

**SEWER AND WATER COMMISSION  
REGULAR MEETING – 05/21/2012  
SEWER AND WATER DEPARTMENT – 7:00 P.M.**

**MEMBERS PRESENT:** Chairman James Paolino, Vice-Chairman Scott Meyers, Walter Tumel, Jim Natale, and Gregory Dandio.

**MEMBERS ABSENT:** Crystal Caouette.

**I. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ATTENDANCE**

The meeting was called to order at 7:05 p.m. with the Pledge of Allegiance. Attendance was taken; a quorum was present.

**II. APPROVAL OF MINUTES**

**1) Regular Meeting – 03/19/12**

Upon **MOTION** by Scott Meyers, seconded by Jim Natale, it was unanimously voted by voice vote, with one abstention (Gregory Dandio), to accept the minutes of the regular meeting dated March 19, 2012.

**III. CORRESPONDENCE**

	<u>Date</u>	<u>To</u>	<u>From</u>	<u>Subject</u>
1.	03/21/12	D. Carver	P. Olmstead	Woodtick Rd Waterline Project
2.	04/02/12	Commission	T. Dunn	2012-2013 Proposed Budgets
3.	03/31/12	Commission	L. Bosco	Sewer Spreadsheet
4.	03/31/12	Commission	L. Bosco	Water Spreadsheet
5.	04/10/12	Commission	L. Bosco	Sewer Delinquent Collection Recap
6.	04/10/12	Commission	L. Bosco	Water Delinquent Collection Recap
7.	03/31/12	Commission	L. Bosco	Sewer Delinquent Report
8.	03/31/12	Commission	L. Bosco	Water Delinquent Report
9.	04/16/12	Commission	S. Bosco	Lyman Oaks Connection Fees
10.	04/17/12	Town Clerk	J. Paolino	Meeting Cancellation
11.	04/30/12	Commission	L. Bosco	Sewer Spreadsheet
12.	04/30/12	Commission	L. Bosco	Water Spreadsheet
13.	05/09/12	Commission	L. Bosco	Sewer Delinquent Collection Recap
14.	05/09/12	Commission	L. Bosco	Water Delinquent Collection Recap
15.	04/30/12	Commission	L. Bosco	Sewer Delinquent Report
16.	04/30/12	Commission	L. Bosco	Water Delinquent Report
17.	06/01/12	Commission	L. Bosco	Water Quality Report

IV. NEW BUSINESS

1) **Establish Third Party Proposal Accounts for Sewer and Water**

Upon **MOTION** by Scott Meyers, seconded by Jim Natale, it was unanimously voted by voice vote to establish Third Party Proposal Accounts for the Sewer and Water Departments.

V. OLD BUSINESS

1) **Modification of Ordinance Concerning Water Main Extensions and Authority of the Wolcott Sewer and Water Commission**

Attorney Brian Tynan came forward and distributed a Draft Revision. An overview was conducted which included the topics of waiving assessments and core facility charges. Discussion followed regarding creating a fund balance for repairs and maintenance of the system. It was decided that the Commission will review the Draft and make comments via e-mail to the Department.

Upon **MOTION** by Scott Meyers, seconded by Jim Natale, it was unanimously voted by voice vote to add the following item to the Agenda under New Business: **192 Midwood Avenue - Sewer Usage Account.**

*It was decided at this time to return to New Business.*

IV. NEW BUSINESS

1) **192 Midwood Avenue – Sewer Usage Account**

Attorney Brian Tynan came forward regarding the delinquent sewer usage account currently totaling \$6,990.81 in the name of Jane Theriault for 192 Midwood Avenue. He reported that a fire had occurred at this home (Jan 2011), the Blight Commission became involved in November, and a contract has been signed with a contractor to perform the renovation; however, due to the owner being in delinquent status, no permit can be issued per Town Ordinance #92. He explained that it is allowable for the Tax Collector to enter into a payment arrangement subject to approval of the Town Council. He reported that the owner proposed the following plan: \$1,000 immediate payment, followed by monthly payments of \$100, followed by an increase in the monthly payment amount (which will be the total amount she is currently paying in rent) once she is able to move back in (approximately 3 months). He noted that the Tax Collector is asking for the Commission's feedback/blessing.

A **MOTION** was made by Scott Meyers and seconded by Jim Natale to agree with the Tax Collector entering into a payment arrangement for the property at 192 Midwood Avenue allowing for permits to be pulled with the addition of keeping current with current billings during the time as well.

Discussion followed. It was noted that for 17 years there has not been one payment on this account and that it was hard to believe the reason given by the owner that she thought it was part of the mortgage payment. Guarantee of payment in accordance with the arrangement was questioned.

An **AMENDMENT** was made by Scott Meyers and seconded by Jim Natale to add a performance bond requirement to ensure the delinquent balance, the July 2012 and July 2013 sewer bills are paid in full as arranged. The Amendment passed by unanimous voice vote. The Motion as amended passed by unanimous voice vote.

A request was made to seek payment in full from the bank or from the insurance company (same as the contractor). Attorney Tynan stated he would follow through with the request.

*It was decided at this time to resume the regular order of business on the Agenda.*

**V. OLD BUSINESS**

**2) Method of Assessment**

Discussion was held earlier under Old Business, Item #1.

**3) Discussion re: Lyman Oaks Active Adult Housing Connection Fees**

Steve Bosco, 202 Lyman Road, Wolcott, came forward as an advocate only for the project. He submitted a listing titled Projects Are Mirror Images. (Copy attached hereto and made a part thereof.) He read it aloud.

Discussion followed. The dollar amount reduction being sought on the connection fees was addressed.

Scott Meyers stated that the Developer should have known and accounted for all project fees at the start and not be returning to the Commission at this point requesting a reduction. Mr. Bosco indicated that the Developers misunderstood the connection fees, they thought it was per connection not per unit, and with the economy the way it is now it is tough.

Mr. Bosco noted that with this project, there are no expenses to the Town (i.e. no snow plowing, no garage removal, no road paving, no maintenance of sewer and water mains, and no schooling). James Paolino stated that it is the Commission's fiduciary responsibility to maintain the financial health of the sewer and water department, it has no obligation to the Town or to those that are not its customers, and its duty is to collect all of the money it is entitled to collect. He noted that the connection fees are the main influx of revenue for both departments.

Gregory Dandio asked if the Developers would have legal recourse if denied a reduction. James Paolino stated he believed any matter can go to litigation and made note that there are rules and regulations in place now that were not in place in the past which may come into play during litigation.

Jim Natale asked if the property owners on MacCormack Drive would have to pay a connection fee. James Paolino stated they would. It was noted that there are approximately twenty homes on MacCormack Drive.

It was noted that the records indicate Chestnut Hill Housing paid the water connection in full. Also noted was the rates and rate structure have changed since the Chestnut Hill Housing Project.

Upon **MOTION** by Scott Meyers, seconded by Jim Natale, it was unanimously voted by roll call vote to grant a reduction to the sewer connection fees only, no reduction to water connection fees, for the Age Restricted Active Adult Housing Lyman Oaks by fifty percent (50%) as outlined in the Projects Are Mirror Images because it meets all of the following: (1) It is age restricted rental apartments; (2) There is a current need in town for senior housing as shown by a waiting list; (3) The Developer is fully funding installation of a public water main to the project that is over 1,000 feet up a public road as a benefit to the town; (4) The project is for rental apartments, not condos or homes; (5) The sewer and water mains in the development will remain privately owned and maintained by the Owner Developer; and (6) There is no cost to the Town for the project and no property assessments.

**VI. SUB-COMMITTEE REPORTS**

VII. COMMITTEE OF THE WHOLE PROJECT REPORTS

1) Lower Woodtick Rd Water Main Replacement Project

No report.

2) Water Main Extension Project to Wolcott High School

No report.

VIII. ADMINISTRATOR'S REPORT

IX. PUBLIC COMMENT

X. EXECUTIVE SESSION

XI. ITEMS FOR NEXT AGENDA

- Modification of Ordinance Concerning Water Main Extensions and Authority of the Wolcott Sewer and Water Commission

Discussion was held regarding collection of delinquent accounts, public notification of water shut-offs, and forwarding accounts to an outside agency.

XII. ADJOURNMENT

Upon **MOTION** by Scott Meyers, seconded by Gregory Dandio, it was unanimously voted by voice vote to adjourn the meeting at 8:35 p.m.

ACCEPTED:

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Laurie Bosco, Administrative Secretary

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James Paolino, Chairman  
SEWER AND WATER COMMISSION