made a motion: **"TO ADJOURN THE MEETING"** -- Seconded by Dennis DeMaine (passed unanimously).

Respectfully submitted,

Heather Kane
Recording Secretary