

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
Tuesday, October 27th, 2015
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, October 27, 2015 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Acting Chairman Seery called the Regular Meeting to order at 6.47 PM immediately following the two previously scheduled Public Hearings.

PRESENT: Kevin Seery, Acting Chairman, Steve DiGiovanna, David Jacques, Dave Murphy, Joe Mingo, Carol Russell, Roger Spencer, Dave Zoller,

ALSO PRESENT: Brad Kargl, Municipal Utility Engineer
Joe Bragaw, Public Works Director
Attorney Edward O'Connell, Town Counsel
Mark Nickerson, First Selectman & Chairman

FILED IN EAST LYME
CONNECTICUT
Nov 3 2015 AT 10:00 (AM/PM)
Karen Walker
EAST LYME TOWN CLERK

ABSENT: Dave Bond

1. Call to Order

Acting Chairman Seery called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 6.47 PM after the two previously scheduled Public Hearings. The Pledge was previously observed.

2. Approval of Minutes

▪ **Regular Meeting Minutes – September 22, 2015**

Mr. Seery called for a motion or any discussion or corrections to the Regular Meeting Minutes of September 22, 2015.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of September 22, 2015 as presented.

Mr. Jacques seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

▪ **Special Meeting Minutes – October 8, 2015**

Mr. Seery called for a motion or any discussion or corrections to the Special Meeting Minutes of October 8, 2015.

****MOTION (2)**

Mr. Zoller moved to approve the Special Meeting Minutes of October 8, 2015 as presented.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 1. Motion passed.

Abstained: Mr. Jacques

▪ **Special Meeting Minutes – October 19, 2015**

Mr. Seery called for a motion or any discussion or corrections to the Special Meeting Minutes of October 19, 2015.

****MOTION (3)**

Mr. DiGiovanna moved to approve the Special Meeting Minutes of October 19, 2015 as presented.

Mr. Murphy seconded the motion.

Vote: 6 – 0 – 2. Motion passed.

Abstained: Mr. Spencer, Mr. Zoiler

3. Delegations

Mr. Seery called for delegations.

Ava Menon, 42 Cardinal Road said that she had some questions regarding the surveys sent to the Cardinal Road residents and asked if they would share the results and if all of the residents have to agree to wanting water there.

Mr. Seery noted that they could not respond to delegations but would discuss the survey as it is an agenda item.

4. Consider Adoption of Sewer Rates

Mr. Seery called for comments or a motion to adopt the proposed Sewer rates. Said rates if adopted would be effective as of November 1, 2015 and would show up with the May 2016 billing.

****MOTION (4)**

Mr. Mingo moved to adopt the revised Sewer rates and charges as presented this evening in the Notice of Public Hearing Re Sewer Rate and Charges and to have them become effective on November 1, 2015. (Copy attached)

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

5. Consider Adoption of Water Rates

Mr. Seery called for comments or a motion to adopt the proposed Water rates. Said rates and charges if adopted would be effective as of November 1, 2015 and would show up with the May 2016 billing.

****MOTION (5)**

Mr. Murphy moved to adopt the revised Water rates and charges as presented this evening in the Notice of Public Hearing Re Water Rates and Charges and to have them become effective on November 1, 2015. (Copy attached)

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

6. Finance Director Report

There was no report.

7. Cardinal Road Water Extension Survey

Mr. Seery recapped that there was a fire in July here and that they had sent a subsequent survey to the owners of properties on Cardinal Road regarding a water connection.

Mr. Kargl said that the results of the survey were 26 people in favor; 7 not in favor and 5 that did not reply. There were some comments ranging from wanting water for fire but not wanting water to their homes. Some said that they have perfect water quality and did not see a reason to change that and just did not want to pay for it.

Mr. Bragaw explained that he has met with Chief Levandoski regarding installing a hydrant on the other side of Chesterfield Road so that they do not have to cross the road with the hose and he was very much in favor of that as the issue of dealing with Rte. 161 and the traffic and shutting down the road is what causes a lot of time. From the other side of the road they can lay hose quickly.

Mr. Zoller asked what was next.

Mr. Kargl said that they would have to review what the cost would be and how payment would be done.

Mr. Seery asked if they need a simple majority or full majority.

Mr. Mingo said that this is a Board of Selectman decision.

Attorney O'Connell said that it is a Commission decision and it is not just 'nose counting' – it is a determination of if it would be a good decision and if public good would be served. They would make it as a recommendation to the Board of Selectmen and the Board of Selectmen is the entity that decides and determines how it would be paid for. Before water makes any recommendation they must do their homework on it as it would be a water extension done by the Board of Selectmen.

Ms. Russell asked if in the interim that they could add a hydrant.

Mr. Bragaw said that he had presented that at a previous meeting as there is a stub on the other side of the road. He noted that going further up the road would be expensive as you have to look at the cost of repairing the road which is excessive.

Ms. Russell noted that the Fire Chief had said that a hydrant across the street would greatly help as they could lay the hose quickly and not have to worry about traffic and shutting down the main road.

****MOTION (6)**

Mr. Mingo moved that up to \$8000 be utilized from the Capital Account (Shore Rd) for the installation of a fire hydrant on Cardinal Road.

Mr. DiGiovanna seconded the motion.

Ms. Russell said that she would like this not to come out of the water budget solely as there is a public safety part that should contribute.

Mr. Seery and Mr. Bragaw said that at this time it would slow down the project being done.

Mr. Bragaw said that they should be able and would like to get it done before the snow flies.

Vote: 8 – 0 – 0. Motion passed.

8. Billing Adjustment Requests

There were none.

9. Approval of Bills – from Attachment B

Mr. Seery called for a motion on the Regional Interconnection bill.

****MOTION (7)**

Mr. DiGiovanna moved to approve payment of the following Regional Interconnection bill: D'Amato Construction, Appl. No. 14 in the amount of \$3,500.00.

Mr. Zoller seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

Mr. Seery called for a motion on the Booster Station Upgrade bills.

****MOTION (8)**

Mr. DiGiovanna moved to approve payment of the following Booster Station Upgrade bills: Hungerfords Inc., Inv. #75968 in the amount of \$20,700.00 and Hungerfords, inc., inv. #75969 in the amount of \$10,800.00.

Mr. Zoller seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

10. Water Project Updates

▪ Meter Replacement Project

Mr. Kargl explained that in utilizing the DWSRF dollars that they would have to go out to bid on the installation of the meters. He asked if the Commission is generally on board with the Flexnet and what they had been presented at the meeting.

Mr. Mingo said that they have already jumped into and installed many of the meters at Gateway. He suggested that they ask if New London or Waterford might want to share the software and other costs that might be able to be shared.

Ms. Russell asked about freezing of the meters.

Mr. Kargl said that is not much of a problem and that they perhaps see 2 to 3 per year and mostly in the beach areas with the crawl spaces. Further our regulations do state that the homeowner is responsible for protecting the meter. He said that he does not see it as a downside to the iPERL.

Mr. Jacques asked about the time frame to do this even with the outsourcing on the installation.

Mr. Bragaw and Mr. Kargl said that an outside company would put 80 people out on the ground installing versus the 2 people that they would be able to put. It would move quickly.

▪ Regional Interconnection

Mr. Kargl reported that they have closed out Contract #3 and that the only one left open is Contract #2 for the Butlertown tank as they had a mixer fail so they are honoring the replacement of a new design mixer.

11. Communications

▪ See Correspondence Log

The correspondence log was available for review.

Ms. Russell said that she would like to discuss her item on the list – a memo that she presented to the SCWA Advisory Board as the representative from the East Lyme Water & Sewer Commission.

Mr. Mingo said that it is not for discussion as it is not an agenda item.

Mr. Zoller said that it is on the Log and they have in the past allowed discussion of items on the log without a motion.

Ms. Russell said that she had presented SCWA (and spoken with the Chairman) with a memo outlining the potential for them to entertain a fluoride moratorium and that she is waiting to hear feedback from the Chairman. (Memo attached)

12. Chairman's Report

Mr. Seery said that he did not have anything to report this evening.

Mr. Murphy asked about an update on Old Lyme.

Mr. Seery deferred to Mr. Nickerson in the audience.

Mr. Nickerson reported that there have been no meetings since the last one and noted that the three beach associations (Old Colony, Old Lyme Shores and Miami) have formed their own group and are talking with New London about capacity.

13. Staff Updates

a. Water Department Monthly Report

Mr. Bragaw noted that the Water Superintendent gave his notice of retirement effective for January 9, 2016 after 29 years of service with the Town. He said that in light of this that they are reviewing the needs of the department and how to best move forward.

Mr. Murphy said that they had a 9.25% spike and asked about the number from last year for September.

Mr. Kargl said that most of the numbers are driven by rain and the lack of it and the use of irrigation in place of the lack of rain. He noted that they cannot anticipate what happens with the weather.

Mr. Murphy said that he thinks that we still have to be responsible about our water usage.

Ms. Russell asked the status of the diesel fuel leak.

Mr. Kargl said that the sampling numbers have been good.

b. Sewer Department Monthly Report

Mr. Murphy asked about the Department of Corrections being about 15% over their allotment.

Mr. Kargl said that he had sent them an email and they said that they were looking into it. He did not hear back so he sent them another email letting them know that they are running over their allotment.

Mr. Mingo asked about the Bridebrook pump station.

Mr. Kargl said that they are waiting on the wetland species listing to forward to the DEEP.

14. ADJOURNMENT

Mr. Seery called for a motion to adjourn.

****MOTION (9)**

Mr. Murphy moved to adjourn the October 27, 2015 Regular Meeting of the East Lyme Water & Sewer Commission at 8 PM.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

**TOWN OF EAST LYME
WATER AND SEWER COMMISSION
NOTICE OF ADOPTION OF SEWER RATES**

NOTICE IS HEREBY GIVEN that on October 27, 2015, the East Lyme Water and Sewer Commission approved the following revised schedule of rates and charges for connection to and use of the East Lyme sewerage system:

	<u>Rate</u>
Application for Connection Permit	
Class 'A'- Residential	\$100.00
Class 'B'- Multi Family and Commercial	\$200.00
Class 'C'- Industrial	\$500.00
Demolition/Disconnect-Any Class	\$50.00
Sale of Stocked Material	Cost, incl. shipping, plus 12% admin fee
Inspection Services	
During Normal Working Hours	\$65.00/hour
After Normal Working Hours	\$97.50/hour
Usage, based on metered water readings at billing intervals	
Metered	\$7.10/1,000 gallons
Unmetered, per six 6 month period	\$177.50

These revised rates and charges shall be effective on November 1, 2015. Rates for usage shall be payable at six month intervals. All other rates shall be payable at the time services are rendered.

The owners of properties against which the revised rates and charges are to be levied are hereby notified that any appeals from the revised rates and charges must be taken within twenty-one days after the date this notice was filed with the East Lyme Town Clerk on October 30, 2015.

Dated at East Lyme, Connecticut on this 27th day of October 2015

EAST LYME WATER AND SEWER COMMISSION

By _____
Mark Nickerson, W&S Commission Chair

Adopted at W&S mtg. 10/27/15

1 pg.

**TOWN OF EAST LYME
WATER AND SEWER COMMISSION
NOTICE OF ADOPTION OF WATER RATES**

NOTICE IS HEREBY GIVEN that on October 27, 2015, the East Lyme Water and Sewer Commission approved the following revised schedule of rates and charges for connection to and use of the East Lyme water system. The revised water rates and charges are as follows:

SCHEDULE I – RATES FOR USAGE based on meter readings at six month intervals.

	<u>Rate</u>
<u>Minimum charge</u> per six month period, for usage up to a maximum of 3,500 gallons per six month period	\$50.33
<u>3,501 gallons</u> , to 50,000 gallons per six month period	\$4.06/1,000 gallons
<u>3,501 gallons</u> , to 675,000 gallons per six month period	\$4.48/1,000 gallons
<u>3,501 gallons</u> to over 675,000 gallons per six month period	\$4.89/1,000 gallons

SCHEDULE II – MISCELLANEOUS WATER CHARGES

Application for Connection Permit	
Class 'A'- Residential	\$100.00
Class 'B'- Multi Family and Commercial	\$200.00
Class 'C'- Industrial	\$500.00
Demolition/Disconnect-Any Class	\$50.00

ANNUAL PRIVATE HYDRANT CHARGE \$200.00

ANNUAL FIRE SPRINKLER CHARGE \$200.00

METER CHARGES (FLAT RATE)

Meter Deposits	
5/8-3/4"	\$70.00
1"	\$93.00
1 1/2"	\$140.00
2"	\$187.00
3"	\$280.00

Frozen Meter Repair (normal working hours)	\$75.00
Frozen Meter Repair (after normal working hours)	\$120.00
Install/Disconnect Meter (normal working hours)	No Charge
Install/Disconnect Meter (after normal working hours)	\$120.00
Meter Test (accurate within 2%)	\$75.00
Meter Test (meter error > 2%)	No Charge

SALE OF WATER DEPT. STOCKED MATERIALS Cost, incl.

Adopted at W&S metg. 10/27/15

ZPF

shipping, plus
12% admin. fee

INSPECTION SERVICES

During Normal Working Hours	\$65.00/hour
After Normal Working Hours	\$97.50/hour

TURN ON/SHUT OFF (FLAT RATE)

During Normal Dept. Working Hours	No Charge
After Normal Dept. Working Hours	\$120.00
Seasonal Customer Turn On/Off > 1 per year	\$100.00
Turn On (after shut off for nonpayment of water bill, during normal working hours)	\$75.00

CONNECTION CHARGES

All services	<i>parking costs included</i>	\$2,500.00 min (actual cost)
--------------	-----------------------------------	---------------------------------

The revised rates and charges shall be effective on November 1, 2015. Rates for usage shall be payable at six months intervals. All other rates shall be payable at the time services are rendered.

Dated at East Lyme, Connecticut on this 27th day of October, 2015

EAST LYME WATER AND SEWER COMMISSION

By _____
Mark Nickerson, W&S Commission Chair

October 15, 2015

To: SCWA Representative Advisory Board

Fr: Carol Russell, a board member from East Lyme

Re: Proposed Coordination with CT DPH Re Water Fluoridation Legislative Changes

As you may be aware, HHS issued a final rule on April 27, 2015 that modified the CDC guidelines for optimal water fluoridation for the first time since 1962. The final rule reduces the CDC guidance for optimal fluoride to a set level of 0.7 mg/L, while the standard under current CT law, based on the old guidance, is a range of 0.8 to 1.2 mg/L. On May 18, 2015 the CTDPH issued a notice to all public water systems in CT which fluoridate to continue applying the current CT fluoride standard until changes are made in CT law.

As CTDPH now considers changes to our State law governing water fluoridation, my hope is that CT DPH will also consider an additional revision – to add language to enable a fluoride moratorium when such may be in the best interest of the public health. At a minimum, a short term moratorium would avert continued excess fluoridation statewide while technical issues are identified and resolved to comply with the revised CDC guidance. However, more importantly, a moratorium could be used to convene a panel of experts to review the implications of emerging science about water fluoridation and the potential for adverse health risks relevant to brain development and endocrine function.

Consider the following:

- Since June 2000 the toxicologists, biologists, and other professionals at the US EPA headquarters in Washington, DC, speaking through their union, have urged a *national moratorium* on water fluoridation, citing the need for more epidemiological studies on possible side effects, including emerging science linking fluoride to potential adverse impact on the developing brain.
- In 2006 an NAS/NRC panel of experts found the EPA MCL and the MCLG for fluoride in drinking water is not protective against adverse health effects, citing dental and skeletal fluorosis. The report also called for more research on fluorides ability to be an endocrine disruptor and to impact the brain. The panel found artificial water fluoridation to be the most significant source of fluoride exposures in the US – approaching 50% or more. (Today the EPA continues in the lengthy process of revising their fluoridation standards in response to this NAS/NRC report. The recent CDC revision to optimal water fluoridation was triggered specifically by the dental fluorosis concerns in the report.)
- In October 2012 a study out of the Harvard School of Public Health found potential developmental neurotoxicity of fluoride should be a high research priority.
- In their study published in March 2014 two highly esteemed researchers - Professor Philippe Grandjean, MD (Harvard School of Public Health) and Professor Philip J. Landrigan, MD MPH (Mount Sinai School of Medicine) – determined sufficient data exists to find fluoride is a developmental neurotoxicant.
- In January 2015 researchers from the University of Kent in England published a significant study which found a strong association between community water fluoridation and prevalence of underactive thyroid disorders. The Kent study concluded by questioning the safety of community water fluoridation as a public health measure and recommended consideration for reducing all sources of fluoride in the environment.
- In February 2015 a published study out of York University in Canada, using US data, found a significant ecological association in the states whereby the greater the proportion of people getting water from fluoridated public water supplies, the higher the rate of medically diagnosed ADHD among 4 – 17 year olds.

Do we continue to mandate water fluoridation pending more studies? I believe when it comes to the public water supply, it is best to err on the side of caution and call a time-out while a panel of experts weighs in. With 90% of Connecticut's public water supply fluoridated, we cannot afford to assume there are no problems, only to find out years later we made a big mistake.

I hope this will become a legislative change the SCWA will support.

Cc: Mark Nickerson, East Lyme First Selectman/Chairman Water & Sewer Commission

Attachment

WRB

10/27/15