

City of Derby – WPCA
SPECIAL MEETING
Wednesday, September 15, 2010

Call to Order - The meeting was called to order at 5:30 p.m.

Pledge of Allegiance - all rose and pledged allegiance.

Roll Call - John Saccu, Richard Bartholomew, Leo DiSorbo and Carolyn Duhaime (arrived at 5:53 p.m.) Also present: Corporation Counsel - Joseph Coppola, City of Derby Insurance Agent - John Rak, WPCA Superintendent - Lindsay King, and Weston & Sampson Engineer - Tony DeSimone.

Public Portion - James Valkenary and James Fleming of National Water Main was present to discuss an update on the project. There were some unidentified manholes. Mr. DiSorbo asked if they could come to next month's meeting.

Approval of Minutes – Aug 18 2010

A MOTION to approve the minutes by Mr. Saccu, second by Mr. Bartholomew, all in favor, **motion carried.**

Approval of Expenditures – August 13 2010 – September 10 2010

A MOTION to approve by Mr. Bartholomew, second by Mr. Saccu, all in favor, **motion carried.**

Mike Quinlan – 134 Roosevelt Drive Eveready-McCallum requests refund of sewer use and deletion of annual sewer use fee.

The owner paid the bill and is requesting a refund as the sewer is not being used. The bathroom still appears to be connected and could be used. **A MOTION** by Mr. Bartholomew to have the owner cap the sewer line, bring back proof of capping, and the sewer use payment will be refunded and no future bills will be sent, second by Mr. Saccu, all in favor, **motion carried.**

Maryetta Denard – 190 New Haven Ave – Unit 2 – sewer use adjustment

Ms. Denard was instructed by Regional Water Authority to change the flapper on her toilet due to the increase in water consumption. The water company did provide Ms. Denard with an adjustment to her water bill.

The high usage period was in the fourth quarter which is doubled. Mr. King feels the usage still went through the sewer system or there may be a question as to a meter problem.

A MOTION by Mr. Saccu with a second by Mr. Bartholomew to table this until next month to see Ms. Denard's next water usage period after changing the flapper, all in favor, **motion carried.**

Peter Caraglio – 219 David Humphreys Rd – sewer use adjustment.

Mr. Caraglio bought the house in June 2010. There was a burst pipe in the fourth quarter period from the former owners. The repair was made in March 2010. There are no floor drains. The recommended adjustment is \$717.87 for an adjusted bill amount of \$156.36. **A MOTION** by Ms. Duhaime with a second by Mr. Bartholmew to adjust the bill in the amount of \$717.87, all in favor, **motion carried**.

Donna Wandel – 6-8 Cottage Street – sewer use adjustment

Jeff Wandel represented his son who owns the house. The owner had been receiving high water bills and has made some repairs. The owner is in the process of evicting a tenant because the kids are abusing the house. There were broken toilets, supply lines, etc. A copy of the repairs was presented to the board. Mr. King will inspect the property with Mr. Saccu and address this again at next month's meeting.

USI Connecticut City of Derby Flood Policy Renewal – John Rak

In the past the City has purchased flood insurance for buildings in the sewage treatment plant area which was a flood zone. The policies are due.

On August 21st, new flood insurance maps were issued and will take effect December 17th taking the those buildings out of the flood zone where flood insurance will no longer be required. The buildings will then fall under the City's blanket flood insurance policy.

The option is to not renew the policies. If paid there would be no rebate.

A MOTION by Mr. Saccu with a second by Ms. Duhaime to not renew the flood insurance policy for the two buildings based on the new information that the flood plain has been re-delineated, all in favor, **motion carried**.

Frank Di Paolo – Derby Holdings LLC 204 & 210 Derby Avenue – request for sewer use abatement of penalties

Mr. DiPaolo was not present at tonight's meeting. Mr. Dipaolo (at a previous meeting) had described his property as having a holding tank with multiple pipes going into the river.

Attorney Coppola addressed the board. There are two topics; sewer use charges and the right to use the sewer.

Within the board's jurisdiction a refund was provided to Derby Holdings LLC. Derby Holdings LLC is now requesting additional refund for interest charges. There is no authority to go back more than what was refunded.

At a prior meeting, Mr. DiPaolo said the easement from the late 1800's puts the WPCA as the responsible party to hook his property into the sewer.

Attorney Coppola had the 1894 deed transcribed into printed form stating Pinney (the former owner) allowed the City to install a sewer pipe in his property out into the river.

The Board of Aldermen minutes of July 6, 1894 states Bailey (the property owner to the left) complained the Pinney property (nka the Derby Holdings LLC property) had sewerage which is emptied into a ravine between his residence and the property belonging to the estate of Dr. Pinney. The sewerage dumps from the ravine into the river.

The third ward aldermen made the following resolution: "Voted, that an 18" tile pipe be laid through the ravine between the Bailey house and the property of Pinney's estate on Derby Avenue to the railroad track to(...illegible) the refuse matter to the river.."

The City then entered into this easement and put an 18" tile pipe into the river.

Bailey sold his property in 1914. His deed reads "The grantor reserves the right to use and maintain a sewer as now laid and connected to this property situating the abutting property on the southerly side, said sewer passing through the premises and into the sewer on the land of said Pinney. Said sewer rights shall cease when a public sewer is laid on Derby Avenue."

The Valley Health Department was at the last meeting. The State of Connecticut has a storm water drain that goes right in this area. According to the State they have no involvement in this. Mr. DiPaolo has to take his sewer out of the State's storm water drain.

There are two houses going into the river. The Valley Health Department has to follow up with Mr. DiPaolo to have a septic system or tie into the City sewer system. The City will not pay for the hooking into the sewer system. The same will go for the property next to him if they are also going into the river.

The families that owned these properties were related to a family "Clark" who own property across the street. There may be other properties tied in from across the street.

One property is abandoned or inaccessible, but the other properties can have dye tests performed.

Mr. King requested the addresses of the other properties across the street from Attorney Coppola.

A MOTION by Ms. Duhaime with a second by Mr. Saccu that the WPCA not refund anymore of the 2006 and 2007 sewer fees, although Mr. DiPaolo's interpretation is that there should never have been any sewer bills to begin with (the State Statutes do not allow refunds of interest)....that is actually similar to issues where people have been paying their WPCA bills for years thinking they were hooked into the sewer, when they really were not. The WPCA has stuck to the State Statute in those cases and the WPCA is obligated to do so here, all in favor, **motion carried.**

A MOTION by Ms. Duhaime with a second by Mr. Bartholomew to authorize Corporation Counsel Attorney Coppola to draft based on his findings a letter to Derby Holdings LLC, and provide Mr. King the addresses of the properties across the street who may also be tied in, all in favor, **motion carried.**

Pasquale Civitella – 154 New Haven Avenue – sewer use adjustment & property reclassification.

Mr. Civitella has received an adjustment before. The fourth quarter in 2008 was very high. The fourth quarter in 2009 was very low. The fourth quarter in 2010 is high again.

A MOTION by Mr. Bartholomew with a second by Mr. Saccu to table this item until next month upon receipt of Mr. Civitella's water bill after the pipe was fixed, all in favor, **motion carried.**

Mr. Civitella will have to work with the Building Department David Kopjanski to reclassify his property.

Mr. Saccu would like to have a history of refunds provided for the next meeting.

Revised Impact Fee schedule – discussion

The impact fee is also known as a connection fee or the privilege to go into the sewer.

Mr. Moraniec of 16 North Avenue had requested a break in the impact fee. In 2008, there was one impact fee for a two family residential as opposed to charging two impact fees for Mr. Moraniec's two family. Mr. King feels residential customers should be charged one impact fee per connection regardless of one, two or three family households.

Mr. King feels there should be clarification in the future for one, two or three family impact fees including condo, commercial, etc.

A MOTION by Ms. Duhaime with a second by Mr. Saccu to charge Mr. Moraniec one impact fee for his two family home on 16 North Avenue, all in favor, **motion carried.**

Impact Fees will be discussed further at next month's meeting.

Mr. DeSimone stated the WPCA may want to look at rate fees or sur charge fees for different waste, ie: Griffin Hospital, Four Brothers Car Wash.

Any new charges involve a public hearing.

Blower Design Build Contract – discussion and possible action

There is no financing options for the blower. There is up to a 25 week lead time to get the blower. \$100,000.00 will be due upon delivery. From installation to completion is one month. \$72,000.00 would be due by July 1 2011. The U.I. rebate would be 60-90 days. Mr. DeSimone will talk to the company to proceed.

Superintendent Report

The force main was repaired.

The Division Street pump station went down.

Mr. DeSimone and Mr. King went to see the ABS Blower in Meriden. It was not originally in the study, but it is promising. There is less wear and tear on start up and is more efficient.

Office Report

Ms. Barbara Roog was introduced to the board as the new part time office clerk. She has been helping the office become more efficient and has sent out delinquent notices, updated warrants, etc. for the July 2010 sewer bills and will be monitoring payment arrangements. Collection reports will be presented at next month's meeting.

Adjournment

A MOTION by Ms. Duhaime with a second by Mr. Saccu to adjourn at 7:00 p.m., all in favor, **motion carried.**

Respectfully Submitted,

*Denise Cesaroni
Recording Secretary*

*****These minutes are subject to the approval by the Water Pollution Control Authority at their next regular meeting.**