



PUBLIC UTILITIES COMMISSION

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

REGULAR MEETING

Monday, November 5, 2012

4:00 p.m.

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

RECEIVED

2012 NOV 8 P 3 42

TOWN OF BETHEL
TOWN CLERK

Present: First Selectman Matthew Knickerbocker, Selectman Richard Straiton, Selectman Paul Szatkowski, Commissioners Peter Valenti and Mike Gribbin. Also in attendance were Town Engineer Andrew Morosky, Utilities Consultant Len Assard, Supervisor of Utilities Kelly Curtis, Town Attorney Martin Lawlor and Town Comptroller Robert Kozlowski.

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

Public Input: None

Correspondence: None

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to add 82-84 Stony Hill Road to the agenda. Vote, All in Favor, Motion Approved.

Minutes: *Regular Meeting October 1, 2012: Selectman Szatkowski made a motion, which was seconded by Selectman Straiton to approve the minutes as presented. Vote, In Favor, First Selectman Matthew Knickerbocker, Selectman Richard Straiton, Selectman Paul Szatkowski, Commissioner Peter Valenti, and Commissioner Gribbin Abstained, Motion Approved.*

New Business:

- **Berkshire Pump Station:** Utility Supervisor Kelly Curtis notified the Commission that the Emergency Generator at the Berkshire Pump Station is approximately thirty years old and not running well. Mr. Curtis stated that a few weeks ago the power to the pump station went off and the generator failed to start. The utility employees did what they could to keep the generator running for the time being but a new generator is desperately needed. The engine manufacturer for this generator is no longer in business and parts are unavailable. Mr. Curtis indicated he obtained a quote from Cannondale Generator for \$19,837, excluding the cost for the duct work, fuel pipe connection, etc.

First Selectman Knickerbocker made a motion, which was seconded by Commissioner Valenti to approve the purchase and installation of generator and appurtenant work for the Berkshire Pump Station not to exceed \$28,000. Vote, All in Favor, Motion Approved.

First Selectman Knickerbocker suggested the Commission transfers to the Old Business, Commission agrees.

Old Business:

- **Sewer Allocations:**

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to approve the Draft Sewer Allocation dated November 2012. Discussion took place regarding allocation, zones and how the draft allocation program was designed. Vote, All in Favor, Motion Approved.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to Establish a Sewer Bank of 100,000 gallons/day. Vote, All in Favor, Motion Approved.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Szatkowski for Part 2 of the draft Sewer Allocation November 2012; regarding the VC Zone to be 1300 gallons/day. Vote, All in Favor, Motion Approved.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Szatkowski for Part 2 of the draft Sewer Allocation November 2012; the CI Zone shall be relabeled the RT6 Zone with the allocation to remain 1250 gallons/day per acre. Vote, All in Favor, Motion Approved.

First Selectman Knickerbocker made a motion, which was seconded by Commission Valenti for Part 4 of the draft Sewer Allocation November 2012 regarding the maximum allocation; the maximum change in allocation shall be limited to 10% of the Bank. Vote, All in Favor, Motion Approved.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to have a Public Hearing on the Sewer Allocation Program on Tuesday, November 20, 2012 at 7:00p.m. in Meeting Room A. Vote, All in Favor, Motion Approved.

New Business:

- **48 Stony Hill Road:** Mr. Peter Olson, representing the properties owners of 46 and 48 Stony Hill Road and 39 Hawleyville Road as well as RMS, LLC Bethel, addressed the Commission. Mr. Olson inquired as to the status of the Sewer Allocation program.

First Selectman Knickerbocker indicated that the Commission can schedule a special meeting on Tuesday, November 20, 2012 at 7:15p.m. Following the Public Hearing, the application for 48 Stony Hill Road can be ruled on.

- **37 Maple Ave.; Affordable Housing Application:** Dainius Virbickas of Artel Engineering representing the property owner on 37 Maple Ave. addressed the Commission regarding the application for the affordable housing complex. The Commission indicated that the Sewer Allocation needs to be established before the Commission can rule on this application.
- **82-84 Stony Hill Road:** Mr. Virbickas, representing the developer of these parcels, reviewed the proposed site plan with the Commission, explaining that the

intended use is for a showroom/salesroom and outdoor display area for sheds, gazebos and garages. This application will need to be ruled on when the Sewer Allocation program is formally adopted.

Old Business:

- **Transfer Station:** First Selectman Knickerbocker indicated that HRRRA is working with Winters Brothers regarding the recycling contract and revenue sharing. Selectman Szatkowski indicated that HRRRA'S contract is ending at the end of this year and he doesn't want to go into a long term contract again.

Financial Report:

- **Water and Sewer Financials:** Town Comptroller, Bob Kozlowski updated and distributed the financial report to the Commission. Discussion took place. Commissioner Gribbin indicated that the City of Danbury is holding referendum tomorrow for a \$7.6 million package for updating their sewer plant.

- **Invoices:**

TRANSFER STATION

November 5, 2012

Item #	Vendor	Inv. Date	Amount	Description
1	Martin Lawlor	11/2/2012	\$112.75	Professional Services

First Selectman Knickerbocker made a motion, which was seconded by Selectman Szatkowski to approve the invoice in the amount of \$112.75 for the Transfer Station. Vote, All in Favor, Motion Approved.

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	Vendor	Inv. Date	Amount	Description	Account
1	T.D. and Sons, Inc.	10/2/2012	\$76,180.00	Research Dr. & Maple Row	Contract 3 - Stony Hill Sewer Project
2	All Season Tree Care	10/8/2012	\$15,300.00	Planting on Adams Dr	Contract 3 - Stony Hill Sewer Project
3	LeClair Ryan	5-Oct-12	\$2,921.00	Professional Services	Water Storage Tank
4	Heitkamp	10/3/2012	\$1,548.40	Professional Services	1/2 Water - 1/2 Sewer
5	Butterworth and Scheck	10/16/2012	\$6,175.00	24 Stony Hill Rd	Stony Hill Sewer Project-Contract 2
6	Butterworth and Scheck	10/16/2012	\$1,300.00	24 Stony Hill Rd	Stony Hill Sewer Project-Contract 2

7	Butterworth and Scheck	10/16/2012	\$1,610.00	27 Adams Drive	Stony Hill Sewer Project- Contract 3
8	Butterworth and Scheck	10/16/2012	\$2,450.00	1 Hawleyville Rd.	Stony Hill Sewer Project- Contract 2
9	City of Danbury	10/25/2012	\$765,061.05	Intermunicipal Sewer Invoice	Sewer Dept.
10	Nepcco	10/26/2012	\$3,900.00	Pipe cleaning	Water Dept.
11	TD and Sons	11/2/2012	\$58,987.03	Shelter Rock and Payne Rd.	Stony Hill Project- Contract 2
12	Martin Lawlor	11/2/2012	\$1,132.63	Professional Services	Sewer Dept.
13	Martin Lawlor	11/2/2012	\$112.75	Professional Services	Stony Hill Sewer Project- contract 3
14	Martin Lawlor	11/2/2012	\$1,189.00	Professional Services	Water Dept
15	American Pavement	10/22/2012	\$23,778.75	Adams Dr. Road Paving	Stony Hill Project-contract 3

**TOTAL FOR
APPROVAL**

\$961,645.61

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton to approve the Public Utility Invoices for the Regular Meeting of November 5, 2012 in the amount of \$961,645.61. Following a brief discussion, First Selectman Knickerbocker amended his motion indicating item number 9 for the City of Danbury shall be paid quarterly. Vote, All in Favor, Motion Approved.

Engineering/Utility Consultant Report:

Commissioner Gribbin would be interested in obtained all fees related to the Water and Sewer Department for their next meeting.

- **Stony Hill Sewer Project:** Mr. Morosky reported to the Commission that the following items have been completed: Research Drive to Maple Row Sewer Main; Pond Dredging Project on Walnut Hill Road; Low pressure force main for Shelter Rock Road and lower Payne Road residences; sewer laterals for 1 Hawleyville and 24 Stony Hill Road; Driveway paving and tree planting for 27 & 29 Adams Drive. Mr. Morosky indicated that Garella Road, Birch Drive, Maple Row, Payne Road and Shelter Rock can now be assessed for their sewers and the residents will be receiving letters alerting them to the completion of the work. Mr. Morosky indicated that the remaining work includes two pump station laterals, 24 Stony Hill Road parking lot, and minor items on Adams Drive. Also, Mr. Morosky stated that Chimney Road, a former Town road which is now a common driveway serving 81-85 Payne Road needs to be paved as well.

- **Stony Hill Sewer Project Easements:** Attorney Lawlor indicated he will continue working on the filing of the older easements.
- **Supervisor's Report:** Selectman Straiton inquired about the Plumtrees Pump Station and inquired about the delay in completing this project. Mr. Curtis indicated that there is a AT&T pole which needs to be moved as well as electrical work pending. Selectman Straiton would like to schedule a meeting with Kovacs to discuss the project.

Selectman Straiton made a motion, which was seconded by First Selectman Knickerbocker to authorized Mr. Morosky to speak to Kovacs to move this project along. Vote, All in Favor, Motion Approved.

- **Potential Litigation – Executive Session Anticipated:** Commission convened Executive Session at 5:55 p.m. and came out of Executive Session at 6:02 p.m.

First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton, to authorize an audit of the Bethel Water Department in an amount not to exceed twenty thousand dollars. Vote: All in favor, Motion Unanimously Approved.

Adjourn: *As there was no further business on the agenda First Selectman Knickerbocker made a motion, which was seconded by Selectman Straiton, to adjourn the meeting at 6:05 p.m. Vote: All in Favor, Motion Unanimously Approved.*

Respectfully submitted,



Tracy Rogalski, Recording Secretary

Town of Bethel

Public Utilities Commission

Sewer Allocation Program

NOVEMBER 2012

Introduction

The Town of Bethel has executed an inter-municipal agreement with the City of Danbury for the treatment and disposal of up to 2,000,000 gallons/day of sewage, limited as follows: 1.330 MGD from the Paul Street Pump Station, 0.590 MGD from the Payne Road Meter Station and 0.080 MGD from the Berkshire Pump Station.

In January 2009 the Bethel Public Utilities Commission (BPUC) received a report from Tighe & Bond entitled "Sanitary Sewer System Capacity Evaluation Update". That report analyzed sewage flows from existing parcels and provided an estimate for future flows from vacant properties and properties located within the sewer service area but not yet connected to the sewage collection system. The Tighe & Bond Report serves as the starting point of this allocation program.

The BPUC has determined that allocation will be based on the current densities and uses allowed in each of the various zones found within the sewer service area as of the date of the adoption of this Sewer Allocation Program.

The BPUC recognizes that there may be a need to modify these allocations for public health, safety, welfare and economic development reasons and has therefore adopted the following policies with respect to modifications to the sewer allocations established as part of this program.

Part 1 Bank Established

For the purposes of these policies there is established an initial Sewer Bank of _____ gallons/day. The Commission may from time to time adjust the balance in

the bank in accordance with these policies as it deems to be in the best interest of the community.

Part 2 Application Required

Any request to increase the sewer allocation above that established by this program either through a change in use of an existing account or the establishment of a new account shall be accompanied by an application, on forms to be provided by the BPUC. Included with the application shall be an administrative fee in accordance with the fee schedule shown in the appendix.

The application shall be prepared by the property owner or the property owner's agent. Proof of agency must be made by submitting notarized authority to the agent by the property owner.

The application shall include the Town of Bethel's Assessors map, block and lot number of the parcel where the requested additional allocation is requested, the amount of the current allocation and the amount of the requested allocation, and the basis for the requested allocation.

The applicant shall provide a plot plan showing existing conditions as well as the proposed work and the location of new connection if applicable.

For the purposes of these applications, the estimated flows shall be as follows:

The following apply to all R (residential) Zones:

For single family dwellings – 175 gallons/day.

For apartment units – 150 gallons/day.

For I & IP zones – 300 gal/day per acre.

For C zone – 1300 gal/day per acre.

For CI zone – 1250 gal/day per acre. → *ATU*

For EP zone – 18,000 gal/day

For VC zone – *1,500* gal/day

Part 3 Approval

Should the BPUC find the application complete and in order and should the BPUC find that there is sufficient sewage allocation in its Bank, then the BPUC shall grant such allocation upon the receipt of an additional fee in accordance with the fee schedule shown in the appendix. Payment must be received within 30 days of approval by the BPUC or the approved becomes null and void, and the allocation reverts back to the BPUC. All work associated with the increased allocation must be completed within one year of the approval of the increased allocation or the allocation reverts back to the BPUC. An extension of one year or to the date allowed by the Planning & Zoning Commission for completion, to complete the work may be granted at the discretion of the BPUC upon receipt of an additional application for an extension and payment of an additional administrative fee in accordance with the fee schedule shown in the appendix.

Part 4 Maximum Allocation

The maximum change in allocation shall be limited to 10 % of the Bank. No more than twice the allowable allocation for the zone in which the property is located.

Part 5 Effective Date

The implementation of the Sewer Allocation Program shall be effective after passage by the Bethel Public Utilities Commission at a regular or special meeting called for such

purpose and in accordance with the requirements of Sec. 7-255 of the CT General Statutes and the terms of this Sewer Allocation Program shall be substituted for the temporary sewer allocation plan referenced as the "Bethel Buildout Analysis" prepared by Tighe & Bond, Consulting Engineers as set forth in the Bethel Public Utilities Commission Water Pollution Control Plan, Outflow Capacity Management.

Appendix

Fees

Application Fee	\$250.00
Application Extension Fee	\$250.00
Additional Allocation	\$15.00/gal

TOWN OF BETHEL
STONY HILL SEWER PHASE II and III

Interest Transferred From M/M	751,371.32
Transferred to Checking Account	<u>400,000.00</u>
Balance in Checking July 2, 2012	351,371.32 <u>11,787.60</u>
Balance Available July 2, 2012	<u><u>363,158.92</u></u>

Work Performed to Date November 5, 2012

	<u>Payments</u>	<u>Credits</u>
Interest Earned		16.01
Interest Earned		1.11
URS clearing difference		10.00
Martin Lawlor	7,818.20	
Ferguson	17,175.27	
Eastern Precast	1,820.00	
Superior Products	300.67	
Earthmovers	43,239.05	
S&S	3,584.45	
Ferris Mulch	795.00	
TD & Sons	12,700.00	
Community Newspaper	10,034.15	
Interest Earned	-	<u>2.34</u>
	<u>97,437.33</u>	29.46
Balance as of November 5, 2012	<u>265,721.59</u>	

Remaining Work to be Performed

Earthmovers	18,000.00
TD & Sons Research and Shelter Rock	133,000.00
Driveways & Parking Lot	50,000.00
Adams Landscaping	15,000.00
Pump Stations	<u>15,000.00</u>
	<u>231,000.00</u>
Potential Remaining Balance	<u><u>34,721.59</u></u>

**TOWN OF BETHEL
SEWER DEPARTMENT
11/5/2012 PRELIMINARY**

REVENUE \$ 1,972,234.58

Revenue Detail	
Use of Sewer	1,952,259.58
Sewer Assessments	-
Liens	-
Permits & Installation	19,975.00
Interest on Investments	-
	1,972,234.58

EXPENDITURES

SALARIES	\$ 72,650.12	
BENEFITS	28,135.71	100,785.83
UTILITIES	14,975.00	
SUPPLIES	7,237.94	
MAINTENANCE	16,716.30	
SERVICES	415,389.39	
CAPITAL IMPROVEMENT	152,370.21	
OFFICE	4,428.62	
DEBT SERVICE	414,675.41	
ACCOUNTS PAYABLE-DANBURY	406,076.58	
OFFICE	-	
ALLOCATED EXPENSE	30,000.00	
Less: Items to be Capitalized	(152,370.21)	
INSURANCE	-	
DEPRECIATION EST	315,000	105,000.00
		1,515,285.07

NET REVENUE

\$ 456,949.51

**TOWN OF BETHEL
WATER DEPARTMENT
11/5/2012 PRELIMINARY**

REVENUE \$ 359,515.63

Revenue Detail	
Use of Water	351,815.63
Liens	-
Permits & Installation	7,700.00
Interest on Investments	-
	359,515.63

EXPENDITURES	
SALARIES	\$ 120,494.87
BENEFITS	45,382.00
UTILITIES	19,685.63
SUPPLIES	18,439.72
MAINTENANCE	24,032.84
SERVICES	11,431.47
CAPITAL IMPROVEMENT	5,030.00
UTILITY COLLECTOR/OFFICE	1,128.64
DEBT SERVICE	
ALLOCATED EXPENSE	45,000.00
<i>Less: Items to be Capitalized</i>	-
DEPRECIATION EST	33,333.33
INTEREST EXPENSE	
	323,958.50

NET REVENUE **\$ 35,557.13**

TOWN OF BETHEL
TRANSFER STATION
11/5/2012 PRELIMINARY

REVENUE \$ 85,082.74

<u>Revenue Detail</u>	
Permits	30,150.00
Bulk Waste	-
Dumping Charges	51,538.04
Scrap Metal	2,874.70
Brush	520.00
Appliances	-
	85,082.74

<u>EXPENDITURES</u>	
SALARIES	\$ 38,614.80
BENEFITS	16,950.24
UTILITIES	-
OFFICE	93.96
DEPRECIATION	-
MATERIALS & SUPPLIES	976.32
REPAIRS & MAINTENANCE	-
CONTRACTED SERVICES	15,841.19
INSURANCE	-
ALLOCATED EXPENSES	12,000.00
	84,476.51

NET REVENUE **\$ 606.23**