

TOWN OF DARIEN SEWER COMMISSION  
2 RENSRAW ROAD - TOWN HALL  
DARIEN, CT 06820-5397  
TELEPHONE (203) 656-7363



ROBERT A. RIITH, CHAIRMAN  
CRAIG J. FLAHERTY, P.E.  
ROCCO GENOVESE  
VACANT  
PETER VAN WINKLE, ESQ.

**TOWN OF DARIEN SEWER COMMISSION  
REGULAR MEETING MINUTES  
4:30 P.M. TUESDAY, JANUARY 5, 2016  
ROOM 206, DARIEN TOWN HALL, 2 RENSRAW ROAD, DARIEN, CT 06820**

ATTENDANCE: Robert Riith, Chairman  
Craig Flaherty, Vice Chairman  
Peter Van Winkle  
Rocco Genovese

STAFF: Ed Gentile, Director;  
Darren Oustafine, Asst. Director.

OTHER: Mark Miller, 52 Relihan Rd (3b)  
David Johnson, 33 Tokeneke Rd(3d)  
Tom Velloti, 33 Toekeneke Rd (3d)  
Tom Lynch, 33 Tokeneke Rd (3d)  
William Ferguson, 91 Noroton Ave (3e)  
Edward Sforza, 41 Hecker (3h)  
Joe Fiori, 41 Hecker (3h)  
Bob Calve, 22 & 26 Peach Hill Rd (7)  
Nick Frate, 22 & 26 Peach Hill Rd (7)  
Mary Pierson Keating, Esq., 85 Raymond St (8)  
Rosann Giannandrea, 85 Raymond St (8)  
Natalie D. Axton, Darien Times

1. Call To Order

Chairman Riith called the meeting to order at 4:30 p.m. and stated that the members as listed were in attendance and there was a quorum present.

2. Approval of Minutes of Previous Meeting

The minutes were not included in the packet and Mr. Oustafine suggested tabling the item until the next meeting in February. Commission concurred.

Sewer User Fee Appeal: Rama Veeturi & Radhika Kadiri , 156 Hecker Ave

There were no representatives of the appeal in attendance. Mr. Van Winkle outlined the supporting documentation and explained the unit usages were 120 versus 264, and he recommended a reduction of 45%.

\*\* MR. VAN WINKLE MOVED TO APPROVE THE SEWER USE FEE APPEAL.

\*\* MR. GENOVESE SECONDED THE MOTION.

Mr. Flaherty noted that this calculation was in error and that with a recalculation, there was actually no difference, and recommended to deny the appeal.

Following a discussion Mr. Van Winkle withdrew the motion.

\*\* MR. FLAHERTY MOVED TO DENY THE SEWER USE FEE APPEAL.

\*\* MR. GENOVESE SECONDED THE MOTION.

\*\* MOTION TO DENY THE APPEAL PASSED UNANIMOUSLY.

b. Mark Miller, 52 Relihan Road

Mr. Miller came forward and explained that he had installed a back up pump that runs off of city water pressure. There was discussion on the measuring of waste water usage, as this Commission does not have experience with type of pump. Mr. Flaherty explained the process of billing of averaging the quarters. There was further discussion on whether increased use charges were the result of the waste water used for the back-up pump. It was suggested to table the item until further charges were in to get a more accurate assessment of the usage measurement. The commission was clear that water that is discharged into the sewer may result in charges that cannot be forgiven and that if there is a sump pump connected to the sanitary sewer it must be disconnected as this is illegal.

c. Tara Meade, 50 Stony Brook Road

There was no representative of the appeal in attendance. Mr. Oustafine reviewed the supporting documentation. Mr. Flaherty suggested that in view of the information provided, it was clear that there was a leak that resulted in the overcharge, and he recommended granting the appeal request.

\*\* MR. FLAHERTY MOVED TO APPROVE THE SEWER USE FEE APPEAL FOR  
TARA MEADE IN THE AMOUNT OF \$1,775.40 (AS OUTLINED ON PAGE 7.)

\*\* MR. VAN WINKLE SECONDED THE MOTION.

\*\* MOTION PASSED UNANIMOUSLY.

d. Dr. Violi. 33 Tokeneke Road.

Mr. David Johnson came forward and explained that he had installed a new refrigeration unit in August, and there was discussion on the measuring of waste water usage. Mr. Tom Lynch and Mr. Tom Velloti were also in attendance in support of the appeal. Mr. Flaherty explained the process of billing of actual usage as this is a commercial account. Mr. Johnson explained that there is a new owner and that the sewer bill has doubled from approximately \$10,000 to \$20,000 which is onerous and that water billing shows that there was a drop in water usage in August following the installation of the new refrigeration and repair of a leaking valve. Mr. Johnson claimed that all water did not go into sanitary sewer. The sewer commission explained that water that goes into the sewer system must be paid for regardless of who owns the property. There was further discussion and explanation on sewer user fee billing procedure and the fact that current bills are based upon the previous fiscal year for the current fiscal year but billed in October. It was suggested to look into an insurance claim and to table the item until more information was available to obtain a more accurate assessment of the usage measurement.

e. William Ferguson. 91 Noroton Avenue.

Mr. Ferguson came forward and outlined the documentation for the appeal. Mr. Flaherty explained the process of billing and consistency of ownership trends that result in setting a precedent that benefits home owners with comparisons to previous usage patterns. There was further discussion on whether the home owner could have sewer use disconnected following a demolition permit. Mr. Oustafine explained that once a residence is disconnected from the sewer collection system, billing could be halted and that if building is empty and slated for demolition, disconnect can be performed at discretion and schedule of owner.

- \*\* MR. FLAHERTY MOVED TO DENY THE SEWER USE FEE APPEAL.
- \*\* MR. GENOVESE SECONDED THE MOTION.
- \*\* MOTION TO DENY THE APPEAL PASSED UNANIMOUSLY.

f. Tom Lochtefeld, Darien Boat Club. 135 Pear Tree Point Road

There was no representative of the appeal in attendance. Mr. Oustafine reviewed the supporting documentation. Mr. Flaherty suggested that in view of the information provided, he recommended to grant the appeal request to the minimum charge.

- \*\* MR. FLAHERTY MOVED TO APPROVE A REDUCED BILL FOR TOM LOCHTEFELD TO THE MINIMUM CHARGE OF \$209.00.
- \*\* MR. VAN WINKLE SECONDED THE MOTION.
- \*\* MOTION PASSED UNANIMOUSLY.

g. Michael Interlandi, Interlandi Investments LLC. 284 Tokeneke Road

There was no representative of the appeal in attendance. Mr. Oustafine reviewed the supporting documentation and suggested the item be tabled to have the documentation explained by the claimant.

h. Ed Sforza, Spring Grove Cemetery, 41 Hecker Ave.

Mr. Sforza Business Manager and Joe Fiori, Grounds Superintendent were in attendance. They reviewed the supporting documents outlining that the water consumption is to irrigate the cemetery grounds and does not use the sewer services.

- \*\* MR. FLAHERTY MOVED TO ELIMINATE THE BILL FOR  
SPRING GROVE CEMETERY GROUNDS ENTIRELY WITH BILL FOR OFFICE  
REMAINING IN FULL FORCE AND EFFECT
- \*\* MR. GENOVESE SECONDED THE MOTION.
- \*\* MOTION PASSED UNANIMOUSLY.

i. Arthur Allen. 16 Garden City Road.

There was no representative of the appeal in attendance. Mr. Oustafine reviewed the supporting documentation and suggested the item be tabled in order to have the documentation explained by the claimant.

4. Oak Crest Development LLC. Counsel Robert F. Maslan Jr., 56 Maple Street

Mr. Oustafine reviewed the status of the development and updated plans were presented for review. There was discussion and it was noted that this will remain on the agenda for monitoring and further review.

5. Paul Harris, Cole Harris Associates, Potential Sewer Extension on Settlers Trail

Mr. Oustafine reviewed the status of the proposed sewer extension and introduced Mr. Paul Harris. Mr. Harris submitted a petition from neighbors who are in favor of a sanitary sewer extension on Settlers Trail and Clock Lane along with sketches or map of area. Mr. Harris' interest owns 3 of the homes that would be served by a sewer extension and all of these homes have on-site septic system designs approved, however Mr. Harris would prefer to have his properties served by public sewer. Mr. Flaherty asked about who owns the roads. Mr. Oustafine stated that Settlers Trail is a public road and Clocks Lane is private. Mr. Harris opined that some residents on Clock Lane may own to the center of the road, to the edge of the road, or to the opposite side of the road and that this ownership condition may vary according to the location in question. Mr. Flaherty stated he would like to know if

owners of Clock Lane will grant easements prior to sewer commission incurring costs. Mr. Flaherty asked that Mr. Harris perform research in that regard. Mr. Oustafine explained that it mayu take a title search and survey of the private road access, to answer those questions. It as noted that it will remain on the agenda for continued review.

6. Brian Munger, 249 Old Kings Highway South, Sewer Connection or Extension

Mr. Oustafine reviewed the status of the request for connection or extension and that: Mr. Munger is not present at the meeting; and, staff was unable to locate the company or representatives associated with the Glen Gorham sewer extension (as was requested by the commission at the December 2015 regular meeting). It was noted that the next step was a capacity analysis, and that this will remain on the agenda for further review.

7. Bob Calve, Fox Hill Builders, 22 & 26 Peach Hill, Sewer Connection or Extension

Mr. Oustafine reviewed the status of the development and noted that the documentation is in order.

\*\* MR. FLAHERTY MOVED TO APPROVE THE CONNECTION FOR 22-26 PEACH HILL TO THE TOWN SEWER WITH SEPARATE LINES AS INDICATED ON SITE PLANS AS PRESENTED, SUBSEQUENT TO REVIEW BY STAFF TO WORK OUT THE EASEMENT AND PROCEED WITH TOWN COUNCIL APPROVAL.

\*\* MR. GENOVESE SECONDED THE MOTION.

\*\* MOTION PASSED UNANIMOUSLY.

8. Mary Pierson Keating, Esq. 85 Raymond Street.

Attorney Keating was in attendance with Ms. Rosann Giannandrea and presented the supporting documentation. There was discussion on the easements on record and private property owners and the permit fees.

\*\* MR. FLAHERTY MOVED TO ALLOW CONNECTION AT 85 RAYMOND STREET OF THE UNITS WITH OUR EASEMENT AS PRESENTED, PENDING TOWN COUNCIL REVIEW.

\*\* MR. GENOVESE SECONDED THE MOTION.

\*\* MOTION PASSED UNANIMOUSLY.

Superintendent's Report

FOG Ordinance - Mr. Oustafine noted that there is nothing new to report.

Invoicing System (5 month prorated)

Mr. Gentile reported that there is an approximate cost of between \$6,500 - \$8,500 from Computil, the towns sewer billing consultant. There was discussion on the trade off of flexibility versus the increased number of appeals. He noted that the Commission needs to decide soon, and he will have further analysis of a shortfall to be determined by the next meeting as these kinds of decisions may affect the sewer superintendents recommended sewer user fee for the up and coming year.

Cotton Wipes, Towels - Mr. Oustafine referred to a recent article in the Darien Times and thanked Ms. Natalie D. Axton, the reporter in attendance for the press coverage on this issue. She noted that there was a letter to the editor that suggested the cotton wipe issue, may have been the cause of a recent sewer back up.

Nearwater and Stony Brook Pump Stations New Pump Installations: - Mr. Gentile reported that new pumps are in and wired and the second one will be installed next week.

e. Sewer Commission Vacancy - It was noted that the vacancy continues

f. Post Road East Pump Station Check Valve – Mr. Oustafine noted that they are reviewing staff reports of conditions such as pumps running a lot and waste water being re-pumped over and over, and that with recent replacements of check valve, there would be a power savings.

g. FY 2016-2017 Operating Budget

Mr. Gentile presented the chart outlining the budget for discussion. He highlighted decreased overtime after pump station upgrades and a decrease in health insurance that will be a set-aside for employee benefits or capital for new pumps. It was noted that potential concessions may be made after further review of reductions.

There was a discussion on the timing for setting in rates in September. Mr. Flaherty noted that the Commission is not inclined to change rates at this time. Mr. Gentile noted that the sewer user rate has been held fixed for multiple years and will have to increase eventually and perhaps this coming year.

#### ADJOURNMENT

- \*\* MR. VAN WINKLE MOVED TO ADJOURN THE MEETING.
- \*\* MR. GENOVESE SECONDED THE MOTION.
- \*\* MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 6:35 p.m.

Respectfully submitted;  
M. Knox, Telesco Secretarial Services