

**EAST LYME WATER & SEWER COMMISSION
SPECIAL MEETING
Tuesday, JANUARY 31st, 2017
MINUTES**

The East Lyme Water & Sewer Commission held a Special Meeting on Tuesday, January 31, 2017 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson called the Special Meeting to order at 7:03 PM.

PRESENT: Mark Nickerson, Chairman, Steve DiGiovanna, Dave Murphy, Carol Russell, Roger Spencer

FILED

ALSO PRESENT: Joe Bragaw, Public Works Director
Brad Kargl, Municipal Utility Engineer
Kevin Seery, Deputy First Selectman

Feb 6 2017 AT 10:00 AM/PM
[Signature]
EAST LYME TOWN CLERK

ABSENT: Dave Bond, David Jacques, Joe Mingo, Dave Zoller

1. Call to Order

Chairman Nickerson called the Special Meeting of the East Lyme Water & Sewer Commission to order at 7:03 PM and led the assembly in the Pledge of Allegiance.

2. Approval of Minutes

▪ **Regular Meeting Minutes – December 13, 2016**

Mr. Nickerson called for a motion or any discussion or corrections to the Regular Meeting Minutes of December 13, 2016.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of December 13, 2016 as presented.

Mr. Spencer seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

3. Delegations

Mr. Nickerson called for delegations.

There were no delegations.

4. Billing Adjustments – 11 Freedom Way (Building A, Unit 1 & Unit 2)

Mr. Kargl said that the owner would have liked to be here this evening but was unable to make it due to the weather. He explained that one unit had a defective toilet flapper and that during the same billing period another unit had installed a hot water tank above the bathroom ceiling without their knowledge and the unit broke emptying excessive water into the back parking lot where the drain pipe was emptying to. The entire parking lot was flooded before they found out what had happened.

Mr. Spencer said that this is outside of the actual 1 in 10 as it is a commercial property.

Mr. DiGiovanna said that it is negligence that caused the second referral and that frankly he has difficulty approving any of this. In considering the latest letter, he would put the onus on the tenant and he feels that the owner should go after them.

Mr. Spencer added that he also has an issue with them already getting a stab at this and then coming back for another one. The fact of the matter remains that they still lost a half million gallons of water due to the negligence.

****MOTION (2)**

Mr. Spencer moved to table further discussion on this item until the meeting next month.

Mr. DiGiovanna seconded the motion.

Mr. Murphy asked if they have a policy of sending our people out to look at this and if we have a disclaimer.

Mr. Bragaw said that the customer is responsible for fixing the leaks and providing proof that all of the work has been done.

Vote: 5 – 0 – 0. Motion passed.

5. Finance Director Report

Mr. Nickerson said that he had excused Ms. Johnson from attending the meeting this evening. He noted that they had received her report in their packets.

6. Approval of Bills – from Attachment B

There were no bills for approval.

7. Policy Review

▪ Billing Dispute Resolution

Mr. Bragaw explained the policy revision that they were proposing. He said that they review the dispute as sometimes it is just the rate increase that was approved and that went into effect that is causing the difference. If the meter is to be tested/replaced he said that they cannot continue doing that for free.

Mr. DiGiovanna asked what is involved in looking up the customer history and how long it takes.

Mr. Bragaw said that it takes around 15 minutes to pull the information needed for review.

Mr. DiGiovanna said that this is for residential.

Mr. Murphy said that the 1 in 10 policy is meant for residential.

Mr. Spencer said that they have at times allowed others.

Mr. Murphy suggested that if they were going to consider commercial that all of them would have to come before the Commission.

Ms. Russell agreed that all commercial should come before the Commission as there are a number of issues. She also suggested phasing out the leaking toilet allowance completely as a reason for an adjustment. They should warn the customers that it is going away and then do away with it. Customers have to have some responsibility for these items as they are homeowner issues.

Mr. Bragaw said that they could provide two different applications and that all commercial comes before the Commission. He noted that once they fine tune the policy that it would have to come before the Commission for a vote.

Mr. DiGiovanna said that whatever is causing the leak has to be fixed – they cannot continue to let it go.

Mr. Bragaw said that he hopes that this becomes a bridge to the new meters – at which point it would go away.

Mr. Nickerson said that he wants them to move on the new meters right away and that it will be on one of their next agendas.

- **Delinquent Interest Fees**

Mr. Bragaw explained that they were looking into trying to make an adjustment on delinquent interest fees under certain circumstances however the Town Attorney said that they could not do that except (after investigation/review) it is found that the error in interest is a clerical one made by department staff.

Mr. Spencer said that those with high delinquent interest should not get a free pass as there are those customers who pay current all the time and get nothing for it.

- **Fire Hydrant Fees**

Mr. Nickerson said that Ms. Russell wanted to discuss this item.

Ms. Russell said that in 1999 the Town paid \$74,708 in hydrant fees and that in 2000 it paid \$12,000 and that it stayed at \$12,000 until FY 2012 when they had 10% increases each year. They are just about at \$20,000/year now.

Mr. Bragaw corrected that amount saying that they are at \$33,000 now

Ms. Russell said that in 1999 there were 700 to 724 hydrants in Town so it was just about \$150 per hydrant then – so now they are losing money.

Mr. Nickerson said that the Commission voted on that at the time.

Ms. Russell said that they cannot afford it anymore.

Mr. Nickerson asked Ms. Russell where they would get the additional amount that she wants to charge per hydrant and how she proposed to do it. He asked with all the research she had done – where is the research to show where the money is going to come from.

Mr. DiGiovanna said that they would have to raise taxes to all of the taxpayers to get the additional money.

Mr. Bragaw explained that for instance - Groton Utilities is a separate organization – but here if you raise the hydrant fees by \$50,000 the Town does not have the money either and it would mean laying off an employee to get it.

Mr. Nickerson asked again – where is the money going to come from. He said that they will give 10% more this year than last year so it is getting increased – they can't just give a large lump sum.

Mr. Spencer said that he thinks that they have debated this forever – so if they look at Water & Sewer and the offices – we don't pay the Town for that or the trucks, pay loader, etc that are used for breaks and other work. We also use Public Works staff – so they could go back and forth on this forever. The decision was made some 20 years ago and they have been working on it.

Mr. DiGiovanna said that he thinks that they are taking a good gradual approach to it.

Mr. Nickerson and Mr. Bragaw said that it has gone up and they are making progress. They also noted that the engineer salary that was 40% paid by Water & sewer is now completely on the Town side. Everything has to be done incrementally.

Ms. Russell said that she wants Montville and Waterford to pay on the hydrants they have there with the interconnection.

Mr. Bragaw said that the businesses there are paying for private hydrants and that is part of the agreement.

Mr. Nickerson said that he would speak with the Mayor of Montville and that the 10% will stand this year and in successive years.

8. Water Project Updates

o Well 1A and 6 treatment Plant Modifications and Upgrades

Mr. Kargl noted that he had included the schedule in their packets and that the project is moving along.

9. Correspondence Log

There were no comments.

10. Chairman's Report

Mr. Nickerson thanked staff for all their work.

Mr. Murphy asked about an update on the Old Lyme project.

Mr. Nickerson said that nothing has been done since the last time that they met. It was suggested to Old Lyme that they have their Attorney do a draft as it is not for us to have to pay for it.

11. Staff Updates

a. Water Department Monthly Report

Mr. Murphy asked for extra information to be added to the report – specifically on what we shipped to New London over the year in the form of a running total.

Mr. Kargl said that he has that information and that he would try to fit it into the report.

b. Sewer Department Monthly Report

Mr. Bragaw reported that they had a good break through with Point O Woods in Old Lyme regarding the chemicals required to treat the odors that were being passed through our Town. They are treating as they should be.

Mr. Murphy asked how much of a drop off there is during the off season

Mr. Kargl said that it is 40,000 – 50,000 per day in the summer and in the off season it drops to from 6,700 – 12,000 per day.

Mr. Spencer asked if we could quantify our sewage outflow to Waterford.

Mr. Bragaw said that Waterford does it for us and our system kicks in the chemicals as necessary.

12. Future Agenda Items

Mr. Nickerson said that the new radio meter program would be on the next agenda(s).

13. ADJOURNMENT

Mr. Nickerson called for a motion to adjourn.

****MOTION (3)**

Mr. Murphy moved to adjourn the January 31, 2017 Special Meeting of the East Lyme Water & Sewer Commission at 8:30 PM.

Mr. DiGiovanna seconded the motion.

Vote: 5 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary