



## PUBLIC UTILITIES COMMISSION

Bethel Municipal Center, 1 School Street  
Bethel, Connecticut 06801 Telephone: (203)-794-8549

**RECEIVED**

JUN 20 2008

### SPECIAL MEETING MINUTES

Thursday June 19, 2008  
4:00 PM

Bethel Municipal Center – Meeting Room “A”

TOWN OF BETHEL  
TOWN CLERK

**Present:** Chairman Robert Burke; Selectman Paul Szatkowski; Commissioners Mike Gribbin and Billy Michael; also in attendance: Public Works Director Andrew Morosky.

**Absent:** Selectman Kevin Cleary

#### Call to Order:

Chairman Burke called the meeting to order at 4:00 PM. and led the Pledge of Allegiance.

#### Old Business:

**Sewer Assessments Contract 1** – Mr. Morosky indicated that because the budget has not passed and a new mill rate has not been established, the Tax Collector has not prepared the new tax bills and therefore she cannot guarantee that the sewer assessments would be able to go out on time and be due on August 1, 2008, as indicated in the resolution from the June 4, 2008 PUC meeting. Mr. Morosky indicated he met with the Tax Collector and the Comptroller and it was agreed that the assessments could go out as planned with a due date shifted to September 1, 2008, provided the PUC authorizes the change.

Chairman Burke made a motion that was seconded by Selectman Szatkowski to revise the resolution for the Contract 1 Assessments as approved at the June 4, 2008 PUC meeting to reflect an initial due date of September 1, 2008 rather than August 1, 2008. (Resolution attached)

Vote: All in favor, motion carries.

#### New Business:

**80 Wooster Street** – Public Works Director Morosky indicated that the owners of 80 Wooster Street are seeking a subdivision of their property through the Planning and Zoning Commission and they planned on building a two-family home on the new lot. 80 Wooster Street is in the Sewer Service Area and, according to the Water Pollution Control Plan, there is an available allocation of 579 gallons per day for the developable portion of the property.

Chairman Burke made a motion that was seconded by Commissioner Gribbin to notify Planning and Zoning that municipal water and sewer are available to the proposed subdivision and that the sewer allocation to the undeveloped portion of the property is 579 gallons per day.

Vote: All in favor, motion carries.

#### Adjourn:

Chairman Burke made a motion that was seconded by Selectman Szatkowski to adjourn at 4:17 PM.

Vote: All in favor, motion carries.

Respectfully Submitted,

*Tracy Rogalski*   
Tracy Rogalski, Recording Secretary

**RESOLUTION  
LEVY OF BENEFIT ASSESSMENTS  
PHASE I, STONY HILL SEWER PROJECT**

WHEREAS the Bethel Public Utilities Commission, acting for the Town of Bethel, has placed Phase I of the Stony Hill Sewer Project into service, thereby expanding the municipal sewerage system; and

WHEREAS the Commission has determined that an initial levy of benefit assessments should be imposed upon the lands and buildings, and upon the owners thereof, which are especially benefited by the availability of sewers in Phase I of the Stony Hill Sewer Project; and

WHEREAS the Commission has determined that the initial levy of benefit assessments should be sufficient to recover initial project costs of \$4,800,000; and

WHEREAS, the Commission caused notice of the proposed levy of benefit assessments to be given to affected property owners in the manner required by statute and has conducted a public hearing with respect thereto:

NOW, THEREFORE, BE IT RESOLVED by the Bethel Public Utilities Commission that:

- 1) The lands and buildings especially benefited by the construction of sewers as part of Phase I of the Stony Hill Sewer Project are those set forth on Schedule A attached hereto and made a part hereof.
- 2) A benefit assessment is hereby levied against each property and the owner thereof in the principal amount listed on Schedule A attached hereto and made a part hereof.
- 3) The Commission contemplates that, pursuant to Conn. Gen. Stat., Sec. 7-249 and 7-251, an additional benefit assessment will be levied against the properties listed on Schedule A at a future date to recover a portion of additional costs necessary to complete the Stony Hill Sewer Project.

4) The benefit assessment levied against each property listed on Schedule A shall be due and payable on **September 1, 2008**. Such benefit assessment at the option of owner may be paid in equal annual installments over a term of **twenty-five (25) years**, together with interest from **September 1, 2008** on the unpaid principal balance of such benefit assessment at the rate of **4.5 %** per annum, or such lower rate as may be determined by the Commission; provided, however, that if any such installment remains unpaid for 30 days after the same shall become due and payable, then at the option of the Commission, the entire unpaid balance of such benefit assessment, together with all unpaid interest, shall become immediately due and payable. In addition, the Commission shall have all of the rights provided by Section 7-254 of the Connecticut General Statutes, as amended, with respect to delinquent assessments.

5) Any property owner may prepay any or all installments for which such property owner is liable at any time prior to the due date thereof and no interest on any such prepaid installment shall be charged beyond the date of such payment.

6) For benefited properties set forth on Schedule A which, subsequent to October 1, 2007, are or have been subdivided so as to increase their number of parcels or improved so as to increase the number or character of their existing residential, commercial or other uses, the Commission shall levy a supplemental benefit assessment based upon the Formula for Calculating Benefit Assessments attached to and made a part of this Resolution. In addition, for properties which are not set forth on Schedule A, and for properties served by Phase I of the Stony Hill Sewer Project which have not been previously assessed, but which connect directly or indirectly to the Phase I sewers in the Stony Hill Sewer Project, the Commission shall levy a benefit assessment or a supplemental benefit assessment based upon the Formula for Calculating Benefit Assessments attached to and made a part of this Resolution.

8) The monies derived from the payment of all such benefit assessments, net of any

collection expense, shall be placed in a specially designated fund to be used from time to time by the Commission for one or more of the following purposes: (a) for the reimbursement to the Town of Bethel on account of any bonds or other borrowings issued or made by the Town of Bethel in connection with the construction of the Stony Hill Sewer Project (b) for repair, improvement or additional Project expenses associated with the Stony Hill Sewer Project.

9) The Chairman is directed to cause notice of the levy of such benefit assessments a) to be filed in the Office of the Bethel Town Clerk and to be recorded on the Bethel land records not later than Friday, June 20, 2008; b) to be published twice in the Bethel Beacon, or other newspaper having circulation in the Town of Bethel, the first such notice to be published not later than Friday, June 20, 2008 and the second notice to be published within fifteen days thereafter and c) to mail not later than Friday, June 20, 2008, a copy of such notice, and of each property owner's benefit assessment, to each property owner set forth on Schedule A at the owners' address as shown on the last completed grand list, or to any such subsequent address of which the Commission may have knowledge.