

**WATER POLLUTION CONTROL AUTHORITY
REGULAR MONTHLY MEETING
TUESDAY, OCTOBER 9, 2012**

MEMBERS PRESENT: Steven N. Wawruck, Jr., Jeffrey Ives, Denise Balboni, Kevin Brace, Robert Crochetiere, Dennis Gragnolati, William Hamel and Gary Laurito

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 5:33 p.m.

MINUTES: September 11, 2012 Regular Monthly Meeting: Denise Balboni made a motion: **TO APPROVE THE MINUTES OF SEPTEMBER 11, 2012 REGULAR MONTHLY MEETING** - Seconded by Gary Laurito. Without further discussion, the motion to approve the minutes passed 6 – 0 with one abstention for William Hamel.

PUBLIC INPUT: None

FINANCIAL REPORTS:

- a. **September 2012 Cash Reports:** Gary Laurito made a motion: **TO ACCEPT THE SEPTEMBER CASH REPORTS, THE CD INVESTMENT UPDATE AND CHANGES, AND THE QUARTERLY REPORTS** - Seconded by William Hamel. Without further discussion, the motion passed unanimously.
- b. **CD Investments – update and changes:** Please see item (a) under Financial Reports.
- c. **Quarterly Reports:** Please see item (a) under Financial Reports.

Dennis Gragnolati arrived at the meeting at 5:40 p.m.

- d. **Delinquent Accounts – update:** Gary Laurito asked if the WPCA has a policy which states that foreclosure procedures would start when an owner of multiple properties reaches a certain amount in consolidated debt on the properties. Steven N. Wawruck, Jr. stated that in the past, the foreclosure procedures started when one property reached the threshold amount. Mr. Laurito stated that if a person is delinquent on multiple properties then should not the debt be consolidated as the person's total obligation owed to the WPCA. Mr. Wawruck stated that an argument could be made that some renters are not paying the rent and so the owner has a hard time paying the bills. William Hamel stated that such an argument has been ruled invalid in the past as a reason for an owner to not pay the sewer use bill. Robert Crochetiere believes that every property should to be considered separately and not lumped together. In the past, when one property goes over the threshold amount, Mrs. Kane has informed the attorney of other delinquent properties owned by the same person. Mr. Laurito, Ms. Balboni and Mr. Crochetiere would like to ask the WPCA Attorney what his thoughts are on the subject. Mr. Laurito is suggesting that when the total delinquent amount for one person (whether it is over numerous properties or one property) reaches the threshold, judicial action should commence on all the delinquent properties owned by that person. This was previously presented to the former WPCA Attorney and it was determined that the threshold had to be reached by a single property before commencing foreclosure procedures. Mr. Hamel stated that there is some credibility that each property should stand on its own because each property is a self-sustaining entity. Mr. Laurito would agree to that if the property was current on their sewer bill. The Authority agreed to table this subject until next month's meeting in order to ask the Attorney about his view on the subject. Gary Laurito made a motion: **TO ACCEPT THE DELINQUENT ACCOUNTS REPORT** – Seconded by Jeffrey Ives. Without further discussion, the motion passed unanimously.

CORRESPONDENCE: None

OLD BUSINESS:

- a. **Mr. Griffin's and Mr. Burke's adjusted bill:** This is in regards to 12 North Street where the pump discharge did not enter into the sewer system. Ms. Kane took an average of the eight prior quarters and multiplied that average by four to come up with an adjusted annual usage amount. That amount was then multiplied by the current rate to calculate the adjusted bill amount of \$838.98. This adjustment would give Mr. Griffin and Mr. Burke a refund of \$1,419.63 because they paid the full first installment when they filed their appeal. Jeffrey Ives stated that the history seemed pretty conclusive. Mr. Hamel stated it was in line with the previous three years. William Hamel made a motion: **TO ADJUST THE BILL TO \$838.98** – Seconded by Denise Balboni. Without further discussion, the motion passed unanimously.
- b. **Well and rate information:** A spreadsheet containing information gathered from other Connecticut towns was handed out at the meeting. Ansonia was the closest to Windsor Locks in that they have 150 wells and 5500 accounts. They charge residential well users \$258.00/year while they require commercial well users to install a meter at their own cost. The usage rate is \$3.05/100cf (which is about \$4.05/1000gal) and they do not have a minimum rate. Ansonia takes a residential average to come up with the well rate. Should a property owner appeal the well rate, Ansonia recommends that they install a meter. Windsor Locks WPCA's well rate of \$244.72/year is close. Mr. Hamel does not think that there is anything wrong with the current methodology. He did share, though he did not recommend it, that the only way that may be more accurate is to look at the mode, where the majority is clustered plus or minus maybe 10% from the mean. With the number of accounts the WPCA has though, the mode and average will be very close. In addition, there is one well user who installed a meter at her expense and there are a number of residents who installed meters on their sprinkler systems at their own expense. The Authority believes that taking the residential average is the fairest method of calculating the residential well rate and therefore they agreed to not change the current way of calculating the well rate.

Mr. Wawruck directed attention to the Kibble-n-Stuff appeal regarding the minimum commercial rate. There were 189 commercial accounts that were charged the minimum rate this fiscal year. Dennis Gagnolati stated that the commercial properties with low usage are subsidizing the properties with high usage. Mr. Hamel asked why there is a difference in the minimum rates between residential and commercial accounts. Some commercial accounts are using less than residential accounts. Mr. Gagnolati stated that an argument could be made that in general commercial properties would have greater usage but the rate would take care of that. Mr. Ives agreed that this was probably the original thinking behind establishing two separate minimum rates for residential and commercial accounts. Mr. Gagnolati stated that if the WPCA lowers the commercial minimum to the residential minimum than the rate based on usage would need to increase. The other towns polled do not charge a separate minimum rate for commercial accounts; they only have one minimum rate for both residential and commercial properties. There are 282 commercial accounts out of which 189 are being charged the minimum. For this current year, if the commercial minimum had been reduced to the residential minimum then 119 accounts would have been charged the minimum. The other 70 accounts would have been billed according to usage. The difference between the two minimum rates is \$326.44 which would be about a decrease of \$38,000 in revenue for the year. The increase in the rate based on usage should have a minimal impact on users. Dennis Gagnolati made a motion: **TO ADJUST THE MINIMUM COMMERCIAL RATE SO THAT IT MATCHES THE MINIMUM RESIDENTIAL RATE FOR NEXT YEAR** – Seconded by Denise Balboni. Mr. Hamel thought the motion was valid but disagreed that this was the time to pass it. He recommended instead just putting it into practice with the next fiscal year's budget. Mr. Laurito would like to see what effect this change would have on the hard numbers. Mrs. Kane stated that if the change went into effect this year there would have been a loss of about \$38,846.00 in revenue. Mr. Crochetiere suggested tabling this matter until the WPCA begins discussing next fiscal year's budget in May. Mr. Ives agreed. The motion and the second were withdrawn by Dennis Gagnolati and Denise Balboni. Mr. Wawruck

summarized that the well rate is remaining as is and the commercial minimum rate will be addressed during budget discussion. Mr. Laurito suggested that Mrs. Kane add it to Old Business when it comes time to discuss next fiscal year's budget. Kibble-n-Stuff's appeal was denied for this year. The Authority did ask Mrs. Kane to send a letter to the owner of Kibble-n-Stuff to inform him that the Authority is seriously considering changing the way the commercial minimum rate is calculated.

William Hamel made a motion: **TO DENY MR. PAOLETTI'S APPEAL** – Seconded by Robert Crochetiere. Without further discussion, the motion passed unanimously.

- c. **Commercial water usage volumes:** This is in regards to Kibble-n-Stuff. Please see item (b) under Old Business for the discussion that took place regarding this matter.

NEW BUSINESS: Scott Lappen brought to the Authority's attention that the second page of the Delinquent Accounts lists all the money that has been collected by the Attorney. Gary Kuczarski also mentioned that the WPCA benefited by the noise pollution abatement program which required residents to be current on their sewer use bills in order to participate in the program.

At 6:17 p.m., there being no other business to discuss, Jeffrey Ives made a motion: **TO ADJOURN THE MEETING** - Seconded by Gary Laurito. Without further discussion, the motion passed unanimously.

Respectfully submitted,

Heather Kane
Recording Secretary