

*Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.*

Minutes  
Sewer Sub-Committee  
July 9, 2008

**In attendance:**

William Wadsworth, Chair	Kathleen Eagen, Town Manager
Mark Fey	Russ Arnold, Dir. of Public Works
James Rose	Steve Bartha, Special Projects Intern
Joan Conlon	

**Absent:**

James Thompson

A. Call to Order.

The Chair opened the meeting at 5:05 p.m.

B. Reading of Minutes.

A motion was made to approve the amended April 29, 2008 Sewer Sub-Committee minutes. Unanimous.

C. Public Comments.

There were no public comments.

D. Old Business.

There was no old business.

E. New Business.

1. To Review Data Collected by Town Staff.
  - a) Sewer Ordinance Research Update dated June 16, 2008
  - b) Review Current Sewer Ordinance and Recommended Revisions and Amendments

Town Staff reviewed the June 16<sup>th</sup> update, noting that the additional assessment information requested by the Sub-Committee at the April 29<sup>th</sup> Meeting yielded a slightly higher historical average, \$8,391, than that from the sample, \$7,428. This new average was in line with the state average, \$8,165. Town Staff also reviewed the assessment method approved by the Sub-Committee at the April 29 meeting, based on zoning classifications and tied to the Construction Cost Index to adjust for inflation, and recommended 2008 amounts that were in line with rates set by the WPCA in 1972: \$10,000 for R-20, \$12,500 for R-30/40 and \$15,000 for R-80.

Town Staff also reported on the issue of mandating sewers, noting that the authority to mandate sewers in the Town of Farmington rests with WPCA, based on language in the Farmington Town Code, Chapter 68 (WPCA) and the Connecticut State Statutes, Chapter 103 § 7-246 (WPCA). Finally, Town Staff recommended that the Sub-Committee recommend to the WPCA that two projects deemed critical by the FVHD be

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considered for immediate action: Fairview and Blueridge. Town Staff reported that the estimated cost of these projects was roughly \$6.1 million, with \$1.2 million anticipated in assessments under the new method and \$4.9 million in bonded debt to be assumed by the Town.

Council members present explained to the Sub-Committee that even if the projects were recommended to the Town Council, that the Council could opt not to conduct a referendum vote on the issue. Further, the general taxpayers could vote down a referendum. A question was asked whether the DEP could mandate sewers deemed a health risk if the taxpayers voted against the projects. The Town Manager said she would ask for an opinion from the Town Attorney on this issue.

Questions were also asked about the deferral process for properties within a project's scope that were working correctly or recently repaired septic systems at the time a project was complete. Town Staff explained the deferral process, which is that a homeowner can defer the assessment until they are either connected or sell the house. The town typically offers loans at a low interest rate for a 10-year period. A question was also asked about other changes to the Sewer Ordinance, and the staff recommended that this Committee recommend that the Water Pollution Control Authority to update other portions of the Ordinance (if needed) at the same time.

F. Motions:

1. To Recommend that the WPCA/TC Accept the Proposed 2008 Assessment Rates for R-20, R-40 and R-80 Lots. (Attachment)

A motion was made and seconded "To Recommend that the WPCA/TC Accept the Proposed 2008 Assessment Rates for R-20, R-40 and R-80 Lots." Unanimous.

2. To Recommend that the WPCA/TC Accept Revisions to Chapter 156 "Sewers" § 156-4, 156-9 and 156-15 Regarding Connection Charges. (Attachment)

A motion was made and seconded "To Recommend that the WPCA/TC Accept Revisions to Chapter 156 "Sewers" § 156-4, 156-9 and 156-15 Regarding Connection Charges." Unanimous .

3. To Recommend that the WPCA/TC Accept the New Language Contained in Chapter 156 "Sewers" Article V: (Attachment)
  - a) § 156-49. Sewer Benefit Assessments
  - b) § 156-50. Sewer Cost Responsibilities
  - c) § 156-51. Mandating Sewers for Health Reasons.

A motion was made "To Recommend that the WPCA/TC Accept the New Language Contained in Chapter 156 "Sewers" Article V:

- a) § 156-49. Sewer Benefit Assessments
- b) § 156-50. Sewer Cost Responsibilities
- c) § 156-51. Mandating Sewers for Health Reasons."

Unanimous

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G. Next Steps.

- 1) To Bring Recommendations to the July 14, 2008 WPCA Meeting for Review and Comments.

It was determined that the Sub-Committee would attend the July 14, 2008 WPCA meeting and present recommendations to the Authority.

H. Adjournment.

Meeting was adjourned at 6:00 PM

cc: Sewer Sub-Committee  
Paula Ray, Town Clerk  
Deb Bull, by e-mail  
Kathleen A. Eagen, Town Manager  
Russell Arnold, Director of Public Works and Dev. Svcs.  
Steve Bartha, Special Projects Graduate Intern  
Mike Demicco, Town Council Member  
William Kaminski, WPCF Superintendent  
Jim Foote, WPCA Chair  
Dave Knauf, FVHD  
Jo-Ann Walker, resident

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MOTION:

Agenda Item F-1

To Recommend that the Town Council Accept the Proposed 2008 Assessment Rates for R-20, R-40 and R-80 Lots.

**Recommended 2008 Assessment Schedule**

<b>Zoning Classification</b>	<b>Foot Frontage</b>	<b>Assessment Amount</b>
R-20 and Under	0-110'	\$10,000
R-30 and R-40	111-165'	\$12,500
R-80	166-230'	\$15,000

NOTE: At the April 29, 2008 Sewer Sub-Committee Meeting, it was determined that the Sub-Committee would recommend to the Town Council that the sewer benefit assessment policy be revised to better reflect Farmington's historic practices. Specifically, it was determined that assessments should be based on zoning classifications and tied to the Construction Cost Index to adjust for inflation.

The following table is an example of a possible assessment schedule. The figures contained in this table are consistent with (1) the Town's historic practices, (2) current practices throughout the State of Connecticut, (3) the rates set by the WPCA in 1972.

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MOTION:

Agenda Item F-2

To Recommend that the Town Council Accept Revisions to Chapter 156 "Sewers" § 156-4, 156-9 and 156-15 Regarding Connection Charges

NOTE: According to current ordinance language, connection charges are supposed to be based on "current average sewer assessment rates for sewers constructed under normal conditions. Tying assessments and charges to an index ensures that the *current rate* at the time of construction is equal to the *current* rate at the time of connection.

These changes would apply to projects moving forward, not to projects carried out in the past, under other assessment methods.

PLEASE NOTE: This is a conceptual draft. All language would have to be reviewed by the Town attorney, and would likely be modified at that point.

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MOTION:

Agenda Item F-3

To Recommend that the Town Council Accept the new Language contained in Chapter 156 "Sewers" Article V:

a) § 156-49. Sewer Benefit Assessments

NOTE: A sewer benefit assessment is the portion of a sewer project's cost that is assessable to an individual property owner. When sewers are installed in existing neighborhoods, enabling properties to transition from septic systems to sewer service, benefit assessments are levied against property owners within the project's scope. Depending on the variable costs affecting a given project, the amount of total project cost recouped by total benefit assessments from one project to another may vary. In other words, assessments may cover 60% of one project's total cost, but only 30% of another.

Historically, the Town of Farmington has levied assessments against individual property owners based on zoning classification. In other words, property owners with like properties (e.g. R-20) have been assessed like amounts. This type of assessment ensures equity between benefiting property owners within projects and across projects, but in order to ensure equity over time, assessments must be adjusted to reflect inflation.

b) § 156-50. Sewer Cost Responsibilities

NOTE: This section codifies the current sewer cost responsibilities, as discussed at the April 29, 2008 Sewer Subcommittee Meeting.

c) § 156-51. Mandating Sewers for Health Reasons.

NOTE: This section discusses the circumstances under which a sewer project shall be financed using the recommended assessment method. In short, projects deemed by the WPCA to be a risk to public health, and therefore mandated, will be financed using the recommended assessment method. Neighborhoods undertaking elective, non-mandatory, projects shall be treated the same as a Developer and required to follow the same guidelines and operate under the same cost constraints.

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