

**EAST LYME WATER & SEWER COMMISSION  
REGULAR MEETING  
Tuesday, APRIL 25th, 2017  
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, April 25, 2017 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Acting Chairman Seery called the Special Meeting to order at 7:00 PM.

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

**ALSO PRESENT:** Joe Bragaw, Public Works Director  
Brad Kargl, Municipal Utility Engineer  
Attorney Mark Zamarka, Town Counsel  
Anna Johnson, Finance Director

**ABSENT:** Mark Nickerson, Chairman

**1. Call to Order**

Acting Chairman Seery called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:00 PM and led the assembly in the Pledge of Allegiance.

**2. Approval of Minutes**

▪ **Regular Meeting Minutes – March 28, 2017**

Mr. Seery called for a motion or any discussion or corrections to the Regular Meeting Minutes of March 28, 2017.

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

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of March 28, 2017 as presented.

Mr. Zoller seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

▪ **Special Meeting Minutes – April 6, 2017**

Mr. Seery called for a motion or any discussion or corrections to the Special Meeting Minutes of April 6, 2017.

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

Mr. DiGiovanna moved to approve the Special Meeting Minutes of April 6, 2017 as presented.

Mr. Zoller seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

Abstained: Mr. Spencer

FILED

**3. Delegations**

Mr. Seery called for delegations.

There were no delegations.

May 1 2017 AT 10:07 ~~AM~~ PM  
Karen Galbraith  
EAST LYME TOWN CLERK

**4. Billing Adjustments**

Mr. Kargl said that he did not have any for this evening however he has three (3) applications under the new policy that will come before the next meeting.

#### **5. Approval of Bills – from Attachment B**

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

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

Mr. DiGiovanna moved to approve payment of the following Saunders Point Sewer Study bill:  
Weston & Sampson, Inc., Inv. #468179 in the amount of \$2,486.96.

Mr. Zoller seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

Mr. Seery called for a motion on the Water Main Improvements bill.

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

Mr. DiGiovanna moved to approve payment of the following Water Main Improvements bill:  
ROTHA Contracting Co., Inv. #1036 in the amount of \$3,850.81.

Mr. Zoller seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

Mr. Mingo asked about the Weston & Sampson facilities plan.

Mr. Kargl said that they saw it in November and it has been submitted to DEEP for comments then a final plan.

#### **6. Finance Director Report**

Ms. Johnson said that she had provided them with the report and that things were moving along.

Mr. Jacques asked about the revenue increase in water that they are seeing.

Mr. Bragaw and Ms. Johnson said that it was due to the rate increase that took effect.

#### **7. Update on Status of Revised Sewer Regulations**

Mr. Kargl recalled that there was a subcommittee that had met extensively about 2+ years ago where they had worked on these regulations, then the Landmark litigation came up and a number of other items and it was put off for a bit. He said that his thought is to have Attorney Zamarka finalize the document and submit it for review to the Commission and then work on wrapping it up.

Attorney Zamarka said that the last time that he was in front of the Commission with this was in early 2014. The subcommittee and staff had done extensive work on it and the only open items were capacity and how they would deal with that. He said that he can bring the draft back to the Commission to work on finalizing it.

Mr. Seery said that a lot of effort has been put into it and asked if it would be possible to get the latest draft to the commissioners about 2 weeks before the next meeting so that they can review it and be prepared to discuss it.

Mr. Kargl and Attorney Zamarka said that they could do that. They said that there were two questions that remained – how long the allotted capacity could last and how long of a time frame they would give developers.

Ms. Russell asked if there is something in the current document regarding capacity / perpetuity.  
Attorney Zamarka said no.

## **8. Executive Session – Landmark Pending Litigation**

Mr. Seery called for a motion to enter into Executive Session.

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

Mr. Zoller moved to enter Executive Session at 7:10 PM for the purpose of Landmark Pending Litigation inviting Attorney Zamarka, Mr. Bragaw, Mr. Kargl and Ms. Johnson to join them.

Mr. DiGiovanna seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

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

Mr. DiGiovanna moved to exit Executive Session with no action taken at 7:47 PM and return to Regular Session.

Mr. Zoller seconded the motion/

Vote: 9 – 0 – 0. Motion passed.

## **9. Water and Sewer Operating Budgets**

### **▪ Sewer Operating Budget FY 2017 – Payment to Sewer Assessment Fund**

Mr. Bragaw said that this year they have had a tough time getting their hand around things. They pay on the flows that go to the New London plant and he was being conservative on the credit that they thought they might receive. They received a \$240,000 credit from New London so this helped as they had only budgeted for a \$120,000 credit. He said that he is proposing that as they have borrowed a lot from the Sewer Assessment Fund and have to pay it back, to take \$112,935 and pay back the Sewer Assessment Fund. This still leaves them with some money for wiggle room.

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

Mr. Zoller moved to authorize the transfer from the Treatment plant and system fees line account \$100,435.00 into operating transfers out to pay the outstanding balance on the Sewer Assessment Fund.

Mr. DiGiovanna seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

### **▪ Proposed Water Operating Budget for FY 2018**

Mr. Bragaw explained that the budget is the same as was presented at the workshop. He noted that the revenues came in a bit better than projected due to the charge on the turn-offs. There is potential for a 4-5% rate increase if things continue. He also noted that they pulled 25% of Mr. Scheer's salary back into the water side of the budget.

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

Mr. DiGiovanna moved to approve the FY 2017-2018 Water budget as proposed at \$2,819,521.

Mr. Murphy seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

### **▪ Proposed Sewer Operating Budget for FY2018**

Mr. Bragaw noted that the projected revenues were a bit better here and that they could potentially see a rate increase of 2.5% in the fall. It will depend on how they continue on.

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

Mr. Murphy moved to approve the FY 2017-2018 Sewer budget as proposed at \$2,090,733.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Against: Mr. Mingo

## **10. Water Project Updates**

### **▪ Well 1A and 6 Treatment Plant Modifications and Upgrades**

Mr. Kargl reported that Ms. Johnson and bond counsel are working on this so that the project can be started.

▪ **Water Meter Replacement**

Mr. Kargl reported that they are filing with the DWSRF for funding on the water meters.

Mr. Mingo asked if anyone is looking for some grant money.

Mr. Bragaw said that they are exploring all options.

**11. Eastern WUCC Statement of confirmation for ESA (Exclusive Service Area)**

Mr. Kargl explained that he has provided them with this information and that East Lyme declared its' Town borders as it's own service area – meaning that we supply water within our borders and have the right to do so. The State has been divided into three basic regions and other areas have had to do more work – we declare our Town boundaries as the 'Exclusive Service Area' and what he is looking for is a motion to that effect for the Chair to execute the statement.

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

**Mr. Jacques moved to authorize the Chairman of the Water & Sewer Commission to execute the Statement of Confirmation of Exclusive Service Area boundaries for the Eastern Public Water Supply Management Area.**

**Ms. Russell seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

**12. Correspondence Log**

The correspondence log was made available.

There were no comments.

**13. Chairman's Report**

Mr. Seery said that he found the recent budget workshop to be very beneficial.

**14. Staff Updates**

**a. Water Department Monthly Report**

Mr. Kargl reported that they are down on usage on both sides. They also have pumped 106% of their goal to New London and are sending some more over just to keep the lines fresh.

Mr. Jacques asked if they had finished cleaning the Roxbury Road tank.

Mr. Kargl said that it was completed last week and that they are looking to do the Boston Post Road one also. He also noted that they had found a lot of leaks within the hydrants themselves and they are purchasing the repair materials so that they can be repaired. HD Supply is helping out with this. He said that they are also making good progress on the hydrant flushing.

Ms. Russell asked if they could get an accurate count on the hydrants out there.

Mr. Kargl said that they had an intern who was going out in the field to check each of them and to verify the location and they hoped to have another one.

Mr. Murphy asked about a continual wet spot near Scott's on Boston Post Road (south side) and what might be causing it.

Mr. Kargl said that they would look into it.

**b. Sewer Department Monthly Report**

There were no comments.

**15. Future Agenda Items**

There were none.

**16. ADJOURNMENT**

Mr. Seery called for a motion to adjourn.

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

**Mr. Mingo moved to adjourn the April 25, 2017 Regular Meeting of the East Lyme Water & Sewer Commission at 8:27 PM.**

**Mr. DiGiovanna seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary