

LETTERS

Part II of Clifton's Sewergate

This is the second in a series of three letters outlining my findings regarding inconsistencies in the sewer fee billing practices of the city. All findings were confirmed through OPRA requests and a meeting with the city manager.

Since my last letter to the editor, I sat down with City Manager Villano to discuss my findings about the

sewer billings. Here are some of the highlights of this meeting.

First, he estimates that the city lost about \$200,000 in lost sewer billings from 2008 since our system did not have the ability to bill separate meters on the same block and lot property until 2016. So, any property with multi units or businesses (like the strip

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malls, apartments with multi units) only received one bill and each business/unit failed to pay the minimum fee (\$80 per year from 2008 to 2014 and either \$130 or \$160 per year from 2015 to present). The city has no plans to back bill to recoup this money. Please keep in mind that the \$200,000 figure is his estimate only and there has not been a forensic accounting or audit of the amount of money lost.

Not only did the city not bill the minimum sewer fee for many users in other cases it over billed other users. Prior to the establishment of a separate sewer fee in 2008 by the then council, the sewer costs were incorporated into property tax bills and were based on the assessed value of the property. Non-taxable entities (since they did not pay property taxes) and large users were billed to the city by Passaic Valley Sewerage Commission and the city billed these entities. With the enactment of the separate sewer fee these non-profits (the houses of worship and VFW halls) and large users (like WH Linen Supply and Metropolitan Foods) which are called Tier II users were paying in essence two bills.

Despite the addition of H(4) to the sewer ordinance with the language "all Tier II users of the sanitary sewer system that are monitored by the Passaic Valley Sewage Commission for biological oxygen (BOD) and total suspended solids (TSS) usage shall receive a credit for charges for volume included in the

Passaic Valley Sewerage Commission bill received by the City of Clifton, and credit for BOD and TSS charges included in the City of Clifton excess discharge fee (added 5-5-2015 by Ord. No. 7213-15)" were never credited until this year.

So, in plain English when the sewer fee was enacted back in 2008 no one realized these Tier II users would be paying two sewer bills and although it was corrected in 2015 by the addition of this paragraph in the ordinance no one corrected the bills so these Tier II users were continued to be billed twice. It was confirmed to me that Tier II users will finally receive this credit (only for the current billing cycle) in this year's sewer bills. Therefore, from 2008 to 2016 (since this year's sewer bills are based on the previous year's usage) these customers were over charged by the city of Clifton. It was stated the city does not plan on refunding these customers for overcharges from 2008 to 2016. The amount of money these customers were overcharged could not be quantified.

Once again, the sewer rate study commissioned by this council in 2014/2015 conducted by Lerch, Vinci & Higgins (3/13/2015) and used as a basis for this council to significantly raise our sewer fees did not catch any of these errors. There are many more inconsistencies and errors which I will address in my next letter to the editor. I will hold my conclusions to the end of this three-part series of letters to the editor. Please open your eyes and stay tuned for the next letter.

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