

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
Tuesday, MAY 27th, 2014
MINUTES**

FILED IN EAST LYME
CONNECTICUT

June 3, 2014 AT 2:00 AM (PM)
Lesley Bragaw
EAST LYME TOWN CLERK

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, May 27, 2014 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Formica called the Regular Meeting to order at 7 PM.

PRESENT: Paul Formica, Chairman, Steve DiGiovanna, Dave Zoller, Dave Murphy, Joe Mingo, Carol Russell, Roger Spencer

ALSO PRESENT: Joe Bragaw, Public Works Director
Brad Kargl, Municipal Utility Engineer
Anna Johnson, Finance Director
Mark Nickerson, Ex-Officio - Board of Selectmen

ABSENT: Dave Bond

1. Call to Order

Chairman Formica called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:00 PM and asked Ms. Johnson to lead the assembly in the Pledge.

2. Approval of Minutes

▪ **Regular Meeting Minutes – April 22, 2014**

Mr. Formica called for a motion or any discussion or corrections to the Regular Meeting Minutes of April 22, 2014.

Ms. Russell said that under Item 12 on the fluoride update that it did not convey the message that she wanted so she had written out what she wanted inserted. (Submitted and attached to minutes).

****MOTION (1)**

Mr. Zoller moved to approve the Regular Meeting Minutes of April 22, 2014 as amended.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

3. Delegations

Mr. Formica called for anyone who wished to speak under Delegations.

There were no delegations.

4. Water & Sewer Billing Adjustment Requests

Mr. Kargl said that there is one adjustment that he has brought before them for 101 West Main Street, #8. They could see from the letter that the customer has indicated that vandals turned his outside water faucet on over the Thanksgiving holiday and when he returned home and noticed it, it had been on for some time. The request is for an adjustment to the sewer portion of the bill only as the water ran into the woods.

****MOTION (2)**

Mr. DiGiovanna moved to approve an adjustment to the sewer portion of the billing as presented for 101 West Main St. #8 for an adjusted bill total of \$237.67.

Mr. Zoller seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Mingo asked if this would have been a '1 in 10' anyways.

Mr. Kargl said that it is an unusual situation of vandalism and this is an adjustment to the sewer portion.

5. Approval of Bills – from Attachment B

Mr. Formica called for a motion on the Regional Interconnection bills.

****MOTION (3)**

Mr. Murphy moved to approve payment of the following Regional Interconnection bills: Tighe & Bond, Inv. #042014175 in the amount of \$41,634.21 and Halloran & Sage, LLP Inv. #11152980 in the amount of \$50.00.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Formica called for a motion on the Sewer Pump Station Upgrade bill.

****MOTION (4)**

Mr. DiGiovanna moved to approve payment of the following Sewer Pump Station Upgrade bill: Tighe & Bond, Inv. #042014141 in the amount of \$663.00.

Mr. Zoller seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Formica called for a motion on the Manwaring Road Water Main bills.

****MOTION (5)**

Mr. Zoller moved to approve payment of the following Manwaring Road Water Main bills: Annello Bros, LLC, Inv. dated 4/22/2014 in the amount of \$35,662.00; and Annello Bros, LLC, Inv. dated 5/22/2014 in the amount of \$5,700.00.

Mr. Murphy seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

6. Water & Sewer Operating budget Appropriations – FY 2014

Mr. Formica explained the budget projections and the need to pay the sewer assessment fund back. He explained that they are going out to bond for the roads for the Town and proposed that if they approve the payment of the \$200,000 this year and bond the \$912,935 over the years that they will have a plan to pay it back with very low interest rates. This would 'stop the bleeding' that they go through each year. If they were to approve this, it would have to go to the Boards of Selectmen and Finance for approval and then to Town Meeting for approval.

Mr. Mingo asked if they have factored in the assessments from the new homes at the Orchards.

Mr. Kargl said no and added that would go to the sewer assessment fund and not to operating.

Mr. Formica said that this suggestion would get them on a dedicated repayment plan.

Mr. Bragaw added that they have been discussing how they are over budget and this would allow a catch up budget.

Ms. Russell asked if all of the \$912,935 is related to under budgeting for the treatment plant.

Mr. Kargl recalled that they may have used some for another project however he could not recall which one at the moment.

Mr. Formica asked Ms. Johnson to go back over the history and review it to see and bring that information to their next meeting.

****MOTION (6)**

Mr. Murphy moved to authorize the Water & Sewer Commission Chairman to request the Board of Selectmen bond \$915,000 for the purpose of re-payment to the Sewer Assessment Fund. This

is a plan to move the sewer operations department back to financial health and offset the extensive treatment plant fees.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Bragaw noted that the additional revenue of \$50,000 would need to be appropriated also. This was a result of the metered sewer service receiving greater proceeds than what was projected.

****MOTION (7)**

Mr. Spencer moved that the \$50,000 in additional revenue be utilized by staff in the best manner to offset budgetary shortfalls.

Mr. Murphy seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

****MOTION (8)**

Mr. DiGiovanna moved to authorize using \$200,000 from the sewer assessment fund to pay the treatment plant fees for this fiscal year.

Ms. Russell seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Formica said that they would receive a detailed sewer assessment report from Ms. Johnson at the next meeting.

Mr. Murphy asked for a report on the remaining amortization on the bonds also.

Ms. Johnson said that she would provide it.

Ms. Russell asked when the hydrant fees are due; when they are billed.

Ms. Johnson said that she would find out that information and have it for their next meeting also.

7. Budget Report – Finance Director

Mr. Johnson said that they had received the reports in their packets.

(Note: Mr. Nickerson arrived – 7:40 PM)

8. Niantic Pump Station Electrical Upgrades

Mr. Kargl explained that they would like to phase some of the upgrades in and that they have the option of the VFD's and Soft Starters. The cost is over \$1M with a phase in over three years for Option 1 of some \$300,000+ per year. Option 2 would cost around \$900,000 and seems to be doable if phased in over three years time also.

Mr. Mingo said that the work needs to be done now and not over three years and that he thinks that it should be bonded.

Mr. Kargl said that he thinks that this plan is a viable one as we are reaching the useful life of the equipment; so we do have some time on this.

Mr. Murphy asked if they might be able to re-coup some of this from the upcoming Old Lyme situation. Mr. Spencer noted that they had mentioned the potential for energy rebates from CL&P, etc. however; Tighe & Bond has made no mention of it in the plan.

Mr. Kargl said that he had noticed that also and that he would contact Tighe & Bond about it.

He also noted that they could not just pull everything down and do it all at once as they could not have the system out of commission – it must be working. He asked that they review the draft information that they have been provided with for further discussion at their next meeting.

9. Draft Spinnaker Sewer Maintenance Agreement – FY 2014-2015

(Note: Mr. Zoller recused himself from this discussion and left the room)

Mr. Kargl said that they had received a copy of the draft agreement.

Mr. Formica asked if there were substantial changes to it.

Mr. Kargl said no and added that most of the fees are the same and that the rates are based on labor rates. There were very few changes.

Mr. Murphy asked how they did last year as it appears that it should be paying for itself.

Mr. Kargl said that anything above routine they are charged for and they pay for. They use the FEMA schedule and this is designed to break even.

****MOTION (9)**

Mr. Murphy moved to authorize the Chairman of the Water & Sewer Commission to execute the Spinnaker Agreement for Pump Station Maintenance for FY 2014-2015.

Mr. DiGiovanna seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

(Note: Mr. Zoller rejoined the meeting)

10. Water Project Updates

▪ **Regional Interconnection**

Mr. Kargl said that they have the reports from Mr. Kenney. They are working on a Memorandum of Understanding with New London which was submitted to the City of New London to purchase water during the interim period. It also states that we would send water to them when we can on the off days during the week. This would allow us to get water if necessary from New London.

****MOTION (10)**

Mr. Zoller moved to authorize the Chairman of the East Lyme Water & Sewer Commission to execute a Memorandum of Understanding (MOU) with the City of New London acting herein by its Water & Water Pollution Control Authority regarding the delivery and supply of water during the period of time between May 16 and September 14 of the current year.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

▪ **Manwaring/Shore Road Water Main**

Mr. Kargl reported that Manwaring Road is done and that the road is also done. Shore Road is complete to the extent of the water main. They will be testing this week and doing two taps. It is expected to be paved by next week.

11. Communications

▪ **See Communications Log**

There were no comments.

12. Chairman's Report

Mr. Formica reported that Lori Mathieu came out and they took a tour of the facility and she was very appreciative. They have seen some movement with Old Lyme – the DEEP has determined that a community system is probably not viable.

He also reported that he attended the wake of Charles Ashburn who was a previous member of this Commission.

He noted that an electrician had offered a 75kw generator and transfer switch with muffler for \$6000. Mr. Kargl said that he would look into it.

Amendment

Correction to Item 12, Fluoride Update, in the April 22nd, 2014 Minutes as follows:

Carol Russell provided the Commission with a copy of a memo dated 3/27/2014 from herself to Jessica regarding fluoride and thyroid function – and the relationship to brain development. Ms. Russell also distributed the abstract of a study, **Neurobehavioral effects of developmental neurotoxicity**, by Philippe Grandjean and Philip Landrigan, published March 2014 in *The Lancet Neurology*. She highlighted this study finds epidemiological studies have documented six additional developmental neurotoxicants – one of which is fluoride. Ms. Russell referenced the expert background of Grandjean and Landrigan and submitted copies of their credentials for inclusion in the minutes.

Submitted by Ms. Russell
for Item 12 - minutes of 4/22/14
Amendment

TOWN OF EAST LYME

SEWER DEPARTMENT (Account 06-01)

CURRENT FY 13/14 PROJECTIONS



		FY 13/14											
		(1)	(2)	(3)	=(1)+(2)+(3)								
Acct #	Adopted Budget	Transfer/Adjustment	Amended Budget	To Date 5/26/2014	%	Encumb	Proj Exp to End of Yr	Proj End of Yr Total	Variance	Comments			
FICA/Medicare	\$ 30,867	\$ -	\$ 30,867	\$ 28,470	92%	\$ -	\$ 3,300	\$ 31,770	\$ 903	increase with 1/2 mech			
Salaries/Wages	\$ 197,846	\$ -	\$ 197,846	\$ 187,586	95%	\$ -	\$ 23,000	\$ 210,586	\$ 12,740	are we all caught up with hith prrm			
Personnel Benefits	\$ 49,438	\$ 8,880	\$ 58,318	\$ 58,285	100%	\$ 12	\$ 32,400	\$ 90,697	\$ 32,379				
Treatment Pnt & Sys Fee	\$ 700,000	\$ -	\$ 700,000	\$ 680,391	97%	\$ -	\$ 200,000	\$ 880,391	\$ 180,391				
Maint. of Pump St Equip	\$ 34,500	\$ 20,000	\$ 54,500	\$ 55,373	102%	\$ 100	\$ 700	\$ 56,173	\$ 1,673				
Maint of Wet Wells	\$ 40,000	\$ (6,000)	\$ 34,000	\$ 27,595	81%	\$ -	\$ -	\$ 27,595	\$ (6,405)				
Maint of System	\$ 24,500	\$ -	\$ 24,500	\$ 22,500	92%	\$ -	\$ 18,700	\$ 41,200	\$ 16,700				
Materials & Supplies	\$ 8,000	\$ (300)	\$ 7,700	\$ 8,039	104%	\$ 90	\$ 500	\$ 8,629	\$ 929				
Utilities	\$ 180,000	\$ (2,810)	\$ 177,190	\$ 184,577	104%	\$ -	\$ 16,780	\$ 201,357	\$ 24,167	consumption up, inefficiencies			
Fuel Oil & Gas	\$ 27,000	\$ (416)	\$ 26,584	\$ 20,033	75%	\$ -	\$ 6,551	\$ 26,584	\$ -				
Chemicals	\$ 95,000	\$ -	\$ 95,000	\$ 72,122	76%	\$ 8,250	\$ 10,966	\$ 91,338	\$ (3,662)	\$5k in chemicals in june			
O&M Exp	\$ 13,500	\$ 3,351	\$ 16,851	\$ 19,071	113%	\$ 118	\$ 3,787	\$ 22,976	\$ 6,125				
Maint of Vehicles	\$ 3,150	\$ 1,296	\$ 4,446	\$ 4,678	105%	\$ -	\$ 1,000	\$ 5,678	\$ 1,232				
Salaries/Wages	\$ 205,641	\$ -	\$ 205,641	\$ 184,660	90%	\$ -	\$ 19,640	\$ 204,299	\$ (1,342)				
Personnel Benefits	\$ 56,986	\$ (11,006)	\$ 45,980	\$ 42,939	93%	\$ 26	\$ 32,400	\$ 75,365	\$ 29,385				
Legal & Accounting	\$ 22,150	\$ 1,230	\$ 23,380	\$ 24,316	104%	\$ -	\$ 22,000	\$ 46,316	\$ 22,936				
Outside Services	\$ 9,060	\$ -	\$ 9,060	\$ 8,312	92%	\$ -	\$ 700	\$ 9,012	\$ (48)				
Insurance PDL	\$ 27,595	\$ (1,300)	\$ 26,295	\$ 26,120	99%	\$ -	\$ -	\$ 26,120	\$ (175)				
Prof Development	\$ 500	\$ 11	\$ 511	\$ 475	93%	\$ 36	\$ -	\$ 511	\$ (0)				
Supplies & Misc	\$ 1,000	\$ 1,064	\$ 2,064	\$ 1,697	82%	\$ -	\$ -	\$ 1,697	\$ (367)				
Lease Generator Repair	\$ 5,958	\$ -	\$ 5,958	\$ 4,858	82%	\$ -	\$ 972	\$ 5,829	\$ (129)				
Contingency	\$ 19,999	\$ (14,000)	\$ 5,999	\$ 5,629	0%	\$ -	\$ 5,000	\$ 10,629	\$ 4,630	5 yr payments (\$485.76/mo)			
GRAND TOTAL	\$ 1,752,690	\$ -	\$ 1,752,690	\$ 1,667,723	92%	\$ 8,632	\$ 398,395	\$ 2,074,750	\$ 322,060				
Adding \$50k to budget - increased rev.		\$ 50,000	\$ 1,802,690				\$ 2,074,750	\$ 2,074,750	\$ 272,060	over budget correcte gr.			
Owed to Sewer Assessment Fund		\$ 712,935							\$ 18.4%				
Projected Coverage for FY 13-14		\$ 200,000							\$ 13.5%				
Total Owed to Sewer Assessment Fund		\$ 912,935							\$ 141,669				
									\$ 61,764				
									\$ 24,167				
									\$ 22,936				
									\$ 108,866				
									\$ 32,803				

note
bond
1,915,000

% Over budget (not inc Treatment Plant) \$ 18.4%
 % Over budget (not inc Treatment Plant) \$ 13.5%
 Overage Minus Treatment Plant \$ 141,669
 Benefits \$ 61,764
 Utilities \$ 24,167
 Legal & Accounting \$ 22,936
 Total Overage of Benefits/Utilities/Legal \$ 108,866
 Overage Not Incl. TP/Ben/Util/Legal \$ 32,803

most for capacity appeal

Evidence Linking Fluoride to Developmental Neurotoxicity

1995 Mullenix PJ et al. **Neurotoxicity of sodium fluoride in rats.** *Neurotoxicology and Teratology* 17: 169-177.

Findings: Fluoride ingestion has potential to cause motor dysfunction, IQ deficits and/or learning disabilities in humans.

1998 Varner JA et al. **Chronic administration of aluminum-fluoride or sodium-fluoride to rats in drinking water: alterations in neuronal and cerebrovascular integrity.** *Brain Research* :284-298.

Findings: Rats exposed to 1 ppm of water fluoride for one year showed morphological alterations in the brain and increased levels of aluminum in brain tissue compared with controls.

2001 Luke J **Fluoride Deposition in the Aged Human Pineal Gland.** *Caries Research* 2991;35:125-128.

Findings: Fluoride readily accumulates in the human pineal gland. The pineal gland is an integral part of the central nervous system and, among other functions, regulates synthesis of melatonin. Luke calls for further studies to look at the implications for the developing child.

Internal US EPA assessment assigns fluoride to the group of chemicals “with substantial evidence of developmental neurotoxicity.”

2003 Agency for Toxic Substances and Diseases Registry. **Toxicological Profile for Fluorides, Hydrogen Fluoride, and Fluorine (Update)**

Findings: Cites six studies which find fluoride readily crosses the placenta and a direct relationship between maternal blood fluoride levels and cord blood levels. The ratio of cord blood levels to relatively low maternal blood fluoride levels can range from 60% to 100%.

2006 Grandjean P and Landrigan PJ **Developmental neurotoxicity of industrial chemicals – A silent pandemic.** *The Lancet*

Findings: Because of the extreme vulnerability of the developing brain to adverse impact from exposures to any developmental neurotoxicant, urges strict regulation of any chemical with even potential to be such a toxicant until the chemical is proven to be safe. Cites fluoride as a chemical with strong potential for adverse developmental effects in humans.

2011 Ding et al. **The relationship between low levels of urine fluoride on children’s intelligence, dental fluorosis in endemic fluorosis areas of Hulunbuir, Inner Mongolia, China.** *Journal of Hazardous Materials* February 28.

Findings: Suggests low levels of water fluoride (range 0.24 – 2.84 ppm) have significant negative associations with children’s IQ.

Attachment
Submitted by C. Russell WMS 5/27/14

2012 Choi et al. Developmental Fluoride Neurotoxicity: a Systemic Review and Meta-Analysis. *Environmental Health Perspectives* October 2012.

Findings: Meta-analysis of 27 epidemiological studies adds support to existing evidence of fluoride associated cognitive deficits, and suggests potential developmental neurotoxicity of fluoride be a high research priority.

2014 Grandjean P and Landrigan PJ. Neurobehavioral effects of developmental toxicity. *The Lancet Neurology* March 2014.

Findings: Finds epidemiological studies have now documented six additional developmental neurotoxicants, of which one is fluoride. They specifically cite the 2012 Choi et al. meta-analysis in making their finding. P. Grandjean is the senior author of the Choi et al. study.

Reasons to Consider a Moratorium on Water Fluoridation

1. **Growing Evidence of Developmental Neurotoxicity.**
2. **Fluoride Readily Crosses the Placenta.**
3. **Vulnerability of the Developing Brain to a Developmental Neurotoxin – even at low doses.**
 - a. Risk of permanent brain damage leading to a potential lifelong and costly disability such as:
 - i. Low IQ
 - ii. Attention deficit disorder
 - iii. Autism
 - iv. Cerebral palsy
4. **Current CDC standard for Optimal Water Fluoridation Set in 1962 (0.7 -1.2 ppm).**
 - a. Studies about Fluoride's Ability to Cross the Placenta began to emerge in the 1970's.
 - b. Little, if any, US studies to evaluate risks of fluoride to brain development in children.
 - c. Lack of longitudinal, *individual* dose-response studies to affirm a safe fluoride exposure level for –
 - i. Pregnant women (to insure no adverse impact on the developing fetal brain).
 - ii. Infants (Human breast milk averages 0.005-0.01 ppm of fluoride. The lowest end of the CDC standard is 0.7 ppm or 140 to 70 times the level in breast milk. The lowest end of the CT standard is 0.8 ppm or 160 to 80 times the level in breast milk).
 - iii. Early childhood
 - d. 50% or more of fluoride exposure is via water and food/beverages prepared or manufactured with fluoridated water. Add exposure through dental hygiene products and fluoride-based pesticides on some produce, and the difficulty of controlling the individual exposure dose becomes evident. The world has changed since 1962.
5. **A moratorium enables us to act with an abundance of caution while we await supporting documentation to insure the applicable standard for optimal water fluoridation provides a sufficient margin of safety to insure no adverse effects to the developing brain in utero and during infancy and early childhood.**
 - a. Reference the expert findings in the 2006 and 2014 studies by P. Grandjean and P. Landrigan published in *The Lancet*.
 - b. East Lyme's public water supply serves less than 20,000 people, so water fluoridation is not mandated under CT law.

Prepared by: Carol Russell

May 27, 2014

Attachment
Submitted by C. Russell Wes 6/27/14