

From: Michelle Gore

To: CRC

Date: 1/21/25

Text: Dear Commission, Attached please find Fairfield WPCA's input to the current Charter Revision. Thank you for the opportunity to be involved in this process. Sincerely, Michelle Gore, GM – WPCA

Attached:

# TOWN OF FAIRFIELD

**Fairfield, Connecticut 06824**

**Water Pollution Control Authority**

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JANUARY 21, 2025

2024-2025 Charter Revision Commission c/o First Selectman's Office 725 Old Post Road Fairfield, CT 06824 *Sent via electronic mail and online form*

**Re: Town of Fairfield Water Pollution Control Authority Recommended Charter Revisions**

Dear Members of the Charter Revision Commission:

The Town of Fairfield Water Pollution Control Authority (WPCA) endorses Recommendation #11 from First Selectman Gerber's October 9, 2024 letter, *First Selectman's Recommendations to the Charter Revision Commission*, regarding Section 10.13 (WPCA) of the Charter, which states: "Consider clarifying the roles and responsibilities of the Town Administration and the Authority to better reflect the significant support and oversight – financial, operational, planning, engineering, construction, etc. – provided by the Administration".

On behalf of the WPCA, I would like to respectfully highlight the necessity of strengthening the language in not only Article X - Section 10.13 of the Charter but also in Article I – Section 1.4, and Article X - Sections 9, 10.1, 10.4, 10.8, and 12.8 with respect to the WPCA commission, Water Pollution Control Facility (WPCF), Sewer Department, and Department of Public Works. The WPCA's recommended changes to these sections are detailed below.

Currently, the town's WPCF and Sewer Department (collectively the "WPCA utility") function as divisions of the Town's Department of Public Works, with the WPCA commission serving in an advisory capacity. In 2023, Woodard & Curran, Inc., in collaboration with Raftelis, Inc., conducted an operational and organizational assessment of the WPCA and WPCF. The assessment recommended charter revisions to clarify the relationship between the Town and WPCA and to support a restructuring of the utility's leadership framework. The recommendations presented here are a direct outcome of and support that assessment.

## **Recommendations:**

### **Town Charter – Article I**

#### **Section 1.4B(1)**

- Add (NEW) as follows:

**Number**

**BODY OF POSITION**

**Term**

**Town Charter – Article X**

## Section 9

- Identify the position of General Manager of the Water Pollution Control Authority (WPCA) Utility in Section 9.1 (add – NEW) as follows:

## 9.1X A General Manager of the Water Pollution Control Authority (WPCA) Utility.

- Define the position of General Manager of the WPCA Utility as Section 9.27 (add – NEW) as follows:

*9.27 General Manager of the WPCA Utility*

*A. Appointment and supervision. The General Manager of the WPCA Utility shall be appointed by the First Selectman and shall act under the direction and control of the Chief Operating Officer.*

*B. Duties. The General Manager of the WPCA Utility shall have such duties as determined by the First Selectman so as to manage and supervise all WPCA utility functions including but not limited to facilitating communication between the town and WPCA commission, coordinating activities with other Town departments the WPCA relies on, and leading the budget and contract approval process.*

*C. The General Manager of the WPCA Utility shall serve as a liaison and subject matter expert to the WPCA Commission.*

*D. Assistants. The General Manager of the WPCA Utility may request that the First Selectman engage superintendents, supervisors, and assistants to their position.*

## 10.1(A)(10)

- Recommend the following change:

*A water pollution control authority **commission and utility**;*

## 10.4

- No changes recommended

## 10.8A

- Remove oversight and management of the Town's sewerage system from the Department of Public Works' functions as follows:

*The construction, reconstruction, care, maintenance, operation, altering, paving, repairing, draining, cleaning, snow clearance, lighting, and inspection of all public streets, highways, bridges, sidewalks, curbs, street signs, guide posts, dams, incinerators, dumps, water supply, **sewerage systems**, and other public improvements, and of all buildings and equipment owned or used by the Town, except school buildings and equipment, police and fire equipment, and buildings and equipment under the control of the Board of Library Trustees;*

## 10.13A

- Clarify WPCA's position as a board or commission, responsible to the Board of Selectmen, in accordance with Article VI Section 6.1C(2) of the Town Charter.

- Example language: The WPCA Commission shall be the general policy-making and strategic-planning body for the WPCA Utility and shall make all necessary rules and regulations for its administration. The WPCA Commission is responsible to the Board of Selectmen and operates the Town's sewerage system through the WPCA Utility.

- Define and clarify the role of the Fiscal Officer as an ex-officio, non-voting member of the WPCA commission. For example:

The Fiscal Officer is the town's CFO or qualified staff assigned by the CFO to develop and maintain the WPCA's financial plan and advise on rate setting. The WPCA budget and capital and financial plans are developed by the Fiscal Officer in coordination with the General Manager of the WPCA Utility for review and approval by the WPCA Commission, Board of Selectmen, Board of Finance, and Representative Town Meeting.

- Create a WPCA utility as an independent department of the town, whose function is to execute and oversee the day-to-day operational, functional, and personnel needs of the authority as provided by the commission through its strategic plan.

- Example language: The WPCA Utility shall consist of the Water Pollution Control Facility (WPCF) and Sewer Department. Through the Town, the utility will employ a WPCA General Manager, WPCF Superintendent, Sewer Department Supervisor, project managers, engineers, inspectors, operators, maintainers, clerks and all other personnel as may be necessary to operate the utility.

#### 10.13B

- Remove reference to the Public Works Department and identify the commission's operation through its utility as follows:

*C. Powers and duties. The Water Pollution Control Authority shall have the power to:*

- (1) *Through its utility, plan, lay out, acquire, construct, reconstruct, equip, repair, maintain, and supervise, and manage and, through the Department of Public Works, operate a sewerage system;*
- (2) *Through its utility, acquire, by purchase, condemnation or otherwise, any real property or interest in real property which it shall determine to be necessary for use in connection with such sewerage system;*
- (3) *Through its utility, apportion and assess the whole or any part of the cost of acquiring, constructing or reconstructing any sewerage system or portion thereof upon the lands and buildings in the Town which, in its judgment, shall be especially benefited by the system (whether they abut on such system or not), and upon the owners of such lands and buildings and fix the time when such assessments shall be due and payable and provide that they may be paid in such number of substantially equal annual installments, not exceeding 30, as it shall determine;*
- (4) *Through its utility, establish and from time to time revise just and equitable charges or rates for connection with and use of the sewerage system;*
- (5) *Through its utility, order any owner or occupant of any real estate to which the sewerage system is available to connect the drainage and sewerage thereof with the system and to disconnect, fill up and destroy any cesspool, privy vault, drain or other arrangement on such real estate for the reception of such drainage or sewerage; and*
- (6) *Generally to have and possess all of the powers and duties conferred upon water pollution control authorities by the General Statutes*

#### 12.8

- Include WPCA as a party serviced by the town's purchasing authority as follows:

The First Selectman and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, other commodities, contracts for public works, *contracts for WPCA*, or services, other than professional services, required by any department, office, agency, board, authority, or commission of the Town,...

On behalf of Fairfield WPCA, I appreciate the Charter Revision Commission's consideration of these recommended revisions and look forward to continuing our collaborative efforts to enhance the clarity

and effectiveness of the Town's Charter. The WPCA remains committed to serving the residents of Fairfield and ensuring the continued excellence of our water pollution control and sewer services.

Thank you for your attention to this matter.

Sincerely,

Michelle L. Gore, General Manager

Town of Fairfield Water Pollution Control Authority

cc: David Becker, COO

John Bodie, WPCF Superintendent

Christine Brown, COS

Chris DeWitt, CRC Chairman

Bill Gerber, First Selectman

Tom Harris, CFO

Matt Manchisi, WPCA Chairman

John Marsilio, Director of Public Works

Phil Pires, Esq. Cohen and Wolf, P.C.

Rob Stephan, WPCA Vice Chairman