



PUBLIC UTILITIES COMMISSION

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

MINUTES OF SPECIAL MEETING

Tuesday, October 7, 2008

4:00 p.m.

Bethel Municipal Center – Meeting Room “A”

RECEIVED

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TOWN OF BETHEL
TOWN CLERK

Present: First Selectman Burke, Selectman Szatkowski, Commissioner Michaels also in attendance Len Assard, Heitkamp Consultant; Andrew Morosky, Town Engineer; William Hagan, Town Attorney; Kelly Curtis, Utilities Supervisor.

Call to Order: First Selectman Burke called to the regular meeting to order at 4:10pm

Absent: Selectman Cleary and Commissioner Michael Gribbin

Correspondence: Letter dated October 6, 2008 from Gary Michaels re: Chelsea Heights

Public Input: None

Minutes:

Meeting Minutes from September 8, 2008 regular Meeting: Selectman Szatkowski made a motion, which was seconded by Commissioner Michaels, to approve the minutes as presented. Vote, All in Favor, Motion Carries.

Old Business:

Proposed Sewer Regulation: No further news to report. The regulations will be completed in October 2008 by Attorney Sienkiewicz.

Interlocal Agreement: Andrew Morosky spoke with City of Danbury's counsel who indicated that the Interlocal Agreement will be brought to the Danbury Common Council soon. First Selectman Burke and Mayor Boughton will be able to sign the document once Common Council has approved it.

24 Putnam Park Road: First Selectman Burke requested that this item be removed from the next Public Utilities Commission agenda and that any future easement opportunity be presented to the Board of Selectmen.

Water Main Extension- Grassy Plain Street: Consultant Len Assard of Heitkamp indicated that he and Town Counsel William Hagan need to review the final wording for the revised letter to distribute to the homeowners on Grassy Plain Street.

Financial Report: Reports from the Tax Collector on water and sewer billing and assessments were distributed at the meeting.

Engineering/Utility Consultant Reports:

Grants - Water Storage Tank:

Andrew Morosky distributed draft copies of the Water Distribution System report which was completed by Wright-Pierce, the consultant for this project.

Wright-Pierce's analysis indicates that the best long-term scenario for a healthy distribution system involves construction of two (2) tanks, one at Eureka Water Treatment Plant and the other on Hickok Avenue. Wright-Pierce indicated that the hydraulic model shows a bottleneck at Grassy Plain Street which limits the flow of water from east to west (wells to water tank) and west to east (water tank to downtown).

A special meeting of the PUC should be held this month to address the sizing of the Eureka tank as it could be anywhere from 500,000 gallons to over 1,000,000 gallons based on the report.

Stony Hill Sewer Project:

Contract 2: Pump Station will be completed by the end of November 2008, by December homeowners can start hooking up.

Contract 3: Bids were open to the public October 6th with a total of 9 bids received. The three low bidders were Baltazar Contractors Inc., Ludlow Construction Co. and Guerrera Construction. The three bids were under the engineer's estimate for the work. The bids will be reviewed by the Town Engineer and URS and scope reviews will be performed, if deemed necessary.

The owner of the property for the Pump Station located on Walnut Hill Road needs to indicate to the Town what the future ownership of the land will be. It appears that there are three options available: 1) sale of the entire parcel to the Town, similar to Contract 2; 2) sale of a smaller piece of land containing the pump station or 3) a lease between the Town and the property owner. A meeting is anticipated for October to discuss this with the property owner.

Easements for Contract 2 and 3:

Attorney Hagan has completed easements for Contract 2 with exception of the Payne Road residents whose houses are lower than the Pump Station. A total of twenty (20) easements are needed in Contract 3 and Attorney Hagan has obtained nine (9).

Supervisor Report:

Kelly Curtis reported a few weeks ago that the owner of 102 Milwaukee Avenue called in a service leak late on a Thursday. The department went out on the following Tuesday and found a main break. The town was responsible for the main break in which they corrected the issue. The residents were notified using the reverse 911 system .

Nashville Road was scheduled for shut off to approximately thirty (30) residents, who were all notified by mail. The goal of this work is to swap the remaining customers from the 4-inch main to the 12-inch main and abandon the 4-inch main in an effort to improve water quality and reduce the likelihood of a main failure.

Payne Road, regarding issues on groundwater seeping into the sewer system: Ludlow will need to address this after they test all the mains and manholes and fix any problems that are identified.

Toll Brothers tapped the water line on Reservoir Street but their pressure test failed. Mr. Curtis indicated that Toll was to fix the problem at hand and that he believed a valve gasket was leaking. Toll started to install sewers and is installing the laterals into the home sites.

The Department purchased and installed new signage for the Watershed Protection area to replace the old, faded signs.

Sewers: Pump one installed in Paul Street, motor will need to be changed soon.

263 Greenwood Ave., property is being demolished, the company doing the work did not have an up-to-date Call Before You Dig Number. Mr. Curtis stopped their work until a new number was produced.

Softball / Soccer Fields on Plumtrees Road – Mr. Curtis indicated there may be issues with respect to possible contamination of the Aquifer, part of which is located under the fields. Mr. Curtis indicated he found the following issues of potential concern. 1.) Large amounts of wood chips being dumped in piles; 2.) Apparent use of pesticide on the ballfield as indicated by marker left on field by Lawn Doctor, the contractor hired by Parks & Recreation; 3.) Areas were being sprayed on the overhead electrical transmission line right-of-way as well as a fence near the ballfield. Mr. Curtis provided pictures which are to be part of these minutes. Mr. Assard indicated that the Town may want to consider putting Town-owned land that falls within the Aquifer Protection Zone under the control of the Public Utilities Commission, which would give the Commission greater control over the activities taking place above the aquifer.

New Business:

295 Greenwood: Request for time extension for discharge to the sanitary sewer system.

First Selectman Burke made a motion, which was seconded by Selectman Paul Szatkowski, that the Public Utilities Commission of the Town of Bethel (the Commission) approves of the applicant's request to extend until February 28, 2009 permission to discharge to the Town of Bethel's Sanitary Sewer System, subject to the following stipulation:

Discharges shall be in accordance with correspondence from the City of Danbury dated October 2, 2008 and the previous approval from the Commission at the July 7, 2008 meeting. Vote: All in favor, Motion Carries.

Chelsea Heights: Gary Michaels sent a letter regarding the request from the Public Utilities Commission to obtain ownership of the Sewer and Water Lines.

First Selectman Burke made a motion which was seconded by Selectman Paul Szatkowski, that the Public Utilities Commission of the Town of Bethel (the Commission) shall become the owners of the water and sewer mains and the fire hydrants in the previously approved development known as Chelsea Heights, subject to the following stipulations:

1. The homeowners association shall own and be responsible for the repair of the water and sewer service pipes from the mains to the buildings.
2. Prior to construction, design plans, specifications and shop drawings for the proposed water and sewer facilities, including pump stations, hydrants, gravity and pressure mains and appurtenances shall be

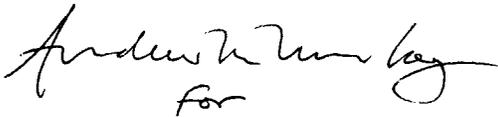
- submitted by the developer and approved by the Commission and its consultant or staff who may require revisions to said proposal so as to ensure compatibility and consistency with existing facilities owned and operated by the Commission.
3. The developer shall be required to turn over title to the facilities to the Commission after two (2) years of successful operation. Said two years to begin after Certificates of Occupancy are issued for not less than one hundred fifteen (115) units and all facilities being considered for transfer are operational. It is anticipated that several transfers of ownership may be required based on the phased construction proposed during the Planning and Zoning approval process.
 4. At the end of two years of ownership and successful operation as defined above, the developer shall provide a certification to the Commission by a State licensed engineer that the facilities have been completed pursuant to the specifications filed with the Commission as amended by the Commission consultant or staff and that said system has been operating properly for the two years required. If the Commission staff does not dispute said certification in writing within 15 days thereof said certification will be deemed final.
 5. Regular water and sewer connection fees normally imposed by the Commission shall be required for each unit. Regular fees currently amount to \$550 per sewer connection and \$700 per water connection
 6. The Commission shall require formal easements for the pipes and pump station(s) prior to any approvals. Said easements shall grant the Commission or its staff access to the site at all times during the construction of the project as may be needed to implement the conditions of the approval. The easements shall also give the Commission the right to inspect, repair or replace its facilities as needed, consistent with other utility easements on file in the Bethel Land Records.

Vote: All in Favor, One Abstention by William Michaels. Motion Carries.

Adjourn:

As there was no further business on today's agenda, First Selectman made a motion, which was seconded by Selectman Szatkowski, to adjourn the meeting at 6:15pm. Vote, All in Favor, Motion Carries.

Respectfully submitted,



for

Tracy Rogalski
Recording Secretary