



TOWN OF PRESTON

Ordinance to Create and Establish The Preston Water Pollution Control Authority

Now therefore be it ORDAINED by the electors of the Town of Preston at a duly warned Town Meeting and concluding on April 24, 2025, the Town of Preston hereby enacts the following Ordinance:

Section 1. Authority: Pursuant to Chapter 103 of the Connecticut General Statutes, as amended, the Preston Water Pollution Control Authority (“WPCA”) is hereby created and established with all the authorities provided in the Connecticut General Statutes.

Section 2. Membership: The WPCA shall consist of three (3) regular and two (2) alternate members who are electors of the town, who shall be appointed by the Board of Selectmen, and each of whom shall serve for a term of three (3) years. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been reappointed or removed by the Board of Selectmen.

As the terms of the members expire, the Board of Selectmen will appoint a successor for each, each of whom shall serve a term of three (3) years. Any vacancy in the WPCA shall be filled for the unexpired portion of the term by the appointment of the interested elector(s) as recommended by the WPCA to the Board of Selectmen. In the event, there is a prolonged vacancy impacting a quorum the Board of Selectmen can serve to fill the vacancy through one or all of the Board of Selectmen.

Members shall serve without compensation but may be reimbursed for expenses incurred in the furtherance of the business of the WPCA.

Annually at its first meeting of each calendar year, the WPCA shall elect from its members a Chairman, Vice Chairman and Secretary and shall establish Rules of Procedure.

Appointment and removal of any member of the Water Pollution Control Authority shall be done by the Board of Selectmen.

Any member or alternate member may be removed from office by the Board of Selectmen for good cause. Good cause shall include, but is not limited to, unexcused absence from three (3) consecutive regular meetings and any intervening duly called special meeting. The WPCA may vote to waive the requirements of this section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this section.

It shall be the responsibility of the Chairman of the Water Pollution Control Authority to notify the Board of Selectmen when a member has not properly performed his, or her, duties.

Section 3. Appropriation of Town Funds for Capital Improvements: After approval by the Town Meeting, the WPCA shall have the authority to expend such appropriation of town funds for the investigation and preliminary study work, including contracting for services and materials.

Section 4. Billing, Accounting and Financial Records: A WPCA customer service/billing contractor may be designated by the WPCA and the Tax Collector as the collector of sewage connection and user fee charges pursuant to the Connecticut General Statutes.

The WPCA and the Tax Collector shall maintain proper accounting and financial records in coordination with the Finance Department. The WPCA shall provide, according to the Annual Town Budget Process, an established calendar and applicable Ordinance(s), a budget of estimated revenues, expenditures and capital improvements for the ensuing fiscal year for inclusion as an appendix in the Town annual budget. Said process and Ordinance (s) shall approve the annual water system budget.

The WPCA in coordination with the Town Planner shall prepare and periodically update a Water Pollution Control Plan, including capital improvements, for the Town of Preston in the manner provided by Section 7-246(b) of the Connecticut General Statutes. Such periodic updating shall be accomplished not less frequently than every five years after the completion of the initial plan, and in addition to the filing requirements of said statute, the WPCA shall file a copy of said plan and any periodic update with the Town Clerk. The WPCA shall be guided by the Town Plan of Conservation and Development.

Revenues and expenditures, of the WPCA may be supplemented through the General Fund if approved by the Board of Finance and the Town Meeting in accordance with the Town's normal budgeting process and the provisions of law as govern the same. The WPCA shall reimburse the General Fund budget for all supplemental appropriations received from the General Fund during the subsequent fiscal year, if possible.

The WPCA, before making application for any state or federal funds, must obtain approval of the application from the Board of Selectmen.

All revenues from benefit assessments, connection fees, and user fee charges, and the proceeds of the sale of notes and bonds, shall be held and accounted separately from the other funds of the town. A separate account shall be kept by the Town of Preston of the funds derived from such sewerage system and of their disposition which account shall be audited annually by a competent auditor and a report of such audit shall be open to public inspection. The Treasurer of the Town of Preston shall be the custodian of such funds and shall give bond to the satisfaction of the Board of Selectmen and Board of Finance for the faithful discharge of his, or her, duties. Such funds shall be kept separate from other funds of such municipality and shall be used for sewerage system and for no other purpose.

All benefit assessments charged for connection with or use of the sewerage system, whether pledged for payment of bonds or notes or otherwise, shall be kept separate from other funds of the municipalities and shall be used for the sewerage system, including the payment of debt incurred for the sewerage system and interest thereon, and for no other purpose.

It is intended that the WPCA shall be financially self-sufficient.

Section 5. Establishing Benefit Assessments and Setting Rates: The WPCA shall review and recommend rates for use and shall be responsible for holding a public hearing at which all the users of the sewerage system and the owners of the property served or to be served and others interested shall have an opportunity to be heard concerning such proposed rate or charge. Notice of such

hearing shall be given, at least ten days before the date set therefore, in a newspaper having a circulation in such Town of Preston or other approved notification by the legislation. Such notice shall set forth a schedule of rates or charges, and a copy of the schedule of rates or charges established shall be kept on file in the office of the WPCA administrative staff and in the office of the town clerk of the Town of Preston, and shall be open to inspection by the public.

Upon completion of the process to establish user rates, as set forth in Chapter 103 of the General Statutes, the WPCA shall set just and equitable rates or charges of the sewerage system that shall be sufficient for the payment of expense of operation, repair, replacement and maintenance and foreseeable capital expenses of such system. Benefit assessments and connection fees shall be established by the WPCA .

Benefit assessments shall be set in accordance with Connecticut General Statute Sections 7-249 through 7-254. Sewer usage fees are established by the WPCA in accordance with the Connecticut General Statutes Section 7-255.

Section 6. Federal, State and Regional Assistance: The WPCA shall solicit and obtain assistance from the appropriate Federal, State, and Regional agencies regarding the construction, funding and operation of a community sewer project or issues related to same.

Section 7. Advisement Regarding Establishment of Ordinances, State Legislation and Other Procedural Matters: The WPCA shall advise the Board of Selectmen concerning requirements for or revision to Town Ordinances or other actions which may be required to enable the WPCA to more adequately serve the Town.

Section 8. Conflict with Other Laws or Regulations; Severability: If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions thereof.

Section 9. Effective Date: This Ordinance shall become effective fifteen (15) days after publication following its final passage in accordance with the Connecticut General Statutes.

Town Meeting held on: April 24, 2025
Published in The Day: April 26, 2025
Effective date of Ordinance: May 11, 2025