

Kent Sewer Commission
Special Meeting

July 28, 2015
4:30 P.M. Town Hall

Present: John Casey, Virginia Bush-Suttman, Stan Jennings, Sal Lilenthal, Elissa Potts and Susi Williams.

Also present: Bart Clark, Jennifer Weigel and Lynn Worthington.

Mr. Casey called the special meeting of the Kent Sewer Commission to order at 4:30 p.m.

Mr. Casey elevated alternates Virginia Bush-Suttman and Sal Lilenthal to voting status.

Ms. Potts made a motion to move the Maple Street Extension Benefit Assessments and Resolution as the first item to be discussed. Mrs. Williams seconded the motion and the motion carried.

Maple Street Extension Benefit Assessments and Resolution:

Mr. Casey and Ms. Bush-Suttman recused themselves at 4:33 p.m. during the discussion and possible action of the Maple Street Extension Benefit Assessments and Resolution portion of the meeting.

As acting chairman, Ms. Potts asked Attorney Jeff Sienkiewicz to provide an update on the Maple Street Extension Benefit Assessments and Resolution. Attorney Sienkiewicz provided a draft resolution (7/28/15) which included the following change in paragraph 5:

Notwithstanding the foregoing, the entire unpaid balance of such benefit assessment, together with all unpaid interest, shall become immediately due payable upon the transfer of title to the benefitted property, whether such transfer is by sale, gift, descent, business reorganization, foreclosure, operation of law or otherwise.

Attorney Sienkiewicz urged against adopting this language. He provided a version (7/27/15 rev.) with the above referenced language removed.

Ms. Potts made a motion to adopt Kent Sewer Commission Resolution #2: Maple Street Extension 7/27/15 rev., as submitted. Mrs. Williams seconded the motion. Ms. Potts asked if there was any discussion on the motion. Ms. Williams moved to amend the Kent Sewer Commission Resolution #2: Maple Street Extension 7/27/15 rev., as follows:

- Correct the item numbering
 - Change #3 to #2
 - Change #4 to #3
 - Change #5 to #4
 - Change #6 to #5
 - Change #7 to #6

- Change #8 to #7
 - The new #4: the three references to January 1 should read February 1.
 - The new item #7 add the following: In such case, applicable connection fees and user fees shall thereafter be paid by the property owner.
- Mr. Lilenthal seconded the motion and the motion carried.

Ms. Potts made a motion to adopt Kent Sewer Commission Resolution #2: Maple Street Extension 7/27/15 rev., as amended. Mrs. Williams seconded the motion and the motion carried.

Mr. Casey and Ms. Bush-Suttman returned to the meeting at 5:01 p.m.

Approval of Minutes:

Ms. Williams made a motion to amend the minutes of May 11, 2015 to read as follows:

Mr. Casey elevated Ms. Bush-Suttman and Mr. Lilenthal to voting status. Ms. Potts seconded the motion and the motion carried. Mrs. Williams made a motion to approve the minutes of the special meeting of the Kent Sewer Commission, as amended. Ms. Potts seconded the motion and the motion carried.

Ms. Potts made a motion to approve the June 9, 2015 minutes of the regular meeting of the Sewer Commission, as submitted. Ms. Williams seconded the motion and the motion carried.

Ms. Williams made a motion to amend the July 14, 2015 minutes of the public hearing and the special meeting of the Sewer Commission to reflect that Virginia Bush-Suttman was not present as a member of the Sewer Commission and her name should be listed under "Also present." Ms. Potts seconded the motion and the motion carried. Ms. Potts made a motion to approve the minutes of the July 14, 2015 public hearing and special meeting of the Sewer Commission, as amended. Ms. Williams seconded the motion and the motion carried.

Maple Street Ext. Financing:

Mr. Casey reported that the check in the amount of \$213.259 was just received and deposited.

2015/2016 Budget:

Ms. Weigel presented a draft 2015/2016 budget. After a brief discussion, Ms. Williams made a motion to approve the 2015/2016 Budget, as submitted. Mr. Jennings seconded the motion and the motion carried.

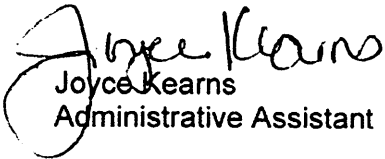
Capital Projects:

Mr. Casey requested this item be discussed at the next meeting.

Smoke Testing:

Mr. Casey requested this item be discussed at the next meeting.


Ms. William made a motion to adjourn the meeting at 5:20 p.m. Ms. Potts seconded the motion and the motion carried


Joyce Kearns
Administrative Assistant

These are draft minutes and the Kent Sewer Commission at the subsequent regular meeting may make corrections. Please refer to subsequent regular meeting minutes for possible corrections and approval of these minutes.

RECEIVED FOR RECORD
KENT TOWN CLERK

2015 JUL 31 A 9:09

BY 
TOWN CLERK

KENT SEWER COMMISSION
RESOLUTION #2: MAPLE STREET SEWER EXTENSION

WHEREAS the Kent Sewer Commission has constructed the Maple Street Sewer Extension to provide sewer service to properties along Maple Street Extension; and

WHEREAS the Commission has determined that the cost of said project will total \$1,525,733.00, of which the sum of \$500,859.00 has been or will be paid by grant from the United States Department of Agriculture, with the balance of \$1,024,874.00 to be financed by the Town of Kent by means, in part, of a loan from the United States Department of Agriculture; and

WHEREAS the Commission has determined that benefit assessments should be levied upon the lands and buildings, and upon the owners thereof, that are especially benefited by said Maple Street Sewer Extension with the target goal of raising through benefit assessments a sum equal to not less than ten percent (10%) of total project costs:

NOW, THEREFORE, BE IT RESOLVED by the Kent Sewer Commission that:

1) The Commission has determined that the most equitable method of apportioning the amount to be recovered through benefit assessments among the owners of the lands and buildings especially benefited thereby is to base the benefit assessments on land area and uniform land valuation as follows:

a) a value for sewer assessment purposes only shall be established based upon the value of \$112,000 for the first acre or part thereof (i.e., adjusted for size) with a minimum valuation of \$50,000 plus the value of \$13,000 for each excess acre or part thereof (i.e., adjusted for size);

b) parcel size shall be based on the records of the Kent Tax Assessor, except that for the Braden Family Limited Partnership, the parcel assessed shall be defined as the 3.662 acres fronting on Maple Street Extension not currently designated as forest land for tax assessment purposes.

c) the amount of each property owner's benefit assessment shall be equal to eight percent (8%) of the valuation determined pursuant the methodology described in (a) and (b) above.

2) A benefit assessment is levied against each property and the owner thereof listed on Schedule A in the amount set forth on Schedule A, which amount is determined in accordance with the above methodology. The benefits to be collected through such levy of benefit assessments total \$155,637.60.

3) The benefit assessment for property that is classified as farm land, forest land or open space on the last completed Grand List of the Town, shall be deferred in accordance with the requirements of Section 7-249 of the General Statutes until such time as such property is

reclassified or development is approved or occurs. The Collector is directed to place a caveat on the land records giving notice that the benefit assessment against such property has been deferred. The benefit assessment levied with respect to property owned, now or formerly, by *John E. Casey, Trustee of The Gordon E. Casey Trust* shall be deferred.

4) Such benefit assessments shall be due and payable on **February 1, 2016**, provided however, that at the option of the property owner, such assessment, together with interest at the rate of 3.25% per annum on the unpaid principal may, at the option of the owner, be paid in thirty (30) equal annual installments of principal *and interest*¹ commencing February 1, 2016 and continuing on the first day of February of each year thereafter until February 1, 2046 at which time a final installment of principal and interest shall be due and payable; provided further however, that if any such installment remains unpaid for thirty (30) days after the same shall become due, then at the option of the Commission, the entire unpaid balance of such benefit assessment, together with all unpaid interest, shall become immediately due and payable. In addition, the Commission shall have all of the rights provided by Section 7-254 of the Connecticut General Statutes, as amended, with respect to delinquent assessments.

5) Notwithstanding the foregoing, any property owner may prepay any or all installments for which such property owner is liable at any time prior to the due date thereof and no interest on any such prepaid installment shall be charged beyond the date of such payment.

6) For any property that is not set forth on Schedule A but which subsequently connects directly or indirectly to the Maple Street Sewer Extension, The Commission shall levy a benefit assessment against such property and the owner thereof, which assessment shall be calculated in the same manner as described in Paragraph 1 above.

7) Except as may otherwise be determined by the Sewer Commission, public sewers shall be deemed to be available to any property against which a benefit assessment has been levied. As such, in accordance with the provisions of Sections 15-7 and 15-8 of the Kent Code of Ordinances, and in accordance with the provisions of Sections 19-13-B100a and 19-13-B103c of the Connecticut Public Health Code, any property to which public sewers are deemed to be available that experiences a septic system failure or for which the owner desires to construct or convert a building or structure having sanitary facilities shall be required to connect such sanitary facilities to the public sewer system. In such case, applicable connection fees and user fees shall thereafter be paid by the property owner.

8) The Collector of the Sewer Commission is directed to cause notice of the levy of such benefit assessments to be published in a newspaper having circulation in the Town of Kent not later than **August 29, 2015**, and to mail a copy of such notice to the owner of each property set forth on Schedule A at the owners address as shown on the last completed Grand List, or any such subsequent address of which the Commission may have knowledge.

9) The Collector of the Sewer Commission is further directed to cause a copy of such benefit assessments to be placed on file in the office of the Town Clerk of the Town of Kent for public inspection and for recording **not later than 10:00 a.m. on the date of such publication**.

¹ *Note: amortized like a mortgage. All payments would be substantially equal.*

10) The funds derived from all such benefit assessments shall be placed in a specially designated *and segregated* fund to be used from time to time in a manner determined by the Commission: (a) to meet the payment obligations with respect to any bonds or debt obligations issued by the Town of Kent in connection with the Maple Street Sewer Extension.

SCHEDULE A

<u>Property Address</u>	<u>Property Owner</u>	<u>Assessment</u>
8.64 ac. Maple Street Ext.	Casey, John E. Trustee of The Gordon E. Casey Trust	\$16,905.60
3.662 ac. Maple Street Ext.	Braden Family Limited Partnership	\$11,726.40
9 Maple Street Ext.	Gatto, Bradley	\$10,000.00
13 Maple Street Ext.	Duchacek, Imbert Sylvia	\$13,515.20
15 Maple Street Ext.	Kent Affordable Housing, Inc.	\$10,020.80
16 Maple Street Ext.	Aurora Property Management	\$9,927.20
19 Maple Street Ext.	Bank of New York Mellon, Trustee	\$8,960.00
20 Maple Street Ext.	Kent Mews, LLC	\$8,960.00
1.0 ac. Maple Street Ext.	Nelson, John A.	\$8,960.00
1.0 ac. Maple Street Ext.	Kent Craft Village, LLC	\$8,960.00
39 Maple Street Ext.	Weeks, Douglas W.	\$4,000.00
43 Maple Street Ext.	Altwater, Edith	\$4,000.00
45 Maple Street Ext.	Altater, Edith T.	\$5,644.80
47 Maple Street Ext.	Altwater, Edith	\$6,899.20
49 Maple Street Ext.	Dilillo, James	\$5,913.60
51 Maple Street Ext.	Dalla Riva, Christopher	\$4,000.00
3 Segar Mountain Rd.	P E Corp.	\$13,244.80
9 Segar Mountain Rd.	Carr, Ryan J. & Sohl, Barbara L.	\$4,000.00

Draft Budget 2015-2016

	Jul '14 - June '15	Budget 2014-2015	Proposed 2015- 2016	% Increase
Ordinary Income/Expense				
Income				
Investment income	313.75	300.00	300.00	0.0%
Septage Fees	72,342.50	74,000.00	70,000.00	-5.41%
Sewer User Charges				
Connection Fees	0.00			
User Charges	306,923.98	298,000.00	298,000.00	0.0%
Sewer User Charges - Other	0.00	0.00	0.00	
Total Sewer User Charges	306,923.98	298,000.00	298,000.00	0.0%
Total Income	379,580.23	372,300.00	368,300.00	-1.07%
Expense				
General & Admin Expenses				
Accounting/Bookkeeping Services	6,600.00	7,000.00	7,000.00	0.0%
Audit	3,169.00	3,500.00	3,500.00	0.0%
Miscellaneous Admin Expense	1,575.75	500.00	500.00	0.0%
Office Supplies	256.28	500.00	500.00	0.0%
Outside services-Admin	439.89	750.00	750.00	0.0%
Printing & Advertising	214.62	500.00	500.00	0.0%
Software/Licensing Fees	1,393.00	1,450.00	1,600.00	10.34%
Total General & Admin Expenses	13,648.54	14,200.00	14,350.00	1.06%
Operating Expenses				
Electricity	33,478.46	35,000.00	35,000.00	0.0%
Fuel	4,631.36	7,000.00	7,000.00	0.0%
Insurance				
Dental Insurance	1,120.60		1,300.00	
Liab Auto Prop Insura	1,112.00	7,250.00	7,500.00	
Life Insurance	130.80	150.00	150.00	
Medical	19,865.12	20,000.00	21,000.00	
Workers' Comp	5,096.00			
Total Insurance	27,324.52	27,400.00	29,950.00	9.3%
Lab exams	12,889.35	13,500.00	13,500.00	0.0%
Materials and supplies				
New Equipment	7,024.99	1,500.00	1,500.00	0.0%
Purchases & supplies	4,296.61	6,000.00	6,000.00	0.0%
Total Materials and supplies	11,321.60	7,500.00	7,500.00	0.0%
Miscellaneous	188.05	500.00	500.00	0.0%
Outside Services-Operating	3,004.48	5,000.00	5,000.00	0.0%
Parts & Repairs	8,032.25	10,000.00	10,000.00	0.0%
Payroll Expenses	113,461.04	117,000.00	120,000.00	2.6%
Payroll taxes	8,601.93	8,900.00	9,120.00	2.5%
Pension	2,225.29		2,500.00	
Permit fees	2,011.25	2,200.00	2,011.00	-8.6%
Postage	1,490.80	1,700.00	1,700.00	0.0%
Professional fees				
Engineering fees	33,035.64	36,000.00	35,000.00	-2.8%
Legal fees	7,597.00	10,000.00	10,000.00	0.0%

Draft Budget 2015-2016

	Jul '14 - June '15	Budget 2014-2015	Proposed 2015- 2016	% Increase
Total Professional fees	40,632.64	46,000.00	45,000.00	-2.2%
Telephone	2,973.17	3,000.00	3,000.00	0.0%
Uniforms	1,820.50	1,300.00	1,300.00	0.0%
Total Operating Expenses	274,086.69	286,000.00	293,081.00	2.5%
Total Expense	287,735.23	300,200.00	307,431.00	2.4%
Net Ordinary Income	91,845.00	72,100.00	60,869.00	-15.6%
Other Income/Expense				
Other Expense				
Short-lived Asset	7,000.00	7,000.00	5,000.00	
Capital Reserve	40,000.00	40,000.00	30,000.00	
USDA Loan Interest 92-04	24,925.00	25,000.00	25,000.00	
Total Other Expense	71,925.00	72,000.00	60,000.00	
Net Income	19,920.00	100.00	869.00	