



# PUBLIC UTILITIES COMMISSION

Bethel Municipal Center, 1 School Street  
Bethel, Connecticut 06801 Telephone: (203) 794-8501

## SPECIAL MEETING

Monday, April 11, 2011

4:00 p.m.

C.J. Hurgin Municipal Center – Meeting Room “A”

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TOWN OF BETHEL  
TOWN CLERK

**Present:** First Selectman Matthew Knickerbocker, Selectman Paul Szatkowski and Commissioners Michael Gribbin and Peter Valenti. Also in attendance were Town Comptroller Bob Kozlowski, Town Engineer Andrew Morosky, Utility Consultant Len Assard and Town Attorney Martin Lawlor.

**Call to Order:** First Selectman Knickerbocker called the Special Meeting to order at 4:00 p.m. and led the Pledge of Allegiance.

**Public Input:** Tariq Wasti of 7 Wine Sap Run, had questions referencing the Amendment to the Sewer Regulations with regard to the hook up costs for a hardship case. Commissioner Paul Szatkowski indicated that all costs for the hook up are the responsibility of the homeowner. The fees cited in the amendment must be paid, in full, prior to the hook up; there is no assessment program for hardship cases.

**Correspondence:** None

**Meeting Minutes from Special Meeting March 14, 2011:** Selectman Szatkowski made a motion, which was seconded by Commissioner Gribbin to approve the Special March 14, 2011 meeting minutes as presented. Commissioner Gribbin noted correction on the attached invoice spreadsheet with regard to the Inter-municipal Invoice from Danbury in the amount of \$949,058.20. This invoice was not approved for payment; it was tabled for discussion at next PUC meeting. Selectman Szatkowski noted Comptroller Kozlowski is misspelled in the minutes on the second page. Vote: First Selectman Knickerbocker, Selectmen Szatkowski and Straiton, Commissioner Gribbin: in favor, Commissioner Valenti abstained; motion approved.

**Public Hearing on April 4, 2011; Proposed Amendment to the Sewer Regulations:** Selectman Szatkowski made a motion, which was seconded by Selectman Straiton, to approve the Public Hearing on April 4, 2011 regarding the Amendment to Sewer Regulations minutes as presented. Vote: First Selectman Knickerbocker, Selectmen Szatkowski and Straiton, Commissioner Gribbin: in favor, Commissioner Valenti abstained; motion approved.

**Public Hearing on April 4, 2011; Sewer Assessments:** Selectman Szatkowski made a motion, which was seconded by Selectman Straiton, to approve the Public Hearing on April 4, 2011 regarding the Sewer Assessment minutes as presented. Vote: First Selectman Knickerbocker, Selectmen Szatkowski and Straiton, Commissioner Gribbin: in favor, Commissioner Valenti abstained; motion approved.

### Old Business:

- **Water & Sewer Rates:**

Mr. Morosky indicated that a Public Hearing must be held prior to setting the rates. Attorney Lawlor restated as last month he has researched the statutes as far back to 1917 in a Special Act from legislature, Board of Selectman Meeting Minutes and Public Utility Meeting Minutes, the 1988 rate increase, which, prior to the 2008 rate increase, was the last increase in water rates passed by the Public Utility Commission. Attorney Lawlor suggested that the Board of Selectman set a Public Hearing to increase the Water Rates.

*Selectman Szatkowski made a motion, which was seconded by Selectman Straiton to forward the proposed Water Rates to the Board of Selectman for approval. Vote, All in Favor, Motion Approved.*

- **Sewer Assessments:** First Selectman Knickerbocker asked the Town Attorney if the commission needs to formally adopt the Sewer Assessments. Selectman Szatkowski indicated that at the Public Hearing the Commission indicated we would have the assessment letters go out prior to the assessment bill. Selectman Szatkowski inquired about the interest rates for the assessments and suggested the commission specify the varying annual rate rather than the blended rate. Mr. Kozlowski indicated that the billing will be sent out by August 1, 2011. Discussion regarding the interest rates took place, whether to have a fixed payment structure or a variable payment with fluctuating interest rate. Selectman Szatkowski indicated he would like to have the interest rate to reflect the bonding rate. The rate would change every year along with the assessment. Selectman Szatkowski would like total transparency. Mr. Kozlowski indicated we can send out the interest rate structure along with the letter.

*Selectman Szatkowski made a motion, which was second by Selectman Straiton to accept the sewer assessments as presented by the Public Works Department and recommend sending out the actual interest rate schedule to reflect in each of the billing years to residents effective.*

Attorney Lawlor and the commissioners spoke regarding not sending out the assessment letters until the unanswered questions from the Public Hearing have been answered. Also Attorney Lawlor indicated that we should send out individual letters to residents who had questions. First Selectman Knickerbocker amended the motion by removing the acceptance of the sewer assessments but leaving the approval of the interest rate portion of the motion.

*First Selectman Knickerbocker indicated there is an amended motion on the floor to send out the interest rate structure showing the varying rates in each of the years of the assessment program. Vote, All in Favor, Motion Approved.*

Commissioner Gribbin inquired about the supplemental bills. Commissioner Gribbin feels a letter should go out indicating that a supplemental billing might occur. It is possible that one phase can go up but another phase can go down depending on the total cost of each project. First Selectman Knickerbocker agrees with Commissioner Gribbin and as well will include a narrative regarding the Sewer Project. This will also be posted on the website.

Selectman Szatkowski inquired about the financial part of the project and if we will have enough to complete phase 4. This will be discussed in the Stony Hill Sewer Project.

### ***Financial Report:***

***Water and Sewer Financial Status:*** Comptroller Bob Kozlowski distributed financial statements for water and sewer. Commissioner Gribbin requested that Mr. Kozlowski provide a chart to show how the Water Department went from a \$1 Million debt to \$1.5 Million over the past few years. Mr. Kozlowski will review the past financials and get back to the Commission. Mr. Assard indicated that the cost from Eureka Water Storage Tank as well as Bethpage Drive water main replacement have contributed to the debt.

**Invoices:** Discussion took place about the invoices submitted (see attached) which total \$244,466.15. Discussion took place regarding whether to table the Danbury Invoice again. Commissioner Valenti suggested to pay them quarterly.

Item #	Vendor	Inv. Date	Amount	Description
1	Heitkamp	3/1/2011	\$2,257.50	Professional Services, ½ Water, ½ Sewer
2	City of Danbury – Sewer Invoice to Bethel	2/1/2011	\$949,058.20	NOTE: Total of Danbury's Inter-municipal Sewer Invoice approved to be paid in equal installments on a quarterly basis until the total bill is paid, per motion from PUC Mtg. April 11, 2011
3	Pennysaver	3/31/2011	\$2,920.00	Consumer Confidence Report
4	Martin Lawlor, Attorney	4/1/2011	\$1,700.40	Professional Service, Stony Hill Sewer
5	Martin Lawlor, Attorney	4/1/2011	\$171.60	Professional Service, Sewer Dept.
6	Martin Lawlor, Attorney	4/1/2011	\$152.10	Professional Service, Water Dept.
<b>Total Approved</b>			<b>\$244,466.15</b>	

*First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton, to approve invoices (totaling \$244,466.15) including paying the Danbury Inter-municipal Invoice on a quarterly basis. Vote, All in Favor Motion Approved.*

#### **Engineering / Utility Consultant Report:**

**Eureka Water Storage Tank:** Mr. Morosky updated the Commission regarding the events that occurred in court without needing to go into Executive Session. Discussion took place regarding whether Hickok Tank could be re-used or a new tank built at the site. Mr. Morosky indicated that the grant money specifically was to go for a tank that would benefit F.J. Clarke Park. Selectman Straiton indicated the Commission should wait 30 days to see if the judge decides if the court has jurisdiction.

**Stony Hill Sewer Project:** First Selectman Knickerbocker asked about the remaining funds in the Stony Hill Sewer Project. Mr. Kozlowski indicated approximately \$970,000 remains unspent. Mr. Morosky indicated that amount is enough to finish the unfinished easement work and some of phase 4. Mr. Morosky is waiting to hear from URS representative for the three different options for the remainder of the phase 4. Commissioner Gribbin questioned if there are Septic Failures in the phase 4 area, Mr. Morosky indicated he has had some residents in that area indicate they would like to have sewers because they don't want to repair their septic systems. Commissioner Valenti questioned whether the cost of the lower portion of Payne Road as well as the easements, Berkshire easements, Adams Drive and dredging the ponds included to the \$900,070 total cost? Commissioner Valenti would like a total cost of the project and also would like to have the URS Representative attend the next PUC meeting. Commissioner Valenti inquired about the funds from the Walnut Hill invoice sent to the Contractor. Mr. Kozlowski will review the invoices and get back to the commission. Selectman Szatkowski indicated he has had people tell him they do not want additional funding for the remainder of the project. Selectman Straiton inquired about the Meckauer Circle sewers and the resident that spoke regarding his lateral. Commissioner Gribbin suggests finish the project with money we have then go back to finish a separate project for the

completion of phase 4. Selectman Szatkowski would like for URS to pay for the repair of the work on Payne Road. First Selectman Knickerbocker indicated he is working with the Town's insurance carrier to see if it is a covered loss. Mr. Kozlowski indicated that normally the Insurance Company will only cover personal property; probably not roads. Selectman Straiton inquired about the \$350,000 Inter-municipal Agreement check and was it credited to the Sewer Project; Mr. Kozlowski will check. Commissioner Valenti indicated that money should have been credited to the Utilities Department, if not then it would be a misappropriation of funds, as the contract never covered paving of the roads only the trenches. Commissioner Valenti asked about the problem of settlement on Castle Hill Road and Payne Road. Commissioner Valenti would like to have the inspectors of the job attend the meeting and inform the commission what was happening out in the field. Commissioner Valenti questioned who the inspectors were and it was indicated that URS had an inspector and Mr. Lacey from the Highway Department inspected as well. Commissioner Valenti would like to have them attend a meeting. Commissioner Valenti questioned where the money went from the Lexington Meadow project; they received \$200,000.00 from this project but he is not aware where the money went. Mr. Kozlowski will go back and check.

***Easements for Phase 3:*** Attorney Lawlor is waiting for responses from a few homeowners and he will be completed, a total of five outstanding easements.

***Supervisor's Report:*** Mr. Curtis indicated the check valve at the Police Department is open and working correctly, a maintenance worker was able to open the valve and clean it out. This particular valve has not been cleaned since it was installed. Mr. Curtis indicated that a second valve is not necessary. Mr. Curtis informed the commission of problems with the Bethel Meadows (Toll Bros.) pump station on Reservoir Street. Mr. Curtis feels Toll Brothers is not maintaining their sewer system, and pointed out that the generator at the site has never been used. Mr. Curtis believes a large grinder pump is needed to replace the existing pumps, based on solids found clogging the pumps. This is the second time a back-up occurred at this location. Mr. Curtis indicated the Commission should not accept this pump station until all concerns are adequately addressed. All alarms for the systems are now going directly to the Police Department.

Mr. Curtis would like to inform the Commission that whenever a Department performs a digging project to please contact Call Before You Dig. This is required for safety reasons. The fence recently installed at Parloa Field appears to be in the middle of the sanitary sewer easement. No Call Before You Dig call was apparently made by the fencing contractor.

Paul Street Pump Station is working well but the pumps need to be pulled one at a time. Mr. Curtis indicated that by next month's meeting he will have the Budget completed. Commissioner Valenti inquired about uniforms for the employees of the Water & Sewer Department. Mr. Curtis indicated the employees have tags which they carry and they wear high-visibility tee-shirts. Commissioner Valenti asked why they receive \$500 each for tee-shirts. Mr. Assard indicated the \$500 is a clothing allowance that is part of the collective bargaining agreement. Mr. Curtis indicated they receive the clothing allowance at the beginning of the year.

Selectman Szatkowski asked about the Plumtrees Pump Station and indicated that he would like to have a spreadsheet of actual costs from start to finish and a projected cost. Commissioner Valenti would like to know a total to date we have paid to Roald Haested. Mr. Morosky will get back to the commission with costs. Commissioner Gribbin inquired about the vehicles previously approved to be sold. Mr. Curtis indicated that they are now

keeping the red truck but Mr. Curtis is waiting for the Purchasing Agent to post those other items.

***New Business:***

- ***93 Wooster Street:*** Ben Doto, Civil Engineer and Jim Driscoll represented the applicant for this new three home subdivision which is physically located at the end of Chelsea Road. Mr. Doto indicated that the three houses are anticipated to use 1,150 gallons per day of sewer. Mr. Morosky indicated that the allocation for the original parcel is 1,499 gallons per day. The largest lot of the subdivision will be dedicated to the Town of Bethel as Open Space.

*Commissioner Gribbin made a motion, seconded by First Selectman Knickerbocker, that the Commission report to the Planning and Zoning Commission that sewer and water are available for the proposed development at 93 Wooster Street. Vote, All in Favor, Motion Approved.*

- ***Water Service Line Coverage Insurance:*** Discussion took place regarding researching pros and cons of investing the time in this endeavor. Other utilities have water and sewer line assurance programs that are profitable. Mr. Curtis indicated that there are many details to consider before offering a program such as this in Bethel. Some companies that offer the assurance will only cover the portion of the pipe from the house to the property line. Problems often occur outside this part of the lateral. Commission indicated that it would like to find out more from companies interested in offering this service to Bethel municipal utility customers.
- ***Transfer Station:*** First Selectman Knickerbocker indicated to the commission that the Board of Selectman has recommended that the Public Utility Commission begin to oversee the Transfer Station operation. Selectman Szatkowski spoke to the commission about the positives for the PUC to handle this operation / enterprise fund. Commissioner Valenti suggested that the Chairman of the Transfer Station Committee, Dave Olson, speak to the PUC at an upcoming meeting.

**Adjourn:**

*As there was no further business on the agenda, Selectman Straiton made a motion, which was seconded by Commissioner Gribbin, to adjourn the meeting at 5:23 p.m. Vote: All in Favor, Motion Unanimously Approved.*

Respectfully submitted,

Tracy Rogalski, Recording Secretary