

**WOLCOTT TOWN COUNCIL
SEWER & WATER COMMISSION
JOINT PUBLIC HEARING**

Tuesday, January 15, 2013
Council Chambers, Wolcott Town Hall
10 Kenea Avenue, Wolcott, CT
6:30 P.M.

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MINUTES

Note: These are summary minutes. A tape recording of this meeting is on file in Wolcott Town Hall, Commission Secretary's Office.

PUBLIC HEARING:

**PROPOSED WATER TRUNK LINE ASSESSMENTS FOR
MACCORMACK DRIVE**

Chairman Valletta called the Public Hearing to order at 6:30 p.m., with the Pledge of Allegiance, and attendance was taken.

MEMBERS PRESENT: Chairman David Valletta, Vice-Chairman Gale Lanza Mastrofrancesco, Jeffrey Slavin, Charles Marsella, Roger Picard, James Pape, Rachel Wisler, and Francis Masi

MEMBERS ABSENT: Donald Charette Sr.

ALSO PRESENT: Mayor Thomas G. Dunn; Linda R. Bruce, Municipal Finance Officer; Town Attorney Brian Tynan; James Paolino, Sewer & Water Commission Chairman; Taxpayers: Frank Noble Sr., Evelyn Herren, Peter Testa, et al.

CALL OF MEETING:

Vice-Chairman Mastrofrancesco read the following call of meeting into the record:

**NOTICE OF PUBLIC HEARING
TOWN OF WOLCOTT
MACCORMACK DRIVE WATER TRUNK LINE ASSESSMENTS**

Pursuant to Connecticut General Statutes Section 7-141, and the Town of Wolcott ordinance governing water main installations, the Wolcott Town Council has scheduled a Joint Public Hearing of the Town Council and the Sewer & Water Commission, on Tuesday, January 15, 2013 at 6:30 p.m. in the Council Chambers of the Wolcott Town Hall; 10 Kenea Avenue, Wolcott, CT, to discuss and obtain public comment on the proposed water trunk line assessments for properties located on MacCormack Drive, Wolcott, CT. Any owner of property subject to assessments will be given notice of the

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time and place of hearing at least ten days before the time of the hearing, via mail, and will receive copy of this Notice of Public Hearing.

**David Valletta, Chairman
Wolcott Town Council**

**Dated Wolcott, CT
December 18, 2012**

**Published one time in the Republican American Newspaper on:
Friday, December 21, 2012**

CORRESPONDENCE:

- 1. Letter dated November 26th from James Paolino, Sewer & Water Commission Chairman, regarding proposed Water Trunk Line Assessments for MacCormack Drive (proposed assessments attached)**
- 2. Proposed Resolution (#361) for Action at Regular Meeting Regarding Assessments**

Chairman Valletta next asked Mr. Paolino to give a brief overview of the project.

Mr. Paolino stated that in this particular situation, there was a water line put in by a private developer up MacCormack Drive to service a property at the top of MacCormack Drive. Under the Town of Wolcott ordinances, they were required to run laterals to the edges of any home that go up that street, and per Connecticut State Statutes, anyone who wishes to tie into that line may have access to it. In this particular situation, the developer paid for the entire cost of the installation of the line. The reason they are here tonight is to deal with the assessments for the individual property owners. The assessments date back to the original trunk line that was installed in Wolcott Road. The Town installed a massive trunk line which was set up to service properties and neighborhoods that flow off of that line; more than just those on the main road. Because the project benefits more people in the future than just the properties on that road, a \$5.49 per foot assessment was added to any future projects that run off of that main to help retire the costs of the original project. He explained that the assessments may be paid in one lump sum, or may be paid in installment payments over five years at an interest rate of 5.5%.

Mr. Paolino next referenced the assessment spreadsheet, and noted that most of the assessments are around \$500.00. Typically, the individual homeowners

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would have to bear the cost of the line, and the assessments would be in the thousands of dollars. Normally the project would be bonded by the Town and would have to be reimbursed over 15-20 years.

Mr. Paolino next explained the method of assessment. They add the linear footage of the front of the property, and the linear footage of the back of the property, and divide it in half; that number is then multiplied by the price per foot of \$5.29.

Mr. Masi stated that he recalls being on the Council when this water line was proposed and questioned why the property owners are being assessed at all if the project was paid in full by a private developer. Mr. Paolino stated that receiving a benefit assessment is completely different than paying for the cost of the project. The residents are not paying a penny for the line in front of their homes; they are paying for the access to water that has been given to them via Wolcott Road.

Mr. Marsella questioned about how much the assessments would be if the Town installed the line and had to be reimbursed. He also questioned if the property owners can still hook up prior to the assessment being fully paid. Mr. Paolino stated that they can hook up because they have five years to pay the full amount if they choose to do so. With respect to what the amount would be if the residents had to reimburse the Town for the project, Mr. Paolino explained that it's hard to say and explained all of the variables involved and how the process would go. Typically, it runs about \$60.00 per foot, which would be in addition to the \$5.49 per foot.

At this time, Town Attorney Brian Tynan referenced the Clinton Hill Road assessments and advised that the typical amounts were in excess of \$6,000 per property owner. He added that one owner had an assessment of \$17,000, and that the costs vary based upon the costs of the entire project.

Vice-Chairman Mastrofrancesco stated that she lives on Spindle Hill Road and when they brought up the water line, her assessment was \$12,000. She next questioned if these amounts are due now or when they hook up, at which time Mr. Paolino stated that the assessments will be due as soon as the Tax Office sends the bills out.

Mrs. Wisler inquired that if a family had a hardship, is there any flexibility or can the five year deadline be increased, at which time Mr. Paolino replied that the recommendation by bond counsel and by the Sewer & Water Commission to the Town Council is a five year repayment plan. For this amount of money, it would be difficult to stretch it out longer than five years. He added that if someone is

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planning on selling their home, this bill can be satisfied at the time of the sale of the house.

Mr. Slavin inquired if a property owner is still liable for the assessment if they decide not to connect or to connect at a later date. Mr. Paolino stated that there is no requirement for anyone to ever hook up, however, these benefit assessments are still a required payment. Per State Statutes, all property owners must pay a benefit assessment for the ability to access water. Also, if it is paid in a lump sum, there will no interest added.

PUBLIC COMMENT:

At this time, Chairman Valletta inquired if anyone in the audience had any comments or questions regarding the assessments.

1. **Frank Noble Sr., of 50 MacCormack Drive**, came forward and stated that he is happy that he has water, however, he expressed his dissatisfaction about not being notified about any of this until the December 19, 2012 letter. He stated that he is already hooked up to the water and he is now getting charged for something that he did not know was even coming. He questioned why he should be charged for something that he was never informed about. He stated that the line was paid for by the contractor and has nothing to do with him. He stated that it has already cost him \$4,000 to hook in and this assessment is not fair. They were never informed of any of these charges.
2. **Evelyn Herren, of 64 MacCormack Drive**, came forward and expressed that she is probably the happiest person in the room tonight because she had no water. She noted that she knew there would be an assessment, and she thought it would be for the pipe going down her street but Don Charette explained to her that it's for the trunk line down on Route 69.
3. **Peter Testa, of 32 MacCormack Drive**, came forward and read the following list of questions, at which time Mr. Paolino provided the following responses:

1. How was the \$5.29 per linear foot cost originally obtained?

Mr. Paolino stated that the original project predates his time on the Commission. His understanding is that they came up with a formula based on the size of the pipe that needed to go into the main artery versus what it would take for a traditional water line to go through the street. It was predicated on the main trunk line going up Route 69.

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2. What was the original cost of the water line project that runs down Route 69 that was paid for by money borrowed by the Town and how much of that project has been paid to date?

Mr. Paolino stated that again, it predates his time on the Commission and he is not sure of the cost, but is aware that it was quite a massive project when it was originally done. The concept behind this is that without that trunk line, nobody would have water so it was a necessity to build that infrastructure. The question then becomes, who bears the major part of that cost, and the theory is that the original people who tapped in, should not bear the entire cost of creating the infrastructure. This benefit assessment is designed so that the cost can be spread out to all future users.

3. Although there was some need for water on the street, isn't the development at the top of the hill the true beneficiary and the reason that the line was run down MacCormack Drive?

Mr. Paolino stated that theoretically he agrees, but this served two purposes. There were residents on MacCormack Drive that had come to the Sewer & Water Commission requesting that something be done about the water quality and the access to water on MacCormack Drive. This project killed two birds with one stone, as it allowed the new development access to water and the residents on the street would now be able to also have access. How it would normally work is that in order to address the need for water on MacCormack Drive, the Town would have needed to bond the project, and by law, all of the residents would have to bear the full cost. The difference with this project is that the developer would bear the cost of the installation of the pipe and the laterals, which gives their project access to water and also gives the residents on MacCormack Drive access to water without them having to pay for the project. However, the benefit assessment was never contemplated to be paid for by anybody else other than the residents on the road. The reason for this is that each property now has the ability to tap into the water, which levies the assessment relating back to the main trunk line and the original project.

4. Will MacCormack Drive be paved in the spring?

Mr. Paolino stated that he is not positive, at which time Mayor Dunn confirmed that MacCormack Drive will be paved in the spring.

5. Is the benefit assessment a one time fee or an annual fee?

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Mr. Paolino stated that the assessment is only a one time fee.

6. Has anyone ever approached the developer to also pay for these assessments or a percentage of them due to the fact that the water line is greatly to his advantage, and being that it was not the property owners who requested that the line be put in?

Mr. Paolino stated that they have not; per State Statute it is the properties receiving the benefit or ability to access water that must be billed the assessment fee. It would be against State Statutes for someone else to pay them. His understanding is that the way the State views this is that if the water line is accessible to you, then you receive the benefit whether you needed it or not, whether you desired it or not, and even if you were adamantly opposed to it. It is set up like this for public benefit, or else one person would then be able to stop a whole street from getting water if it were needed by everyone but that one person.

7. Will the property owners in the development at the top of MacCormack Drive also have to pay assessments?

Mr. Paolino replied yes, that any property owners with access to the water will be assessed. He stated that he does not know enough about the property to answer whether they will they be assessed individually.

Mr. Testa thanked Mr. Paolino for answering all of his questions.

ADJOURNMENT:

Upon **MOTION** by Gale Mastrofrancesco, seconded by Rachel Wisler, it was unanimously voted to adjourn the Public Hearing at 7:02 p.m.

APPROVED:

**Elizabeth Gaudiosi
Commission Secretary**

**David Valletta, Chairman
WOLCOTT TOWN COUNCIL**

'CALL OF MEETING'

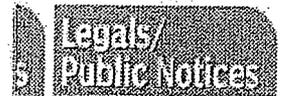
NOTICE OF PUBLIC HEARING TOWN OF WOLCOTT MACCORMACK DRIVE WATER TRUNK LINE ASSESSMENTS

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David Valletta, Chairman
Wolcott Town Council

Dated Wolcott, CT
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David Valletta, Chairman
Wolcott Town Council

Dated Wolcott, CT
December 18, 2012
R-A December 21, 2012





Town of Wolcott

TOWN HALL • 10 KENEA AVE.
WOLCOTT, CONNECTICUT 06716

SEWER and WATER

November 26, 2012

Wolcott Town Council
WOLCOTT TOWN HALL
10 Kenea Avenue
Wolcott, CT 06716

**RE: WATER TRUNK LINE ASSESSMENTS
MACCORMACK DRIVE WATER MAIN PROJECT**

Dear Council:

On behalf of the Sewer and Water Commission, I hereby submit to you the enclosed spreadsheet that lists the proposed water trunk line assessments for the developer funded main extension on MacCormack Drive. Pursuant to CGS Section 7-239, we respectfully request that the Council take necessary action to implement levying.

Should you have any questions or concerns, please do not hesitate to contact the undersigned at 203-214-1904 or the Sewer and Water Department at 203-879-8141.

Sincerely,

James Paolino, Chairman
SEWER AND WATER COMMISSION

JP/lb
Enclosure

CC: Mayor Thomas Dunn
Treasurer Roger Levesque
Tax Collector Cheryl Brundage
Finance Officer Linda Bruce

Bill #	Property Owner	No	Street Name	Mailing Address	Unique ID	Town	State	Zip	Front	Rear	Total X .50	x \$5.49 p/LF	Lot#
1	Francis T Rousseau	13	Coach Dr	13 Coach Dr	S0540700	Wolcott	CT	06716	100.00	103.50	101.75	\$558.61	153
2	Heidi & Thomas Mont	4	Rose St	4 Rose St	S0500200	Wolcott	CT	06716	100.00	129.74	114.87	\$630.64	178
3	Stasia Pater (LU) & E Pater & D Levanti	12	MacCormack Dr	P O Box 6083	P0430500	Wolcott	CT	06716	90.00	90.00	90.00	\$494.10	173
4	Joan Maringola	17	MacCormack Dr	17 MacCormack Dr	J0267900	Wolcott	CT	06716	130.63	58.28	94.46	\$518.56	154
5	Robert L & Teresa M MacDonald	18	MacCormack Dr	18 MacCormack Dr	P0426100	Wolcott	CT	06716	90.10	90.10	90.10	\$494.65	174
6	Felicita & Jon P Gray	24	MacCormack Dr	24 MacCormack Dr	G0227800	Wolcott	CT	06716	97.80	100.00	98.90	\$542.96	175
7	Renee Velazquez	25	MacCormack Dr	25 MacCormack Dr	M0400000	Wolcott	CT	06716	100.70	100.00	100.35	\$550.92	155
8	Dennis J & Barbara A Danisevich	31	MacCormack Dr	31 MacCormack Dr	D0138200	Wolcott	CT	06716	100.70	100.00	100.35	\$550.92	156
9	32 MacCormack LLC	32	MacCormack Dr	27 Broad St	T0547400	Nonwalk	CT	06851	100.00	100.00	100.00	\$549.00	176
10	Frank A & AnnMarie Pomatco	37	MacCormack Dr	37 MacCormack Dr	O0416600	Wolcott	CT	06716	100.08	100.00	100.04	\$549.22	157
11	Sharon Clapp & Christopher Michaud	38	MacCormack Dr	5 Porter Rd	U0562200	Wolcott	CT	06716	99.40	100.35	99.88	\$548.31	177
12	Rene R Jr & Ann M Brouillard	39	MacCormack Dr	39 MacCormack Dr	B0066800	Wolcott	CT	06716	100.10	100.00	100.05	\$549.27	158
13	Jean M Brouillard (LU) & R Brouillard et al	45	MacCormack Dr	45 MacCormack Dr	B0066900	Wolcott	CT	06716	100.10	100.00	100.05	\$549.27	159
14	Frank N Sr & Patricia A Noble	50	MacCormack Dr	50 MacCormack Dr	N0407600	Wolcott	CT	06716	192.80	171.31	182.06	\$999.48	171
15	Irma Mejias	51	MacCormack Dr	51 MacCormack Dr	W0594700	Wolcott	CT	06716	100.10	100.00	100.05	\$549.27	160
16	Philip & Diane Decrisanti	57	MacCormack Dr	57 MacCormack Dr	D0142200	Wolcott	CT	06716	100.10	100.00	100.05	\$549.27	161
17	James I & Mary W Herbert	58	MacCormack Dr	4957 Hadaway Rd	H0249100	Kennesaw	GA	30144-3803	97.80	87.00	92.40	\$507.28	164
18	Dolores Mouco	63	MacCormack Dr	63 MacCormack Dr	M0395400	Wolcott	CT	06716	127.80	150.85	139.33	\$764.89	162
19	Martin H & Evelyn Herren	64	MacCormack Dr	64 MacCormack Dr	H0249900	Wolcott	CT	06716	105.00	81.00	93.00	\$510.57	163
TOTALS:										2033.21	1997.69	\$10,967.19	

WOLCOTT TOWN COUNCIL

SIGN-IN SHEET

JOINT PUBLIC HEARING

Tuesday, January 15, 2013

NAME (Please Print)

ADDRESS (Please Print)

1. Frank N Noble Sr . 50 Mac Cormack Dr. Wolcott, CT
2. Evelyn Hursey 64 " "
3. Her Taha 32 -
4. _____
5. _____
6. _____
7. _____
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15. _____