

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 26th, 2019
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, February 26, 2019 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Acting Chairman Seery called the Regular Meeting to order at 7:00 PM.

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

ALSO PRESENT: Joe Bragaw, Public Works Director
Brad Kargl, Municipal Utility Engineer
Anna Johnson, Finance Director

FILED

Mar 5 20 19 AT 10:50 AM/PM
Carla Wilhelm
EAST LYME TOWN CLERK

ABSENT: Mark Nickerson, Chairman, Dave Zoller

1. Call to Order / Pledge of Allegiance

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 – December 11, 2018**

Mr. Seery called for a motion or any discussion or corrections to the Regular Meeting Minutes of December 11, 2018.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of December 11, 2018 as presented.

Mr. Murphy seconded the motion.

Vote: 7 – 0 – 1. Motion passed.

Abstained: Mr. Bond

▪ **Special Meeting Minutes – December 14, 2018**

Mr. Seery called for a motion or any discussion or corrections to the Special Meeting Minutes of December 14, 2018.

****MOTION (2)**

Mr. DiGiovanna moved to approve the Special Meeting Minutes of December 14, 2018 as presented.

Mr. Murphy seconded the motion.

Vote: 6 – 0 – 2. Motion passed.

Abstained: Mr. Bond, Mr. Spencer

▪ **Public Hearing Meeting Minutes – January 8, 2019**

Mr. Seery called for a motion or any discussion or corrections to the Public Hearing Minutes of January 8, 2019.

****MOTION (3)**

Mr. DiGiovanna moved to approve the Public Hearing Minutes of January 8, 2019 as presented.

Mr. Murphy seconded the motion.

Vote: 7 – 0 – 1. Motion passed.
Abstained: Mr. Bond

▪ **Special Meeting Minutes – January 8, 2019**

Mr. Seery called for a motion or any discussion or corrections to the Special Meeting Minutes of January 8, 2019.

****MOTION (4)**

Mr. DiGiovanna moved to approve the Special Meeting Minutes of January 8, 2019 as presented.
Mr. Murphy seconded the motion.
Vote: 6 – 0 – 2. Motion passed.
Abstained: Mr. Bond, Mr. Seery

▪ **Special Meeting Minutes – January 14, 2019**

Mr. Seery called for a motion or any discussion or corrections to the Special Meeting Minutes of January 14, 2019.

Ms. Russell asked that the sentence at the top of Page 2 where she is speaking be clarified to read: *'In response to comments from Shipman Goodwin Ms. Russell suggested perhaps we should state the source or our authority to issue this regulation by incorporating the statutory reference in the ordinance which designated us as the Water Pollution Control Authority for the Town.'* (Submitted – attached)

****MOTION (5)**

Mr. DiGiovanna moved to approve the Special Meeting Minutes of January 14, 2019 as amended.
Mr. Murphy seconded the motion.
Vote: 7 – 0 – 1. Motion passed.
Abstained: Mr. Seery

3. Delegations

Mr. Seery called for delegations.
There were no delegations.

4. Billing Adjustments

Mr. Kargl noted that 17 Stone Cliff Drive was done in accordance with the '1 in 10' policy.

♦ **185 Main Street – Norton's Auto & Marine**

Mr. Kargl explained that this goes back quite a few years to 2012 and that there was a previous billing adjustment already done here but Mrs. Norton wanted more of an adjustment done so she requested coming before the Commission this evening to see a further adjustment. This usage was due to a leak in the water service line under a concrete slab. The sewer portion of the bill was adjusted downward but the water portion was not adjusted as the '1 in 10' applies to residential properties and this is a commercial property. At that time Mrs. Norton paid \$700 towards the balance. He noted that he did perform an additional calculation on the water side for them to review as well as removing some \$376 in delinquent interest. He said that Mrs. Norton was present this evening to address them.

Kathleen Norton, Norton's Auto & Marine said that this has been going on for over seven (7) years not and with the death of her husband she wants to clear it up so that she can turn over this property to her son in-law clear. She wants the amount further reduced.

Mr. DiGiovanna asked why the water part wasn't adjusted before and if it was due to the nature of the property.

Mr. Kargl said that they look at them on a case by case basis and that is especially so when it is a commercial property as it does not fit in based on the '1 in 10' policy. The balance with the interest excused and a further adjustment would reduce the \$2,220.55 to \$618.15.

Mr. Bond asked what our cost is for 671,000 gallons of water as he feels that they should certainly be paid for what it costs to produce it and get it to the customer.

Mr. Mingo asked whose responsibility is it here.

Mr. Kargl said that it is ours only up to the curb stop.

Mr. Jacques said that there was \$700 paid in 2012 and then nothing else has happened to that balance since then. He asked about the delinquent charge on the outstanding balance.

Mr. Kargl said that it is \$376 and that he has wiped it out.

Ms. Russell asked if there was any further formal request for a further reduction back in 2012 after the adjustment was made.

Mr. Kargl said no.

****MOTION (6)**

Mr. Spencer moved to additionally reduce the May 2012 billing by \$1,226.40 plus removal of the delinquent interest for a final total amount due of \$618.15.

Mr. DiGiovanna seconded the motion.

Mr. Jacques asked about all the interest accrued.

Mr. Kargl said that it is not all the interest that would have accrued until now as he stopped adding on the interest at an earlier time.

Vote: 8 – 0 – 0. Motion passed.

♦ **15 Freedom Way, Unit 84**

Mr. Kargl said that things here seem to be working well and that the meter also appears to be functioning properly. They also changed out a toilet flapper as the chain was broken. The owner claims that someone could have used his water for power washing of the outside of the buildings.

Mr. Jacques asked if the timing of the high readings could be researched through the property management company on when the pressure washing might have been done at that site.

Mr. Seery suggested that Mr. Kargl do more research on this item.

Mr. DiGiovanna asked if it is worth testing the meter as it looks like it is working fine.

Mr. Kargl said that it appears to be functioning properly.

Mr. Mingo said that if the broken chain was stuck under the flapper valve that it would be very possible that much water would have been used. 2.64 gallons per minute or 3,802 gallons per day would go down the drain just with this issue.

Mr. Kargl said that they have stopped accruing interest at this time. They also offered the owner the adjustment calculation of \$1,157.22 but he has declined and is here this evening seeking more.

Sridhar Nissankararao, Owner said that when they saw the broken chain that they fixed the assembly immediately. He said that he was told by others in the area that the buildings had been power washed.

Mr. Seery said that Mr. Kargl will do more research.

♦ **11 East Pattagansett**

Mr. Kargl said that this is Castello's – a commercial establishment. He noted that the adjustment did not rise to warrant meeting the parameters of the adjustment policy and that he spoke with Mr. Martone and informed him that it was unlikely that he would get it based on the adjustment calculation.

****MOTION (7)**

Mr. DiGiovanna moved to reduce the bill in question per the '1 in 10' to \$1,286.52.

No second. Motion failed.

5. Approval of Bills – January & February 2019

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

****MOTION (8)**

Mr. DiGiovanna moved to approve payment of the following Water Main Improvement bills: East Lyme Police Dept. Invoice #'s 661, 660, 654 & 652 in the amount of \$1,395.66.

Mr. Murphy seconded the motion.
Vote: 8 - 0 - 0. Motion passed.

Mr. Seery called for a motion on the Rte. 156 Sewer Manhole Adjustments bills.

****MOTION (9)**

Mr. DiGiovanna moved to approve payment of the following Rte. 156 Sewer Manhole Adjustments bills: East Lyme Police Dept. Invoice #'s 649 (partial), 668 & 669 in the amount of \$4,229.20 and Prime Electric Inv. #32834 in the amount of \$36,170.80.

Mr. Murphy seconded the motion.

Mr. Spencer asked if Prime Electric did the work.

Mr. Kargl said yes and noted that this all fell within the approved amount.

Mr. Bond said that they did an excellent job.

Vote: 8 - 0 - 0. Motion passed.

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

****MOTION (10)**

Mr. DiGiovanna moved to approve payment of the following Booster Station Upgrade bill: Hungerfords Inc., Inv. #84706 in the amount of \$20,925.00.

Mr. Murphy seconded the motion.

Vote: 8 - 0 - 0. Motion passed.

Mr. Seery called for a motion on the Pattagansett Bridge Water Main Relocation bill.

****MOTION (11)**

Mr. DiGiovanna moved to approve payment of the following Pattagansett Bridge Water Main Relocation bill: Lenard Engineering, Invoice #68039 in the amount of \$200.00.

Mr. Spencer seconded the motion.

Vote: 8 - 0 - 0. Motion passed.

6. Finance Director Report

Ms. Johnson noted that they had her report in their packets. The cash balances are basically the same now as they were in the previous year. The largest expenses are chemicals and electricity.

Mr. Murphy asked Ms. Johnson for a bond update for the next meeting.

7. Niantic Pump Station – Update from Weston & Sampson regarding pump installation and possible action to authorize a vibration analysis

Mr. Kargl said that Christopher Webster PE was here from Weston & Sampson to provide them with information on the on-going issue with the Pump 3 vibration that continues.

Mr. Webster said that they are perplexed by the vibration that still continues. He said that they did modifications but nothing changed and there are still quirky things happening with the vibration where bolts come loose and have to be re-tightened. They have had it tested and the vibration meets the allowable standards but they can't seem to get rid of it. He said that on the outside that he called someone that he has known for years that has had experience with vibrations and asked them about it and of all coincidences they were aware of the Niantic Pump Station and this issue. He said that the pump manufacturer tested it and said that it is fine. He suggested that they bring in an acoustics engineer who specializes in this to see if he concurs with the manufacturer or disputes it as it could be an inlet hydraulics issue (piping) and a vibration consultant could provide them with this information. Another issue could be that the building structure has a harmonic resonance issue. He said that he spoke with a specialist from Massachusetts that he knows about coming to do an initial assessment. He was told that the fee to do for one (1) day would be up to \$5000. He said that he does not have the leeway to be able to cover it so he is asking them if they would be interested in having it done and would be willing to cover the cost.

Mr. Spencer asked if it is only the one pump #3.
Mr. Webster said that he thinks that it is both of them.
Mr. Kargl concurred that they are at a dead end now and that they need to do something.

Mr. Spencer said that he knows another consultant who can do the same thing and he is a local guy and they might want to talk with him also. He said that he would provide them with his name.
Mr. Jacques said that \$5000 for one person for one day is a very high number to pay and they should look into others.
Mr. Kargl said that they could perhaps start with someone like Prime Electric –
Mr. Spencer said that they could see if they could bypass the VFD.
Mr. Jacques said that they should also involve the pump manufacturer.

****MOTION (12)**

Mr. Murphy moved to authorize up to \$5000 from the Sewer Benefit Assessment Fund for a vibration study to be performed at the Niantic Pump Station.
Mr. DiGiovanna seconded the motion.
Vote: 8 – 0 – 0. Motion passed.

8. Water and Sewer Operating Budget Status Reports

Mr. Bragaw said that next month will mark nine (9) months of the year and that he would propose that they go over the budgets next month so that they would not have to also hold a Special Meeting in April to do it.

9. Water Project Updates

▪ **Well 1A and 6 Treatment Plant Project**

Mr. Kargl reported that the Attorney is reviewing the specs so that it can go out to bid sometime in March.

▪ **Orchards Booster Station – Discussion and possible action to authorize purchase of a new pump**

Mr. Kargl said that they still need another pump here and that he is asking them to authorize approval for the second pump. He said that they have around \$25,000 and he has estimated the cost at \$24,205.

****MOTION (13)**

Mr. DiGiovanna moved to authorize up to \$24,205 from the Water Construction Account for the installation of a new pump at the Orchards Booster Station.
Ms. Russell seconded the motion.
Vote: 8 – 0 – 0. Motion passed.

Mr. Kargl said that he would like it to run reliably for whatever it is needed for during the summer and whatever else is necessary and that this will be a great help.

▪ **Meter Replacement Project – Discussion and possible action to recommend project approval by the Board of Selectmen**

Mr. Bragaw reviewed the sheet that he had provided on the Meter Replacement Project and said that the bid package was ready to go. He noted that the DPH recommended putting it out to bid on March 11. It was also noted that they do not have to select the lowest bid.

Mr. Kargl noted that the meters would not have any moving parts.

Mr. Bragaw said that they should also pretty much eliminate the '1 in 10' situation.

****MOTION (14)**

Mr. Murphy moved to go out to bid for the Meter Replacement Project.
Mr. DiGiovanna seconded the motion.
Mr. Jacques asked how many bids they anticipated receiving.
Mr. Bragaw and Mr. Kargl said that it would probably be around six (6).
Vote: 8 – 0 – 0. Motion passed.

10. Correspondence Log

There were no comments.

11. Chairman's Report

Mr. Seery reported that as they knew, the new Public Safety Facility had been approved at referendum. He thanked Mr. Murphy for all of his efforts on behalf of the project. He also thanked many others who spent countless hours researching and amassing information for public presentation. He also noted that Landmark has appealed their Regulation regarding Capacity.

12. Executive Session – Assistant Utility Engineer Offer

****MOTION (15)**

Mr. DiGiovanna moved to enter Executive Session for the purpose of the Assistant Utility Engineer Offer at 8:35 PM inviting Mr. Bragaw and Mr. Kargl to join them.

Mr. Spencer seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

****MOTION (16)**

Mr. DiGiovanna moved to return to Regular Session at 8:47 PM with no action taken in Executive Session.

Mr. Murphy seconded the motion.

Vote: 8 – 0 – 0.

13. Staff Updates

a. Water Department Monthly Report

Mr. Murphy noted that there was a major blow-up of some water lines that took place over night and was a rather expensive issue. He asked if they have reviewed and discussed this incident in order to have a better idea of the lessons they learned from it.

Mr. Bragaw said that they have weekly meetings and discussed that sometimes they have to take a step back and work together on how to react and what to do – someone has to be in charge of the process. He also noted that he has Tuesday morning weekly meetings with the Public Works staff.

Mr. Kargl said that the second break actually caused all the havoc as shutting off the main valve without thinking was what should not have been done. They should have been able to find the leak easier with common sense – there have been a lot of lessons learned here for everyone.

b. Sewer Department Monthly Report

Ms. Russell commented that the sewer monthly report for January went up.

Mr. Bragaw and Mr. Kargl said that it was likely due to the rain and inflow and infiltration.

Ms. Russell asked about the Costco request for sewer capacity.

Mr. Kargl said that they cannot move forward due to the appeal of the regulation.

14. Future Agenda Items

No comments.

15. ADJOURNMENT

Mr. Seery called for a motion to adjourn.

****MOTION (17)**

Mr. DiGiovanna moved to adjourn this Regular Meeting of the East Lyme Water & Sewer Commission at 8:48 PM.

Mr. Murphy seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,

Recording Secretary

Re: Special Meeting Minutes / Jan. 14, 2019

Please clarify the sentence at the top of page 2 as follows:

In response to comments from Shipman & Goodwin, ^{Ms Russell suggested} perhaps we should state the source of our authority to issue this regulation by incorporating the statutory reference in the ordinance which designated us as the Water Pollution Control Authority for the Town.

Submitted by C. Russell

Attachment - W&S 2/26/19