

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

**Amended Minutes of Meeting of August 26, 2009**

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

**Members Absent:** Mark Livings and Chuck Riggott (Alternate)

**Others Present:** WPCA Superintendent Kevin Leslie, WPCA Attorney Vincent Purnhagen, and Recording Secretary Laura Michael

**Time and Place**

Paul Anderson, Chairman, called the meeting to order at 7:00 p.m. at the East Windsor Water Pollution Control Authority Administration Building, 192 South Water St., East Windsor, CT. Mr. Anderson welcomed Philip Godeck to the WPCA Board.

**I. Designate Alternate to Sit for Absent Member**

Mr. Godeck sat in for Mr. Livings.

**II. Acceptance of Minutes of July 29, 2009 and Joint Meeting August 18, 2009**

**Motion:** To accept the minutes of July 29, 2009.  
Barton/Davis  
In Favor: Barton, Davis, Godeck  
Abstained: Tyler  
Passed

**Motion:** To accept the minutes of Joint Meeting of August 18, 2009.  
Barton/Davis  
In Favor: Davis, Godeck, Anderson  
Abstained: Barton, Davis  
Passed

**III. Payment of Bills**

**Motion:** To authorize the payment of the August 26, 2009 bill sheet with add on bills in the amount of \$43,641.94.  
Tyler/Davis  
Discussion: Mr. Leslie went over the Bill Sheet outlining any unusual bills.  
Passed unanimously

***\*Attorney Purnhagen arrived at 7:08 p.m.***

**IV. Visitors**

**Nick Tartsinis, 9 South Main St**

Mr. Tartsinis was present to discuss the sewer use bill for the East Windsor Restaurant, 9 South Main St. He explained that he was billed for 12 units for the period of July 1, 2008 through June 30, 2009; he paid that bill. The restaurant went out of business on December 28, 2008, in January 2009 the equipment was sold and the utilities were shut off; the water meter was removed. He did not ask for a

refund. This July he received a bill for 12 units for the period of July 1, 2009 through June 30, 2010; the restaurant has been closed for this period. Mr. Anderson reported that he had researched this and there was a misunderstanding. Mr. Anderson spoke to the East Windsor Building Official and was told the building could not be used until a permit was taken. Any change would trigger the need for a building permit and the WPCA would be notified. A signature would be required before a certificate of occupancy could be obtained. It was Mr. Anderson's opinion that the bill should be canceled. Mr. Tyler agreed. Mr. Leslie reported that they had never had this circumstance before. It was the consensus of the Board to cancel the bill.

Mr. Tartsinis reported to the Board that before a new business opens at 9 South Main Street, the sewer line should be replaced. There is a swale in the sewer line between Thompson Road, the restaurant and the gas station. The sewage does not flow well through this area; it just sits there. Mr. Leslie stated that he is aware of the problem; it is a valid point. A note will be put in the WPCA file for 9 South Main Street documenting the need for a new sewer line and lateral at this location. Mr. Tartsinis thanked the Board and left the meeting at this time.

John Bartolucci, 2A Pasco Dr – was not present

#### **V. Receipt of Applications**

There were no new applications.

#### **VI. Approval of Applications**

There were no applications to be approved.

#### **VII. Legal**

##### **Pump Station Agreement – SJK Properties, Quarry Meadows**

There was nothing new to report.

##### **Rya Corporation**

There was nothing new to report.

##### **Returned Warrant**

A letter was sent to the property owner from Attorney Purnhagen.

Attorney Purnhagen reported that he has spoken to the attorney for WB Mason; he should receive permission for the borings this week.

Mr. Anderson asked Attorney Purnhagen if the Superintendent position was made a contract position in the future, would it change their hiring practice. Attorney Purnhagen replied that he did not have an answer at this time; he is not a labor attorney. Mr. Anderson will contact Attorney McHale.

Mr. Leslie asked Attorney Purnhagen to look over the forms for the potential funding from the USDA for the North Road Sewer Project.

#### **VIII. Unfinished Business**

##### **North Road Sewer Design**

There was a joint meeting held on August 18<sup>th</sup> at Town Hall; the plans were presented to the other agencies. There was a positive outcome. East Windsor meets the guidelines for the USDA funding at this time. The Town meets the income guidelines; will not after the 2010 census is released. The plans are complete; there will be need for additional funding for engineering required by the USDA.

Mr. Leslie has emailed Ms. Menard, First Selectman, about meeting with the Board of Selectmen and the Board of Finance.

**Motion:** To suspend the regular meeting for the purpose of holding the public hearing scheduled at 7:30 p.m.  
Tyler/Godeck  
Passed unanimously

#### **IX. Public Hearing Scheduled at 7:30 p.m.**

**Motion:** To open the public hearing scheduled for G-III Holdings LLC, 76 Winkler Rd and East Windsor Housing LTD LLC, 15 Farms Rd, Meadow Farms.  
Tyler/Godeck  
Passed unanimously

There was no one present for G-III Holdings LLC, 76 Winkler Rd. Mr. Leslie explained that this is a new single family house and one half of the FCC has been paid.

There was no one present for East Windsor LTD LLC, 15 Farms Rd, Meadow Farms. Mr. Leslie explained that this is a new single family house and one half of the FCC has been paid.

**Motion:** To close the Public Hearing for G-III Holdings LLC, 76 Winkler Rd and East Windsor Housing LTD LLC, 15 Farms Rd, Meadow Farms.  
Tyler/Davis  
Passed unanimously

**Motion:** To resume the regular meeting.  
Tyler/Davis  
Passed unanimously

#### **X. Action on Facility Connection Charges**

**Motion:** To impose the FCC as published for G-III Holdings LLC, 76 Winkler Rd and East Windsor Housing LTD LLC, 15 Farms Rd, Meadow Farms.  
Tyler/Davis  
Passed unanimously

#### **Unfinished Business** - continued **Modification of Sewer Service Area**

Mr. Leslie explained that there were four possible dates for the public hearing; September 17<sup>th</sup>, September 29<sup>th</sup>, October 15<sup>th</sup>, and October 29<sup>th</sup>. Mr. Leslie felt that the earlier the better for holding the public hearing. It was decided that the public hearing would be held on Thursday, September 17, 2009 at 7 p.m. at Town Hall. Mr. Anderson explained that the goal of the public hearing would be to take public input and have comments recorded on the SSA map. There will be a sign up list and a time limit for comments. The WPCA will listen to public input but it will not explain. The public hearing would be closed and the WPCA ~~could~~ **will** deliberate on its own. There will not be a Town Meeting; this is a WPCA map. It will be presented to OPM by their process; they can fix their map to match ours.

### Prospect Hill Drive Benefit Assessments

The Prospect Hill Drive pump station, which was old and failing, was removed and the sewer line was connected to Newberry Rd. Mr. Leslie explained that they were discussing this because it came up as a comment at the Newberry Road Benefit Assessment Public Hearing and the WPCA said they would discuss it. There were three options for the failing pump station:

1. Try to keep it going with repairs, this is expensive.
2. Replace it, this is also expensive.
3. Alternate way to move the sewage, this was the best choice.

The benefit was to the WPCA; it reduced costs. It was the consensus of the Board not to assess the Prospect Hill Drive properties.

Mr. Leslie explained that Newberry Village wanted to pay their assessments half at time of application and half at closing. Attorney Purnhagen said they could, but they would have to pay the interest and pay within the ten years. They can't be treated differently.

### ***\*Attorney Purnhagen left at this time***

### Prospect Hill Road Benefit Assessments

Mr. Leslie handed out the draft assessments and explained that they were recovering 50% of the project cost, subtracting out the part that they felt was not benefitting the property owners. There was a discussion of some of the properties. The CT DOT, 157 Prospect Hill Rd, was figured into the assessments but it will not be collected. They were figured in to benefit others. Mr. Leslie asked if everyone was in agreement that these were the amounts to use. Everyone felt that the numbers fit the formula; these were the amounts to use.

## **XI. New Business**

### Bill Appeal

#### 9 South Main St

**Motion:** To cancel the sewer use bill for 9 South Main Street as the usage has been shut off and any change of use will trigger a building permit and the WPCA will be notified.  
Tyler/Godeck  
Passed unanimously

### 2A Pasco Dr

No action was taken. Mr. Bartolucci will have to ask to be put on the agenda if he wants to discuss his bill.

### Superintendent's Report

Mr. Leslie explained that he will be unavailable for the next WPCA meeting. Mr. Alibozek will be attending in his place.

There was a discussion concerning how Mr. Leslie should be compensated for vacation and sick time he has accumulated. Mr. Anderson stated that this is earned time and he should get paid for it; less compensation is unreasonable. The union contract and the need for a policy for managerial employees in the future were discussed. Mr. Leslie is not part of the union contract, but generally follows it. Mr. Leslie would like to get paid for all of his sick time; half now and half when leaving. He would like to see this happen in January. It was felt it would be prudent to reduce the liability. Mr. Anderson recommended paying Mr. Leslie whatever he has earned; it is fair under the circumstances. There is no policy in place. Mr. Leslie may be leaving; if he leaves the WPCA would have to hire

someone to replace him. They wouldn't get the same salary. This would ease the pain of payment. It was decided that Mr. Leslie would be paid all he has earned when a date has been set for his leaving.

## **XII. Adjournment**

**Motion:** To adjourn the meeting at 8:38 p.m.  
Barton/Tyler

Respectfully submitted,

Laura Michael  
Recording Secretary