

**TOWN OF EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

Minutes of Meeting of April 27, 2005

Members Present: Paul Anderson, Tom Davis, Dave Tyler and Jim Barton (Alternate)

Members Absent: Reggie Bancroft, Mark Livings and Frank Smith (Alternate)

Others Present: WPCA Superintendent Kevin Leslie; WPCA Attorney Hal Cummings; Frank Marci, 9-13 Shoham Road LLC; Frank Gerlando, Engelhard and Recording Secretary Laura Michael.

Time and Place

Paul Anderson, Chairman, called the meeting to order at 7:03 p.m. at the East Windsor WPCA Administration Building.

I. Designate Alternate to Sit for Absent Member

Jim Barton was designated to sit in for absent member Mark Livings.

II. Acceptance of Minutes of March 30, 2005

Motion: To accept the minutes of March 30, 2005.
Barton/Davis
Tyler abstained
Passed

III. Payment of Bills

Motion: To authorize payment of the April 27, 2005 bill sheet in the amount of \$40,672.69
Davis/Tyler
Discussion: Mr. Leslie explained several of the bills including a bill from Brennan Service Co. to modify the clarifier for toxicity sampling, required by the DEP permit, a bill from the DEP for the permit fee, a bill from Hach Co. for lab supplies, and a bill from Tractor Supply Co. for a new tractor.
Passed unanimously.

IV. Visitors - none

V. Receipt of Applications

Alan Tracy, Carwash, 159 Prospect Hill Rd

Mr. Leslie reported that the sewer line is in and all of the fees have been paid.

Motion: To accept the application of Alan Tracy, Carwash, 159 Prospect Hill Rd.
Tyler/Davis
Passed unanimously.

Meadow Farm, Depot St

Mr. Leslie reported that this is an application for additional active adult housing on Depot St. and the application is complete.

Motion: To accept the application of Meadow Farm, Depot St.
Davis/Tyler
Passed unanimously.

VI. Public Hearing Scheduled at 7:15 p.m.

Motion: To suspend the regular meeting for the purpose of holding the public hearing at 7:15 p.m.
Barton/Davis
Passed unanimously.

Motion: To re-open the public hearing for 9-13 Shoham Road LLC, 9 Shoham Rd.
Barton/Davis
Passed unanimously.

Mr. Frank Marci was present for 9-13 Shoham Road LLC. Mr. Leslie reported that this public hearing was continued for two months. He explained that he toured the facility and it was evident that the misting system was not discharging into the sewer system. After touring the facility, using guidelines and speaking with Mr. Marci, Mr. Leslie reported that they were good; there was no change in the facility connection charge.

Motion: To close the public hearing for 9-13 Shoham Road LLC, 9 Shoham Rd.
Barton/Davis
Passed unanimously.

Mr. Marci left the meeting at this time.

Motion: To re-open the public hearing for Engelhard, 12 Thompson Rd.
Tyler/Davis
Passed unanimously.

Attorney Cummings arrived at this time.

Mr. Frank Gerlando was present for Engelhard. Mr. Leslie explained that Mr. Gerlando had provided information about improvements made to Engelhard and it was agreed that it would be fair to re-do the math looking at different years. This calculates to a 71-unit charge in the amount of \$354,574. Engelhard will have the option to come back in three-years for another review, because of building permits they acquired, to recalculate the facility connection charge.

Motion: To close the public hearing for Engelhard, 12 Thompson Rd.
Tyler/Davis
Passed unanimously.

Mr. Gerlando thanked the board and left the meeting at this time.

Motion: To open the public hearing for Balch Bridge Street Corporation/Shell Oil Company, 168 Bridge St.
Tyler/Davis
Passed unanimously.

Mr. Leslie explained that Balch Bridge Street Corporation/Shell Oil Company had paid for 18 EDU's at the time of connection. During the three-year review period, their use was 14, 14, and 13 units, for an average of 14 units, taking 1 unit for growth; they are entitled to a refund of 3 units.

Motions: To close the public hearing for Balch Bridge Street Corporation/Shell Oil Company, 168 Bridge St.
Tyler/Davis
Passed unanimously.

VII. Public Hearing Scheduled at 7:30 p.m.

Motion: To open the public hearing as published in the legal notice for Rejean Realty Inc., 9A-F Reggie Way through Coleman Farms East Windsor LLC, 24 Skyline View Rd.
Tyler/Davis
Passed unanimously.

There was no one present for Rejean Realty LLC, 9A-F Reggie Way. Mr. Leslie stated these are six condo units in a new building and one-half of the FCC has been paid.

There was no one present for Borracci, 26 Scantic Rd. Mr. Leslie stated that this is a new single-family residential property and one-half of the FCC has been paid.

There was no one present for Coleman Farms East Windsor LLC, 19 Skyline View Rd. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Coleman Farms East Windsor LLC, 21 Skyline View Rd. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

There was no one present for Coleman Farms East Windsor LLC, 24 Skyline View Rd. Mr. Leslie stated that this is a single-family property in an active adult community and one-half of the FCC has been paid.

Motion: To close the public hearing.
Tyler/Davis
Passed unanimously.

Motion: To return to the regular meeting.
Tyler/Davis
Passed unanimously.

VIII. Approval of Applications

Motion: To approve the application of Alan Tracy, Carwash, 159 Prospect Hill Rd.
Tyler/Davis
Passed unanimously.

Meadow Farm will be placed on next month's agenda, pending final plans and a complete review by Town Engineer Len Norton. Attorney Cummings suggested that approval motions contain the date of the plans and the map number.

IX. Legal

Developer's Agreement – Norton Glen

Attorney Cummings explained that a developer's agreement is not necessary, the sewer is in the town road therefore, the town owns the sewer.

Mr. Leslie explained to Attorney Cummings that the additional FCC's due to the three-year reviews were being billed in the entire amount, 50% was not being collected at the time of the imposition. The entire amount was being billed over a seven-year period at 2%. Attorney Cummings replied that this was fine.

X. Action on Facility Connection Charges

Motion: Based on a three-year review, there is no change in the FCC of 9-13 Shoham Road LLC, 9 Shoham Rd.
Tyler/Barton
Passed unanimously.

Motion: To impose an additional Facility Connection Charge of 71 units in the amount of \$354,574 to Engelhard, 12 Thompson Rd. Consistent with our policy, Engelhard will be entitled to a three-year review in 2007 based on water records for 2004, 2005 and 2006.
Tyler/Davis
Passed unanimously.

Motion: To impose a refund of 3 units in the amount of \$14,982 Balch Bridge Street Corporation/Shell Oil Company, 168 Bridge St.; process the check to both Balch Bridge Street Corporation and Shell Oil Company.
Tyler/Davis
Passed unanimously.

Motion: To impose the Facility Connection Charges, for Rejean Realty, 9A-F Reggie Way through Coleman Farms East Windsor LLC, 24 Skyline View Road in the amounts published.
Tyler/Davis
Passed unanimously.

XI. Unfinished Business

3-Year FCC Review

Mr. Leslie went through the list of the remaining properties for the three-year review, Insurance Auto Auctions, 47 Newberry Rd, no change; Big Y Foods, 67 Prospect Hill Rd, no change; Olender's, 1 Shoham Rd., no change; Fueser, 52 So Main St., no change; Southern Auto, 161 So Main St., 2 bay addition, no change; Southern Auto, Quarry Lot, 175 So Main St., there will be an increase; they will be brought to public hearing in May; Southern Auto, Carwash, 164B So Main St., no change; LCC Partnership/Tribble, 186 So Main St, no change; LCC Partnership/Tribble, 205 So Main St., no change; JMAC, 251 So Main St., there will be an increase, they will be brought to public hearing in May; Tougas, 268 So Main St., no change. Mr. Leslie explained that he took a further look at the Cracker Barrel, 141 Prospect Hill Rd and Broad Brook Town Shops, 110 Main St; there is no change in either property. This brings us up to date.

Low Pressure Force Mains

Mr. Leslie reported that Town Engineer Len Norton is willing to meet with the board to discuss establishing a policy for low-pressure force mains. A special meeting was scheduled for Wednesday, May 18th at 6 pm.

XII. New Business

Discussion of Superintendent's Report

Mr. Leslie explained to the board that he misunderstood the purpose of the Municipal Facilities Study Committee. He feels that a WPCA member should be appointed to Committee, as the committee will be looking at the town's long-term goals. Mr. Leslie will resign from the committee; Reggie Bancroft will be asked to take his place.

Mr. Anderson reported that there was a legal notice in the Journal Inquirer regarding the renewal of Engelhard's discharge permit.

XIV. Adjournment

Motion: To adjourn the meeting at 9:25 pm
Tyler/Davis
Passed unanimously

Respectfully submitted,

Laura Michael
Recording Secretary