

**The Town of Montville
Water Pollution Control Authority
Meeting Minutes for the Public Hearing Continued from May 4, 2009**

The Water Pollution Control Authority for the Town of Montville opened a Public Hearing at the Town Hall Council Chambers on Monday, May 4, 2009 at 6:45 p.m. This Public Hearing was continued to Thursday, May 21, 2009. The Public Hearing has now been rescheduled to June 1, 2009 at the Town Hall in the Council Chambers at 6:00 p.m. for the following discussion:

1. To consider the proposed Sewer Use Rules and Regulations modifications.

The proposed Sewer Use Rules and Regulations as amended are on file in the Town Clerk's Office and in the office of the Water Pollution Control Authority.

Timothy May, Chairman of the Water Pollution Control Authority

Dated at Montville, CT May 19, 2009

Chairman May resumed the Public Hearing at 6:05 p.m.

Present were Commissioners Geary, May, Siragusa, Schober and Thorn. Also present were Administrator Lynch, Superintendent Didato, Attorney Oschner, Attorney Melvin and Engineer Richard Kruczek.

Administrator Lynch summarized the modifications made to the proposed Sewer Use Rules and Regulations.

Chairman May invited members of the Public to come forward to address the Commission.

Richard Miller, 19 Fitch Hill Road, stated he has a problem with the billing system, stating he believes single family homes with fewer residents than rooming or boarding houses or apartment buildings should not be billed at the same rate.

Administrator Lynch stated there has been a modification to the Rules and Regulations that addresses rates for boarding houses to be billed according to their usage monitored by a meter. He urged anyone who notices misuse of the system to report it to the proper authorities.

Richard George, Old Colchester Road, spoke in favor of adopting the proposed Sewer Use Rules and Regulations and urged the Commission to vote in favor of the proposal. He thanked the Commission for working so hard on the revised Regulations and stated he has been critical in the past but is happy with the results now.

Robert Melvin, Robinson & Cole, spoke regarding the proposed Sewer Use Rules and Regulations, stating this is the final hearing for the proposal and would like the opportunity to address the changes made during the last round of edits. He addressed each of the final edits as depicted on Schedule A attached. He discussed a four step plan prior to the adoption of the ordinance as follows:

1. WPCA considers and adopts the final rules and regulations with an effective date sixty days after adoption to provide time for additional review and comment by other agencies and the Town Council;
2. Uncas Health District review is needed for coordination and compliance with CGS 7-247, with emphasis on the sections concerning septic systems and related issues.
3. Connecticut DEP review is needed for consistency with the Towns NPDES Permit and RCSA sections 22a-430-3(1)(3) and 22a-482-3(f).
4. Town Council review and amendment of related Town Ordinances – Connecticut DEP requirements and provisions of the Town Charter and the

Connecticut General Statutes require rules that are enforceable by fines to be enacted through municipal ordinances. The current Town Ordinances provide for such enforcement and should be amended to incorporate the new set of WPCA rules with updated enforcement procedures and penalties.

Superintendent Didato inquired if there is wording in place that will make the newly adopted version of the Sewer Use Rules and Regulations supercede any previous versions of the document. Attorney Melvin stated there is such wording in Section 13.

Chairman May inquired if the new document incorporates wording regarding houses capped due to unforeseen circumstances such as fire, flood, etc. It was determined there is such wording in the new document under new policies and procedures.

Commissioner Geary inquired if the Commission should consider ninety days for the effective date.

A discussion was held regarding if the Town can proceed with the new Rules and Regulations before the ordinance is adopted. Richard Kruczek indicated the policy would not have effect until the adopted effective date.

Virginia Marion, Hillcrest Drive, stated it would not be wise to adopt this matter tonight because the Commission has not had enough time to review the amendments.

Administrator Lynch stated the Commission members have had copies of the amendments to review for seven days.

Attorney John Chase, Route 163, expressed concern regarding the content of the regulations. He indicated the full document was not available in the Town Clerk's office and was given a synopsis of the changes. He suggested the Commission look into if there was enough public notice given to the residents. He has concern because he was not given the entire document he did not have the chance to review the changes in total. He hopes the Commission looks further to see if the changes are adequate. In the future he hopes there is wording that addresses and clarifies timing issue for other land use requirements. He stated timing of applications needs to be addressed.

Administrator Lynch stated the entire document is on file in the WPCA office as well as the Town Clerk's office and has been available for anyone who would like to view it.

Chairman May inquired three times if there was anyone else who would like to address the Commission regarding the proposed Sewer Use Rules and Regulations.

There being none, the Public Hearing was closed at 6:45 p.m.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville