

**EAST LYME WATER & SEWER COMMISSION  
REGULAR MEETING  
Tuesday, NOVEMBER 15th, 2016  
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, November 15, 2016 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson called the Regular Meeting to order at 7 PM.

**PRESENT:** Mark Nickerson, Chairman, Dave Bond, 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  
Paul Malmrose, PE, VP Tighe & Bond  
Attorney Edward O'Connell, Town Counsel  
Kevin Seery, Deputy First Selectman  
Anna Johnson, Finance Director

**FILED**

NOV 21 2016 AT 10:25 AM/PM

*J. Zoller, ATC*  
EAST LYME TOWN CLERK

**ABSENT:** No One

**1. Call to Order**

Chairman Nickerson called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7 PM and led the assembly in the Pledge of Allegiance.

**2. Approval of Minutes**

▪ **Special Meeting Minutes – October 20, 2016**

Mr. Nickerson called for a motion or any discussion or corrections to the Regular Meeting Minutes of October 20, 2016.

Mr. Bragaw submitted the following changes:

Page 1 – Bottom paragraph first sentence: Mr. Bragaw reviewed the water packet noting that in April the Commission approved a 2.5% increase in the operating budget....He said that they are proposing a 5% increase.

Page 2 – 3<sup>rd</sup> paragraph – end of third sentence – delete 'and it could be as high as 35%.'

Last line – next to last paragraph – "Mr. Bragaw said that it is a 67% increase this year and that it has been increasing by 10% each year.

Last paragraph – first line – change to read: 'Mr. Bragaw reviewed the sewer packet noting that the Commission approved a 1.5% operating budget increase.'

Last sentence: 'He said that they are proposing an 8% rate increase.

Page 3 – 2<sup>nd</sup> paragraph – 'Mr. Bragaw said that they would have liked to have a minimum charge however, due to their Sewer Use Charges Resolution that was not possible at this time.'

3<sup>rd</sup> paragraph – 2<sup>nd</sup> line – change – 'changing to a tier system' to: 'assessing a minimum charge'

Fifth paragraph – last word second sentence change: resolution to regulations.

**\*\*MOTION (1)**

Mr. Murphy moved to approve the Special Meeting Minutes of October 20, 2016 as amended.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Zoller

▪ **Public Hearing I & Public Hearing II Minutes – October 25, 2016**

Mr. Nickerson called for a motion or any discussion or corrections to the Public Hearing I & II Minutes of October 25, 2016.

**\*\*MOTION (2)**

Mr. Zoller moved to approve the Public Hearing I & II Minutes of October 25, 2016 as presented.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Bond

▪ **Regular Meeting Minutes – October 25, 2016**

Mr. Nickerson called for a motion or any discussion or corrections to the Regular Meeting Minutes of October 25, 2016.

Mr. Bragaw submitted the following changes:

Page 1 – Item 4. Second sentence – change to read after November 1, 2016 – ‘for the typical customer (not including the prisons which are billed monthly)’

Page 2 – first paragraph – add after billing – ‘(excluding the prisons which are billed monthly)’

Page 3 – Top of page – delete ‘very’ before costly project

Item 13 – 2<sup>nd</sup> sentence – delete: ‘number of items on it and the’

**\*\*MOTION (3)**

Mr. Zoller moved to approve the Regular Meeting Minutes of October 25, 2016 as amended.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Bond

▪ **Special Meeting Minutes – October 27, 2016**

Mr. Nickerson called for a motion or any discussion or corrections to the Special Meeting Minutes of October 27, 2016.

**\*\*MOTION (4)**

Mr. Zoller moved to approve the Regular Meeting Minutes of October 27, 2016 as presented.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Bond

**3. Delegations**

Mr. Nickerson called for delegations.

There were no delegations.

**4. Finance Director Report**

Ms. Johnson reported that the money from the billing has started to come in and that she would be paying back the cash flow loan to Sewer Operations in the amount of \$359,169 (that the Commission had approved for Treatment payment to New London) during the month of November.

**5. Billing Adjustments – Schedule A**

Mr. Kargl said that there were none.

**6. Approval of Bills – from Attachment B**

Mr. Nickerson called for a motion on the Saunders Point Sewer Study bill.

**\*\*MOTION (5)**

Mr. Murphy moved to approve payment of the following Saunders Point Sewer Study bill:

Weston & Sampson, Inv. #463091 in the amount of \$11,275.51.

**Mr. DiGiovanna seconded the motion.**  
**Vote: 9 – 0 – 0. Motion passed.**

Mr. Nickerson called for a motion on the Water Main Improvements bills.

**\*\*MOTION (6)**

**Mr. Zoller moved to approve payment of the following Water Main Improvements bills: HD Supply, Inv. #G046679 in the amount of \$7,656.70 and HD Supply, Inv. #G1500549 in the amount of \$12,256.96.**

**Mr. DiGiovanna seconded the motion.**

Mr. Kargl noted that this was for the Pattagansett River Bridge Water Main Relocation Project and that it is a reimbursable item through CTDOT.

**Vote: 9 – 0 – 0. Motion passed.**

**7. Water Project Updates**

▪ **Tighe & Bond Preliminary Engineering Report for Wells 1A & 2A**

Mr. Kargl explained that they would need a motion on this report and that he had provided them with the information for review. He noted that he was recommending at this time that they omit Items 6B and 7B from the services (Sewer Pump Station modifications (\$75,000) and Eversource Calculations & Application (\$12,000)) at this time. The initial fee would then be \$274,400.

**\*\*MOTION (7)**

**Mr. DiGiovanna moved to approve the Preliminary Engineering Report and recommended alternatives for the Well 1A and 2A Treatment Study prepared by Tighe & Bond dated August 2016.**

**Mr. Zoller seconded the motion.**

Mr. Jacques questioned if they are approving or adopting this.

Mr. Kargl said that was a good question as it is the DPH that actually approves.

**\*\*MOTION (7) amended**

**Mr. DiGiovanna amended his motion to read: moved to ACCEPT the Preliminary Engineering Report and recommended alternatives for the Well 1A and 2A Treatment Study prepared by Tighe & Bond dated August 2016.**

**Mr. Zoller amended his second to accept the change.**

**Vote: 9 – 0 – 0. Motion passed.**

▪ **Tighe & Bond Engineering Services Agreement for Well 1A Treatment Design**

Mr. Kargl said that they would have to authorize the Chairman to execute and deliver the agreement. He noted that they were looking for authorization on the \$274,000.

Mr. Mingo asked if they are under order from the State to do this.

Mr. Kargl said no.

Mr. Mingo said that perhaps they should wait and questioned where they were going to get the money to pay for this and that he did not want to see the rates to the ratepayers go up dramatically for this. He added that his concern is that they have some aging pump stations.

Mr. Kargl said that he could not think of a more worthwhile project than this as it is in the central business area and this would save them over time.

**\*\*MOTION (8)**

**Mr. Murphy moved to authorize the Chair of the Water and Sewer Commission to execute and deliver an agreement with Tighe & Bond in the amount of \$274,400 for Final Design and**

**Permitting Services for the Well 1A Treatment Project, subject to the approval of the Town Attorney.**

**Mr. DiGiovanna seconded the motion.**

Ms. Russell asked about the DPH letter and the DWSRF dollars.

Mr. Kargl said that a commitment comes when they get the IFO around February 2017.

**Vote: 9 – 0 – 0. Motion passed.**

**\*\*MOTION (9)**

**Mr. Murphy moved to request a special appropriation of \$398,444 for the design and permitting of the Well 1A treatment improvements on behalf of the Water and Sewer Commission.**

**Mr. DiGiovanna seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

**8. Sewer Project Updates**

▪ **Saunders Point Sewer Study – Draft Report**

Mr. Kargl reported that he has sent this to the DEEP for review. The composite report is very large and could be viewed on-line. He said that it would take the DEEP some two to three months to review it which brings them to very late January 2017. He noted that this may be financially difficult and that Ms. Bucci from Weston & Sampson is looking into any type of funding that may be available.

Mr. Spencer suggested that they update the Saunders Point people regarding this timeline.

Mr. Kargl said that he would.

**9. Executive Session – Landmark Pending Litigation**

Mr. Nickerson called for a motion.

**\*\*MOTION (10)**

**Mr. DiGiovanna moved to enter Executive Session at 7:45 PM for the purpose of discussion on Pending Litigation inviting Attorney O'Connell, Ms. Johnson, Mr. Kargl and Mr. Bragaw to join them.**

**Mr. Murphy seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

**\*\*MOTION (11)**

**Mr. DiGiovanna moved to return to Regular Session at 8 PM with no action taken in Executive Session.**

**Mr. Murphy seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

**10. Correspondence Log**

There were no comments.

**11. Chairman's Report**

Mr. Nickerson reported:

- That the Romagna Road area had been cleaned up and the old Town building removed.
- Tomorrow evening at Costello a 'Tip a Cop' event would be held with the extra proceeds going to Care & Share.
- They are in the process of installing cameras in the building.
- The Costco has been approved and they are waiting on the State Traffic study. It is expected to open in approximately 14 months.
- Mr. Bragaw reported on pavement management noting that he would like the Commission to look at the re-paving plan in relation to any potential sewers so that they are not tearing up new road.

## **12. Staff Updates**

### **a. Water Department Monthly Report**

Mr. Kargl noted that flows are down on both sides and that they had 7 water main breaks in one month.

Mr. Murphy asked when they would be pumping to New London again.

Mr. Kargl said that it would be this week or next week.

Mr. Murphy asked if any issues were anticipated with the quota.

Mr. Kargl said no.

### **b. Sewer Department Monthly Report**

Mr. Nickerson noted that there has not been any further action on the Old Lyme sewers since his last report.

Ms. Russell asked if with the flows down with the State if they have considered releasing some of their flow capacity.

Mr. Kargl said that while it would be nice that he did not think that would happen.

## **13. New Business**

Mr. Mingo said that he had asked that this be put on the agenda so that their agenda would be in line with all of the other agendas. He said that he thought that they had changed it a few years ago.

Mr. Nickerson said that the Board and Commission agendas are all different to suit the specific needs – for instance the Zoning agenda does not look like any other.

Mr. Mingo cited the Board of Selectmen agenda.

## **14. ADJOURNMENT**

Mr. Nickerson called for a motion to adjourn.

### **\*\*MOTION (12)**

**Mr. Murphy moved to adjourn the November 15, 2016 Regular Meeting of the East Lyme Water & Sewer Commission at 8:15 PM.**

**Mr. DiGiovanna seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary