

**WATER POLLUTION CONTROL AUTHORITY
REGULAR MONTHLY MEETING
TUESDAY, FEBRUARY 9, 2010**

MEMBERS PRESENT: Steven N. Wawruck, Jr., Joseph Calsetta, Jeffrey Ives, Kevin Brace, Gary Laurito, Dennis DeMaine, Denise Balboni and John McSweegan

MEMBERS ABSENT: Dana Steele, Town Engineer, Ex Officio

ALSO PRESENT: Scott C. Lappen, Director of Public Works, Ex Officio
Gary Kuczarski, Superintendent
Heather Kane, Recording Secretary

CALL TO ORDER: Steven N. Wawruck, Jr. called the meeting to order at 6:01 p.m.

Gary Laurito made a motion: **TO MOVE UP ITEM 6A IN THE AGENDA TO THIS POINT IN TIME** – Seconded by Denise Balboni. With no further discussion, the motion passed unanimously.

Dennis DeMaine arrived at 6:02 p.m.

OLD BUSINESS:

- a. **Attorney Scott Chadwick – Discussion re: delinquent accounts:** Attorney Chadwick addressed the questions that the Authority brought up at the last meeting regarding his approach to the delinquent list. The main points discussed are the following:
- Attorney Chadwick generally focuses his time and resources on the largest delinquent accounts. He usually does not look at the age of the delinquency but instead at the amount of the debt.
 - It has not been Chadwick & Stone, LLP's practice to send a letter out notifying the resident that the account has been handed over to their law office. Historically, if a resident is going to ignore the letters and bills from the W.P.C.A. then he/she will also ignore a letter from the attorney. Eight to ten years ago, Chadwick & Stone, LLP would send out demand letters and then bring the accounts into small claims court. This failed miserably. Foreclosure proceedings are the only viable option for some accounts.
 - The W.P.C.A. has good priority in regards to debt. The W.P.C.A.'s sewer bill comes second in priority right after the Town's property tax. The debt is secured by liens so the W.P.C.A. will get paid someday whether it is through a refinance, a sale or a foreclosure. Bankruptcy usually does not affect the resident's obligation to the W.P.C.A.. A Chapter 13 plan may propose, in a rare case, a reduction of interest.
 - It is important to try to remain consistent with everyone. Generally, Attorney Chadwick does not enter into payment plans because that can lead to many problems.
 - Attorney Chadwick will create a form letter that the W.P.C.F. staff can send out to residents once their account is turned over to his law office.
 - Attorney Chadwick is only compensated by what the resident pays in legal fees from these foreclosure acts. A while back the W.P.C.A. did pay a stipend for the Town Attorney. For some unknown reason, the W.P.C.A. stopped paying the stipend at some point. This is a topic that should be brought up during budget discussions. In addition to pursuing delinquent accounts, Attorney Chadwick has provided general representation for the W.P.C.A. in regards to the Sewer Ordinance's rules about the installation of grease interceptors. Attorney Chadwick will provide Steven N. Wawruck, Jr. with a quote for the cost of his stipend.

MINUTES: Jeffrey Ives made a motion: **TO APPROVE THE MINUTES FROM THE JANUARY 12, 2010 REGULAR MONTHLY MEETING** - Seconded by Dennis DeMaine. Gary Laurito stated that the sentence "Once they are paid off he goes onto the next and so on" left him with the impression that Attorney

Chadwick only works on one delinquent account at a time and that he does not look at another delinquent account until he is done with everything for the first account. Instead, Gary Laurito believes it is more accurate to state once an action is taken Attorney Chadwick goes onto the next delinquent account. Therefore, Gary Laurito made a motion: **TO CHANGE THE MINUTES BY DELETING "ONCE THEY ARE PAID OFF" AND INSERTING "ONCE AN ACTION HAS BEEN TAKEN"** – seconded by John McSweegan (passed unanimously). Without further discussion, the motion on the table to approve the minutes as amended passed 7 – 0, with one abstention for John McSweegan.

PUBLIC INPUT: None

FINANCIAL REPORTS:

- a. **January 2010 Cash Reports:** Gary Laurito made a motion: **TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED WHILE RESERVING THE RIGHT TO SPEAK ON THEM** – Seconded by Dennis DeMaine. Gary Laurito initiated a discussion by bringing up his concern about the interest rate on the investments which he calculates as being less than 3/100th of a percent. He is concerned about whether the investments are being prudently managed. All the investments mentioned on the cash reports are in a STIF account. The Town's Finance Director Barbara Bertrand determines how to invest the funds. The Authority asked why investments are determined by the Town and if there may be a legal reason for that procedure. Steven N. Wawruck, Jr. stated he would follow-up with Barbara Bertrand regarding our investments.

Gary Laurito asked what is included in the "Revenue other than User Fees Collected" figure that is stated on the Monthly Cash Receipts spreadsheet. Heather Kane stated it includes entrance fees, inspection fees, dumping fees, miscellaneous income, interest from delinquent accounts, lien fees, and the interest from the STIF account and CD investments for just the current fiscal year. Gary Laurito recommended including the interest accrued from the STIF account and CD investments on the Monthly Cash Receipts spreadsheet by adding a line under the Other Income Category.

- b. **CD Investments – update and changes:** Gary Laurito asked if the CD investments were considered marketable CDs. Heather Kane stated that we can sell the CDs at any time. For informational purposes, Gary Laurito informed the Authority that the change in market value figure listed on the spreadsheets is not real money in the account. Instead that is money the W.P.C.A. could get if the CDs were sold at this point in time.

Gary Laurito also requested that Heather Kane add the interest rates of the CDs on the CD Investment spreadsheet.

Without further discussion, the motion on the table to accept the financial reports passed unanimously.

CORRESPONDENCE: Scott Lappen informed the Commission that the auditors would like a special meeting to discuss the Capital account. It was decided that the meeting will take place February 23, 2010 at 5:00 p.m. at the Town Hall. Scott Lappen will check with Sue on the availability of the Large Conference Room.

NEW BUSINESS:

Gary Kuczarski informed the Authority that a pump, which was 28 years old, was just sent out to get a price for repair. A price for a new one is \$12,800.00. Gary Kuczarski is waiting to see if it may make more sense to purchase a new one pump instead of having the old one repaired. The compound around the shaft of the old pump wore away over the years causing the propeller to slip off.

Steven N. Wawruck, Jr. informed the Authority that he was approached by Mr. Lemay from 202 Reed Avenue regarding his Sewer User Bill. Mr. Lemay has reduced his water usage to the point that if the W.P.C.A. calculated his sewer bill by the usage formula the amount due would be ½ of the minimum charge. Steven N. Wawruck, Jr. asked the Authority how the minimum charge figure is arrived at. He stated that he is not looking for answers right now but is instead looking for further discussion on the matter when

discussing the budget. Jeffrey Ives stated that the minimum charge has nothing to do with water usage but instead it has to do with funding the operation of the Plant. Mr. Ives suggested possibly taking a percentage of the average and making that the minimum charge. It is important though not to cut the operating budget which is why certain fees have increased over time.

At 6:57 p.m. there being no other business to discuss, Joseph Calsetta made a motion: **"TO ADJOURN THE MEETING"** -- Seconded by Kevin Brace (passed unanimously).

Respectfully submitted,

Heather Kane
Recording Secretary