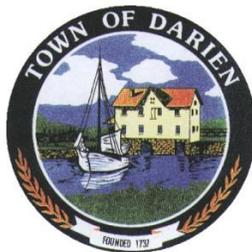


TOWN OF DARIEN SEWER COMMISSION
2 RENSRAW ROAD - TOWN HALL
DARIEN, CT 06820-5397
TELEPHONE (203) 656-7382



ROBERT A. RIITH, CHAIRMAN
CRAIG J. FLAHERTY, P.E.
ROCCO GENOVESE
M. REESE HUTCHISON III
PETER VAN WINKLE, ESQ.

**TOWN OF DARIEN SEWER COMMISSION
REGULAR MEETING MINUTES
4:30 P.M. Tuesday, August 2, 2016 Room 206, Darien Town Hall,
2 Renshaw Road, Darien, CT 06820**

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

ABSENT: M. Reese Hutchison III

STAFF: Edward L. Gentile Jr., Director, DPW
Darren Oustafine, Assistant Director, DPW

OTHERS: Paul Harris;
Lauren Chisholm;
Arthur Allen

CALL TO ORDER

Chairman Riith called the meeting to order at 4:30 p.m. A quorum was present.

APPROVAL OF MEETING MINUTES

Mr. Oustafine requested that approval of the July, 26, 2016 Public Hearing be added to the agenda.

**** MR. FLAHERTY MOVED TO ADD THE JULY 26, 2016 PUBLIC HEARING MINUTES TO THE AGENDA.**

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

**** MOTION PASSED UNANIMOUSLY.**

The following amendments were made to the July 5, 2016 Regular Meeting Minutes:

Page 1 – Correct to “...and Action. Lack of permit and inspection for Pool House Sewer Lateral.”

Page 2 – Correct to “the meeting. The commission did pass a motion to suspend the rules and formalities and to take meeting agenda out of order.”

Page 2 – Correct to “...writing a notice to be recorded in the Darien Land Records of conditions and lack of inspection on the towns part for reference by any potential and future land owners.”

Page 2 – Correct to “Mr. Hutchison asked Mr. Oustafine if a recording of the map would suffice.”

Page 2 – Correct to “...recording of the map would suffice. Mr. Oustafine replied yes, although you would need the map on Mylar. Mr. Oustafine also wanted to make clear that when speaking to the Building Inspector, Peter Solheim, in regards to this issue, he was adamant that he would not exert his authority over an area that was not his jurisdiction.”

Page 2 – Correct to “** MR. HUTCHISON MOVED TO REQUEST THAT THE AS-BUILT MAP BE SUBMITTED,

ON MYLAR AND THAT A NOTE BE CREATED FOR LAND RECORDS THAT REFERENCES THE SAID MAP AND THAT MAP SHALL BE RECORDED FIRST AND WRITTEN DISCLAIMER EXPLAINING DEFICIENCIES, REFERENCE DARIEN LAND RECORD MAP NUMBER, AND THAT TOWN COUNSEL REVIEW AND APPROVE DISCLAIMER, AND THEN DISCLAIMER THEN BE RECORDED.”

Page 3 – Correct to “...were in the packet.”

Page 3 – Correct to “Mr. Riith asked if the three-week notice could be sent.”

Page 3 – Correct to “...had been previously set for benefit appraisal and title searches with the cost of soil borings and believed it was within the best interest of the sewer commission to go ahead and proceed with the borings.”

Page 3 – Correct to “...and it doesn’t make sense to proceed without them.”

Page 4 – Correct to “...had been done. Mr. Oustafine also noted that staff is very careful with benefit appraisal process, and that staff advised town counsel of some homes that would be razed, and that staff had no input whatsoever in choosing Ms. Chisholm’s property as the subject of the benefit appraisal report. Mr. Oustafine also noted that a benefit of a sewer system is an increased bedroom count, as septic systems are designed based upon bedroom count of a residence.”

Page 4 – Correct to “...he had sent Anthony Taccone out.”

Page 5 – Correct to “...not been charged is the building closest to Leroy Avenue which may be used for recycling or an office for the complex. Mr. Oustafine stated that this building had not been billed for sewer user fees and should be as it is connected to sewer.”

Page 5 – Correct to “...of issue which is that Mr. Browns property lies mostly or all in the City of Norwalk albeit at least on the city line and Mr. Brown wants to connect to the Darien Sewer System. Mr. Hutchison asked if Mr. Brown pays a tax bill because that is the way to know if Mr. Brown has any property in the Town of Darien. Mr. Hutchison stated that if there is even a

minimal amount of property within the Darien borders, that taxes would be assessed to that owner.”

Page 6 – Correct to “...pumps for the Stony Brook and Nearwater Pump Stations that they had been waiting for and are scheduled to be delivered on or around October 1st. Stamford (WPCA). The invoice has come back \$1,500.00 less than previous invoice from the Stamford WPCA There are still some differences in opinion but nothing that cannot be worked out. Staff is working on obtaining estimates for the Five Mile River Road Pump Station repairs.”

Page 6 – Correct to “9. New Business – None. ** MR. VAN WINKLE MOTIONED TO AUTHORIZE THE CHAIRMAN TO ENTER INTO COMPUTIEL AGREEMENT AND TO PAY COMPUTIL, CURTIS BRINKERHOFF & BARRETT, AND ASSOCIATED BORINGS CO., INC, AS PRESENTED.”

**** MR. GENOVESE MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JULY 5, 2016 WITH CORRECTIONS.**

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

**** MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (MR. FLAHERTY).**

The following amendments were made to the July 26, 2016 Public Hearing:

Page 1 - Correct meeting start time 7:07 p. m. to 7:37 p. m.

**** MR. GENOVESE MOVED TO APPROVE THE MINUTES OF THE PUBLIC HEARING OF JULY 26, 2016 WITH CORRECTIONS.**

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

**** MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (MR. FLAHERTY.)**

SETTLERS TRAIL, CLOCKS LANE, SEWER EXTENSION - DISCUSSION AND ACTION

Mr. Oustafine presented a spreadsheet that was displayed at the public hearing on July 26, 2016. The first page contained the construction estimates, and the second page contained the Test Boring Report. He reviewed the depth and placement of the borings. Assuming that the average depth of the sewer will be 5 feet, we will be cutting about 1.1 feet of rock, on average. The borings are about 50 feet apart, but one section was skipped over because they didn't want to take any chances of being on property without the permission of the owner. Most residents gave permission to do borings.

**** MR. GENOVESE MOVED TO APPROVE THE SETTLERS TRAIL, CLOCKS LANE, SEWER EXTENSION.**

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

**** MOTION PASSED UNANIMOUSLY WITH ONE ABSTENTION (MR. FLAHERTY.)**

Mr. Van Winkle stated support reasons for the approval of the sewer extension. Many properties are in trouble with septic systems. The sewer is the only sensible way to correct the problems, and it is environmentally necessary in order to protect the Sound. All we can do, and all we should do, is install and maintain the sewer system. It is the only sensible way to make a decision. The Commission can take not consider private matters between parties, and it did not. The Commission is not a court. As far as the Commission is concerned, we were deaf to the private matters.

NEW BUSINESS

Mr. Oustafine stated that Mr. Arthur Allen of 16 Garden City Road is asking for a credit of \$886 to his Aquarion Water bill. Mr. Allen has been paying sewer fees for the last three years, but the house has not been hooked up to the sewer line.

**** MR. FLAHERTY MOVED CREDIT FOR THE AMOUNT PAID FOR WATER THAT WASN'T DISCHARGED TO THE SEWER.**

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

**** MOTION PASSED UNANIMOUSLY.**

SEWER USER FEE PROPOSED RATE CHANGE

Mr. Gentile provided a chart showing Reserve, Revenue, and Expense Fund Values starting with End of 2012 through End of 2015. In 2014 there was a large make up payment to the city of Stamford. In 2015 there was legal action for Westmere. He stated that we are doing well. He will feel more comfortable building up the reserve. Mr. Flaherty stated that he disagreed. Mr. Gentile stated that in April it was found that monthly payments to Stamford increased by \$50,000 per month, and we need to prepare for other increases.

Mr. Gentile provided a Comparison of potential Sewer Service User Fees for – FY17. He noted that in the FY 16 Preliminary Financial Results, Payments to Stamford are \$2,190,000. He stated that next year it will go up to \$2,350,000. Total Budgeted Expense (Operations) FY 17 is \$3,673,597. Total Budgeted Expense (Capital) FY 17 is \$186,000. Mr. Gentile stated that Five Mile River Pump Station and Seagate Road Pump Station will both need work and are included in current budget and that I/I location and elimination is necessary.

On the Comparison of Sewer Service Rates, he broke down possible rate changes and the change to the Reserve Fund that would result from each rate. Keeping the rate at \$5.38 will increase the Reserve Fund by 70,643 while a rate of \$5.55 would result in an increase to the Reserve Fund of \$185,542.

Mr. Flaherty stated that things come up but unanticipated expenses are not in the millions of dollars. They are all in the hundreds of thousands. Mr. Flaherty stated that things look great with expenses going down, revenues increasing, and a stable reserve.

Mr. Gentile stated he is comfortable moving forward, with an eye on Stamford. Next year he would not like to need to bump up the reserve by 10%.

Mr. Van Winkle stated that if in the next two months we get inflation, costs will go up. Sometimes it happens fast. Mr. Van Winkle stated that money may need to be spent on unexpected expenses for older sewers. Also, a hurricane is a big threat. Discussion followed on possible large expenditures that could come up in the upcoming year, and the effect of new pumps on expenses.

Mr. Flaherty stated that the \$70,000 surplus this year is due to the good leadership and management of the Department of Public Works.

- ** MR. FLAHERTY MOVED TO KEEP THE RATE/CCF AT \$5.38 PER CCF.**
- ** MR. VAN WINKLE SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

SUPERINTENDENTS REPORT

68 Salem Straights is the location where the owner buried his sewer between his pool-house. A document needs to be written warning potential future owners that it was put in without being inspected.

NEW BUSINESS

Mr. Oustafine brought up 249 Old Kings Highway. He stated we were unable to find the original developer who put that pump station in, and there is no entity that we need to pay. The lot is not going to be subdivided. We spoke to owner of property today. He can get to a manhole by going on a diagonal. Monday August 8th, 2016 paving starts on the road. We will install a lateral

and get it off the road before then. It is going to be a single family residence, and there is no expectation that this developer will have to pay a previous developer. Chairman Riith stated that there is no need for a motion for the work to go forward.

Mr. Oustafine presented an affidavit of Sewer Costs for Locust Hill Extension which was submitted by Ms. Penny Glassmeyer. Payment to Town of Darien looks like the bond that she was required to post. The bond was about 32,000 and her line item is for \$34,540. If it is for the bond, it needs to be taken off of the affidavit.

ADJOURNMENT

- ** MR. VAN WINKLE MOVED TO ADJOURN.**
- ** MR. FLAHERTY SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 5:25 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services