



**Town of Ridgefield
Water Pollution Control Authority**

**Regularly Scheduled Meeting
April 10, 2007 7:00 p.m.
66 Prospect Street, Town Hall Annex
Ridgefield, Connecticut 06877**

WPCA Present: Max Caldwell, Vice Chairman, Amy Siebert, Gary Zawacki, Ron Hill,
Kevin Briody

Aquarion: Jason O'Brien, Jeff Pennell, and Jorge Pereira

Metcalf & Eddy: Jon Pearson

679 Danbury Road: Don Sturges, Robert Jewell

Regular Meeting

1. Approval of Minutes

Motion to approve the minutes of March 13, 2007 by Mr. Hill, seconded by Ms. Siebert, Mr. Caldwell abstaining due to absence last week.

2. New Business

- a. **Prospect Ridge. Affordable Housing.** The WPCA stated that the documents presented regarding project charges were directly related to the Town of Ridgefield.
- b. **Bryon Avenue.** Capacity in the Greenfield Avenue line was discussed in detail. Mr. Briody suggested we undertake a capacity study to determine if the Bryon Avenue subdivision could accommodate the addition flow. Mr. Caldwell stated that until further information is developed, either as a result of our current efforts or the developer deciding to undertake a capacity study, any decision to take the flow into the Greenfield line has the potential to create a great liability for the WPCA and divert funds away from potentially more important projects. Mr. Jewell stated that he would convey this information to Mr. Whipple and Mr. Caldwell will send him a letter requesting that if he would like to revisit the capacity study, the WPCA would welcome that approach.

3. Metcalf & Eddy Report

- a. Kovacs Construction installed the plugs for the spare pumps at Copps Hill and South Street on March 27, 2007.
- b. Infiltration/Inflow flow meters were installations are complete and coordinating with Engineering regarding GIS mapping for the flow analysis to quantify the lengths and diameters of the sewer to each meter.
- c. "Call for Projects" letter sent to the DEP referencing flow metering and Quail Ridge pump station.
- d. Mr. Caldwell will send a letter to Bill Hogan, DEP, referencing our flow-metering project.

4. Aquarion Report

- a. March 2007 operations and maintenance report was discussed.

5. Other Business

- a. **626 and 679 Danbury Road.**
- b. Mr. Caldwell mentioned the meeting with Attorney Grogins and Ms. Van Ness to discuss the Route 7 capacity.
- c. Mr. Caldwell gave a brief history of how the use units were assigned. When Route 7 was built they implemented a special taxing district based on maximum use of property on the current zoning rules. A consultant calculated the flows for each property for the purpose of determining the share of the capital cost (benefit assessment). As the second step the WPCA assigned its regular use units when the property owner determined how many units they needed for their property and they were billed accordingly.
- d. Previously, the Town of Ridgefield allocated available units to property owners that requested more than their property was assessed.
- e. Perkin-Elmer requested additional units and paid the user fees each year.
- f. The property owners generally had two years to hookup without paying a hookup fee, after the two-year period, they would pay a hookup fee.
- g. Mr. Caldwell questioned whether the DEP would entertain a review of the capacity of the Route 7 plant.
- h. Mr. Sturges owns 679 Danbury Road stated his view that each property was allocated what each could handle. He further stated that, in his view, if the Town gave away excess units, it should not impact what they were originally allocated. He stated he purchased the property with the understanding that he had those units to use when he needed them. It was never mentioned that he would not be able to utilize the original allocated units. He stated it was a deeded right, purchased with the property.
- i. Mr. Caldwell stated that the WPCA did not agree with Mr. Sturges' interpretation and at this point would agree to disagree. In any event, at the present time, the issue was one of capacity at the Route 7 plant and that at such time as additional capacity was available it would be allocated in the normal course.
- j. After a heated discussion by Attorney Jewell, he stated that the property owners would initiate litigation to establish "case Law" that would require the WPCA to provide capacity for the flow allocation used for the benefit assessment.

6. Adjournment

Motion to adjourn at 9:30 pm by Mr. Zawacki, seconded by Mr. Hill, passing unanimously.

Submitted by Diana Van Ness