

**AD HOC REPORT
Westwood Village
Reduction in Water Rates**

Honorable Mark D. Boughton, Mayor
Common Council Members

March 29, 2007

Councilman Ted Cutsumpas called the meeting to order at 6:00 P.M. In attendance were Councilman Jim Johnson, David Day, Superintendent of Public Utilities; Antonio Iadarola, Director of Public Works; Attorney Lazlo Pinter, Deputy Corporation Counsel; Dan Garrick, Interim Finance Director; Councilwoman Diggs, ex officio; Richard Mellin, Mellin Associates, managing agent for Westwood Village Condominiums and Bob Petterson, Chair of the Water Committee for Westwood Village Condominiums. Councilman Perkins was unable to attend.

Mr. Cutsumpas read the charge of the meeting, which was to respond to the petitioner, Mayor Boughton, by looking into the water rates and fees charged to Westwood Village Condominium Association. He also stated that this is a continuation from the September 25, 2006 Ad Hoc meeting.

Mr. Iadarola stated that he was given the charge by the committee and the Mayor to evaluate the Association's request for some compensation or averaging imposed on a per unit basis and to try to develop a format which would make this complex billed in the same manner that we bill other condominium complexes. He stated that Westwood Village is unique in that there is a compound 4 inch meter which triggers certain trigger points within flow rates. If the proposal were accepted the result would be that Westwood Village would be billed in the same manner as other condo complexes.

Mr. Day reviewed Mr. Petterson's request. He stated that a compromise was developed by averaging the flow on a per building basis bringing Westwood Village in line with the other condos in the City. The North Ridge Condos were built about the same time, however, the developer at North Ridge paid to have individual meters installed at the time of construction. In this case, it would be a special exception, as they like to use the actual meter flow for billing purposes. The total flow was divided by the number of buildings (34) resulting in a saving of \$833.00 per quarter.

Atty. Pinter restated the concerns of the committee from the previous meeting. He stated that this compromise is closer to consistency and uniformity than the approach that would result in per unit metering.

Mr. Johnson asked if this is the only complex where there is only one meter and would a revision to the ordinance be necessary. It is the only complex with one meter as far as Mr. Iadarola knows. The ordinance would remain the same since it's a billing process change.

Mr. Petterson referred to the September 5, 2006 meeting stating that Westwood Village owners were charged 55% more for water than single family owners and that each unit owner's savings would only be \$10.88 or 3 cents per day. Is there any reason why the current practice cannot be changed? Mr. Day advised that a water rate study for the entire City would have to be done. Mr. Iadarola stated that a significant amount of work was done to provide a report and develop a fair and equitable solution with yearly and

capital savings to Westwood Village and that Mr. Petterson is comparing Westwood Village to single family homes, but they are not the same.

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Mr. Cutsumpas inquired as to whether Westwood Village was being billed properly. Yes, according to the rate structure for a single meter.

Mr. Petterson stated that he was not satisfied with the proposed compromise. The fairest way would be to charge Westwood Village owners the same rate as a single-family home.

Mr. Mellin stated that individual meters could be installed for each unit. He referred to a letter sent April 28, 2006 asking the Mayor to present their request to the Common Council to change the ordinance. He said that they are requesting a change, not in meter rate structure of the ordinance, but a change to allow the City to bill individual condos at 5/8 meter rate through a calculation; or that the ordinance be revised to accommodate their request to be billed as a single family dwelling. Mr. Mellin discussed a previous conversation with the former Public Works Director. He further stated that Westwood Village would be willing to work with the City for the installation of individual meters. He also stated that they have had discussions with a contractor to install one meter for each unit.

Atty. Pinter stated that Westwood Village is requesting an alteration to an accepted system of water charging for condos. North Ridge Condos is different because there was an arrangement made at that point in time, but it's the policy of the Public Utilities Department to meter and charge condos in a certain manner and they are entitled to do that. The ordinance would not have to be changed. His concern is with other complexes coming in with requests like this and would the Common Council be obliged to deal with other requests for similar changes.

Mr. Cutsumpas asked if implementing the request of Mr. Petterson and Mr. Mellin would be setting a precedent. He is concerned because Danbury has many condos. Atty. Pinter stated it would be an administrative precedent.

Mr. Iadarola asked for clarification on the matter of a contractor installing individual meters with an accessible area that can be viewed and would directly measure the usage for each unit. Would it be cost effective to implement this plan? Mr. Petterson replied yes.

Mr. Mellin offered to play a tape he made of the previous meeting. Atty. Pinter asked the chair not to tolerate the playing of the tape. Mr. Cutsumpas denied the offer of Mr. Mellin.

Mr. Cutsumpas advised that he does not take this matter lightly and has done extensive consulting with the Mayor and City departments. Is the compromise of the Public Utilities Superintendent unacceptable? Mr. Petterson replied yes.

Mr. Day researched other municipalities and found varied methods of metering. The industry does not use averaging in any municipality, but he suggested it only as a method of resolving a specific issue. He would like to bring Westwood Village in line with other condos in the City.

Mr. Cutsumpas stated that this matter would ultimately go to the Common Council, be debated there and the final decision would rest with them. The recommendation of

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Public Utilities would not affect the other rate users in Danbury. Mr. Johnson concurred with Mr. Cutsumpas.

Mr. Iadarola expressed concern for future requests from other condo associations and multi-family homeowners. He and Mr. Day worked to make Westwood Village equal to every other condo complex and he feels that this is the least complicated and fairest compromise that could be put on the table.

Mr. Pinter stated that had something different had been done; the purchase price of these units may have been more costly.

Mr. Johnson moved that the proposal for the averaging as stated and the report of the Public Utilities Superintendent be accepted. Seconded by Mr. Cutsumpas. Mr. Cutsumpas invited Mr. Mellin and Mr. Pettersen to bring their concerns to the Common Council. Motion passed unanimously.

Mr. Johnson moved to adjourn at 6:58 P.M. Seconded by Mr. Cutsumpas. Motion passed unanimously.

Respectfully submitted,



Ted Cutsumpas, Chairman

Jim Johnson

Duane Perkins