

From: Brett Marchand May 18, 2010 8:46:39 AM
Subject: Water Pollution Control Authority Minutes 05/13/2010
To: SimsburyCT_WPCAMin
Cc:

WATER POLLUTION CONTROL AUTHORITY
REGULAR MEETING
MAY 13, 2010

I. CALL TO ORDER

Chairman Philip Richardson called the meeting of the Water Pollution Control Authority to order at 7:35 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were also present: Warren Coe, Ed Kelly, Michael Park and Loren Shoemaker. Also present were: James Clifton, Superintendent WPCF, Richard Sawitzke, Town Engineer and Alison Sturgeon, Clerk. Mr. Robinowitz, 13 Alder Road was also in attendance.

II. PUBLIC HEARING: Sewer Use Billing Policy

Mr. Richardson read the legal notice.

LEGAL NOTICE

TOWN OF SIMSBURY

WATER POLLUTION CONTROL AUTHORITY

A public hearing on adoption of a revised Sewer Use Billing Policy will be held on May 13, 2010 at 7:30 p.m. in the Main Meeting Room at Town Hall, 933 Hopmeadow Street, Simsbury, CT. It is proposed to base the annual sewer use charge for non-residential sewer customers on water use, where such data are available. Copies of the proposed Sewer Use Billing Policy are on file at the Town Clerk's Office and www.simsbury-ct.gov. All affected sanitary sewer customers may appear and be heard.

WATER POLLUTION CONTROL AUTHORITY

Philip Richardson,

Chairman

Mr. Clifton stated that this policy is for non-residential customers, which are all customers except single family dwellings. This policy will convert billing to the water meter system.

Mr. Shoemaker questioned the \$100 permit fee for people who want a separate

water meter for irrigation. Mr. Clifton stated that this is a different type of permit from the current connection/repair permit. The fee covers the cost of the issuance of the permit, recording costs, and for the inspector to go out and do the work.

Mr. Clifton stated that secondary water meter surcharges apply. The amount of surcharge will be set at the next meeting.

Mr. Coe made a motion to close the public hearing. Mr. Park seconded the motion, which was unanimously approved.

Mr. Kelly made a motion to adopt the Sewer Use Billing Policy as presented. Mr. Shoemaker seconded the motion, which was unanimously approved.

III. Meeting Minutes – possible approval: March 11, 2010 and April 8, 2010

Mr. Kelly made a motion to approve the April 8, 2010 minutes as presented. Mr. Park seconded the motion, which was approved. Mr. Richardson abstained.

Mr. Park made a motion to approve the March 11, 2010 minutes as presented. Mr. Coe seconded the motion, which was approved. Mr. Kelly abstained.

IV. Sewer Project Status Report: R. Sawitzke

Mr. Sawitzke stated that they have completed the design for the sewer extensions on Pheasant Lane, which has already been approved by the WPCA. He stated that they are also working on the preliminary designs for the extension on Bushy Hill Road. This project has, also, been approved by the WPCA.

V. Payment options for residential properties: 17 Powder Horn and 13 Alder Road

Mr. Richardson read the legal notice.

LEGAL NOTICE

TOWN OF SIMSBURY

WATER POLLUTION CONTROL AUTHORITY

A public hearing on the payment of fees and charges due and related to a potential sewer connection for 13 Alder Road will be held on May 13, 2010 at 8:00 p.m. in the Main Meeting Room at Town Hall, 933 Hopmeadow Street, Simsbury, CT. All affected property owners may appear and be heard.

WATER POLLUTION CONTROL AUTHORITY

Philip Richardson,

Chairman

Mr. Richardson stated that Mr. Robinowitz would like to discuss finance options for the facility connection charge of \$4,095. Mr. Robinowitz stated that he is requesting to make four quarterly payments. He stated that he is prepared to make the first payment tonight.

Mr. Richardson stated that it is within the WPCA's Statutory authority to authorize an installment plan on the facility connection charge.

Mr. Shoemaker questioned what would happen if a payment was not made by the homeowner. Mr. Clifton stated that a lien would be put on the property.

Mr. Kelly made a motion to close the public hearing. Mr. Park seconded the motion, which was unanimously approved.

Mr. Shoemaker made a motion to accept Mr. Robinowitz's request to pay \$4,095 in four installments for the facility connection charge. Mr. Park seconded the motion, which was unanimously approved.

Regarding 17 Powder Horn, Mr. Clifton stated that although this individual has been told by the Farmington Valley Health District that he has to connect to the sewer, the homeowner does not have the funds to do so. If these improvements are not done by tomorrow, the homeowner will not be in compliance.

Mr. Richardson questioned what the Farmington Valley Health District will do once the homeowner is not in compliance. Mr. Clifton stated that the FVHD may defer this matter to the WCPA for final connection. This Commission has, through a public hearing, the ability to turn this project into a sewer extension type project. Mr. Sawitzke stated that if the homeowner does not comply, the Farmington Valley Health District may get an injunction order to force compliance.

Mr. Sawitzke suggested that, as a next step, the Commission write a letter back to the FVHD to request formal orders.

Mr. Richardson questioned if the Town Attorney should attend the next meeting in order to instruct this Commission as to how to proceed or to possibly suggest alternatives. Mr. Sawitzke stated that the Statute is clear regarding how this process works.

Mr. Clifton stated that he will be in contact with the Farmington Valley Health District to see what the Commission should do next. He will also talk with the homeowner. Mr. Clifton stated that several neighbors have called regarding their concerns. Mr. Richardson asked that FVHD copy this

Commission on communications so they are formally notified of this situation.

VI. Subway Restaurant: Grease Trap Compliance

Mr. Clifton stated that Subway does not have a grease trap. They are a Class 3 food preparation facility which requires them to have a grease trap. He stated that they now have blockage problems in the building. Mr. Clifton stated that he wrote a letter requesting a written response as to when the trap will be installed. He has not received a response as of yet. He stated that there is the possibility of enforcement action within the Ordinance that could be used.

Mr. Shoemaker questioned if the letter was sent registered mail. Mr. Clifton stated that it was not. Mr. Richardson suggested resending the letter through registered mail.

Mr. Richardson questioned who needs to be in compliance, the owner or the occupant. Mr. Clifton stated that the owner is responsible for the store. Mr. Richardson questioned if the legal relationship is between the Town and the landowner or the Town and the tenant. Mr. Clifton stated that this Commission has the ability of enforcement with the licensee of the Class 3 food preparation facility and not the owner of the building.

Mr. Shoemaker questioned what the next step should be. Mr. Clifton stated that there is a fine system in the Sewer Use Ordinance. Mr. Richardson suggested citing the Ordinance and fines in the letter as well in order to make the tenant aware of the potential penalty.

VII. Treatment Facility Report – J. Clifton

Mr. Clifton stated that there are no major problems. He stated that the microorganisms are not performing typically. Minor process adjustments are being made in order to see how they respond.

Mr. Richardson questioned if there is a difference in environmental conditions now as opposed to a year ago. Mr. Clifton stated that he is not aware of any.

VIII. Other Business

Mr. Clifton stated that the Wolcott Pump Station is listed on the Clean Water Fund priority list, although funding has not yet been approved. He does not believe this project will get funded because it does not have many priority points.

Mr. Clifton stated that the Commission will hold a public hearing next month regarding the non residential EDU rate. Mr. Richardson stated that the other component is regarding the surcharge for the secondary water meter.

Mr. Shoemaker made a motion that the Water Pollution Control Authority hold a public hearing for the purposes of establishing the non-residential water usage fee, the meter fee and any other associated items. Mr. Coe seconded the motion, which was unanimously approved.

IX. Adjourn

Mr. Park made a motion to adjourn the meeting at 8:35 p.m. Mr. Coe seconded the motion, which was unanimously approved.