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Chairman Michael Calandrino called the meeting to order at 5:35 p.m. on Thursday, November 20, 2008, in the Caucus Room, 3rd Floor, Danbury City Hall, 155 Deer Hill Avenue. Present was Committee members Jack Knapp and Fred Visconti. Ex Officio members: Joseph M. Cavo and Mary Teicholz. Also present were Eric Gottschalk, Assistant Corporation Counsel; Gary Michael, Esq. {*entered while the meeting was in session*}; and members of the public.

Chairman Calandrino introduced everyone present at the meeting.

Chairman Calandrino explained the purpose of the evening's meeting was to consider the current negotiations between the City of Danbury and the Town of Bethel regarding the existing interlocal agreement to provide sanitary sewer service to Danbury properties located on Payne Road and to allow interconnections of Danbury and Bethel water systems.

Chairman Calandrino asked Attorney Gottschalk to provide everyone with some background regarding the request before the Committee. Attorney Gottschalk explained that the discussions began in 2004 as a petition by residents on Payne Road who were interested in obtaining sewer service through the City of Danbury. Originally, there were 16 parcels involved and now there are 13 parcels. The City of Danbury and the Town of Bethel each appointed an Interlocal Negotiating Committee. Approximately one year later, the Town of Bethel expressed an interest in expanding the scope of the conversation to include water service.

Gary Michael entered the meeting at this point.

In 2007, discussions were revived by way of a letter from Robert Burke, First Selectman of Bethel and formulated into the current Agreement before the Committee and Common Council for consideration. The Agreement calls for sewers to Payne Road and water to two potential sites in Bethel (Timber Oaks and Chelsea Heights). With regard to the Payne Road sewer issue, Bethel would like Danbury to contribute towards the cost of the work that Bethel had done. Danbury would pay in two installments a total of \$350,000.00 (\$175,000.00 within 90 days of signing the Agreement and \$175,000.00 within 90 days of actual commencement of flow). In order to ensure that the pipes had adequate capacity, the City agreed to require Danbury residents to pump to the sewer during off-peak times (12 midnight to 6 a.m.). Currently, Bethel pays an estimated amount of the annual cost for treating flows from Bethel. The Danbury flows will be backed out of that number. Everyone would reconcile at the end of the year. There will be an assessment to all of the property owners who benefit from this acquisition of an interest in a sewer line. No General Fund money or Sewer Enterprise Fund money will pay for this endeavor, the cost will be borne by the property owners who will benefit. However, there will be additional costs associated with the metering. After the final costs are calculated, a Public Hearing will need to take place. The second half of the Agreement concerns interconnections to the Danbury Water System. This relates to two areas—Timber Oaks and Chelsea Heights. The cost of those interconnections are to be borne by Bethel and designed in accordance with criteria established by the Danbury Engineering Department. Bethel is responsible for any permits or approvals that might be necessary. In addition, prior to the interconnection associated with the Chelsea Heights development, Bethel agrees to pay Danbury \$205,000.00 towards expenses incurred by Danbury in upgrading the Crow's Nest water tanks and the Shelter Rock Pump Station. Bethel agrees to provide an access road easement to Danbury is needed in order to access the tanks. These interconnections are not to be used as a standard source of water supply but rather for emergency use only.

Councilman Visconti asked which fund would the \$205,000.00 be applied to and Attorney Gottschalk said the Water Enterprise Fund. Mr. Michael pointed out that the Housatonic Valley Commission has tried for a number

of years to gain joint access for municipalities to their water for emergency purposes. This process helps Danbury and Bethel. The classification does not affect the DEP cost for the amount of domestic water that is being used for the City of Danbury. This arrangement is for emergency purposes only.

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Attorney Gottschalk pointed out that Monday night's Public Hearing will involve a question of whether or not to proceed with the acquisition or construction of a sewer project. Once the Common Council has had the opportunity to gain public input, during the Committee of the Whole, they can then recommend as a Committee of the Whole the approval of the interlocal and authorize the acquisition pursuant to the Statute dealing with assessments.

Upon recommendation of Attorney Gottschalk, the following motion was presented:

A motion was made by Councilman Visconti and seconded by Councilman Knapp that the Committee recommends to the Common Council that they approve the interlocal agreement and authorize the Mayor to sign the agreement. The motion carried unanimously.

A motion to adjourn was made by Councilman Knapp and seconded by Councilman Visconti. The motion carried unanimously at 6:05 p.m.

Respectfully submitted,

Michael Calandrino, Chairman

Jack Knapp

Fred Visconti

ah/ 1 hour / 2 hours