

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
TUESDAY, SEPTEMBER 24, 2019
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, September 24, 2019 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson called the Regular Meeting to order at 7:18 PM immediately following the previously scheduled Public Hearing.

PRESENT: Mark Nickerson, Chairman, Dave Bond, Steve DiGiovanna,
Dave Jacques, Dave Murphy, Joe Mingo, Carol Russell, Roger
Spencer, Dave Zoller

ALSO PRESENT: Brad Kargl, Municipal Utility Engineer
Ben North, Municipal Utility Engineer
Attorney Mark Zamarka, Town Counsel
Ronald Penton, LaRosa Senior Project Manager/Applicant
Jeff Dewey, Engineer Applicant

ABSENT: No One

1. Call to Order / Pledge of Allegiance

Chairman Nickerson called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:18 PM immediately following the previously scheduled Public Hearing. The Pledge was previously observed. He asked that they add and 63 Edge Hill Road – 1 in 10 to Item 5 – Billing Adjustments on the agenda.

****MOTION (1)**

Mr. Murphy moved to add 63 Edge Hill Road – 1 in 10 to Item 5 – Billing Adjustments on the agenda.
Mr. DiGiovanna seconded the motion.
Vote: 9 – 0 – 0. Motion passed.

2. Approval of Minutes

▪ **Public Hearing Minutes – August 24, 2019**

Mr. Nickerson called for a motion on the Public Hearing minutes.

****MOTION (2)**

Mr. DiGiovanna moved to approve the Public Hearing Minutes of August 24, 2019 as presented.
Mr. Zoller seconded the motion.
Vote: 8 – 0 – 1. Motion passed.
Abstained: Mr. Bond

▪ **Regular Meeting Minutes – August 24, 2019**

Mr. Nickerson called for a motion or any discussion to the Regular Meeting Minutes of August 24, 2019.
Ms. Russell read and submitted 'clarifications' to where she was speaking on Page 2. (Attached)

****MOTION (3)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of August 24, 2019 with the submission.
Mr. Zoller seconded the motion.
Vote: 8 – 0 – 1. Motion passed.
Abstained: Mr. Bond

FILED

September 30, 2019 AT 10:02 AM PM
Bruce Heron ATC
EAST LYME TOWN CLERK

3. Delegations

Mr. Nickerson called for delegations.

There were none.

4. Consider Allocation of Sewer Capacity for Rocky Neck Village

Mr. Mingo asked if they should discuss available sewer capacity.

Mr. Nickerson said that he is of the opinion that even if it is the last 25,000gpd – that this applicant has to get it as the court has ordered that this project is to go forward.

Attorney Zarrarke noted to Mr. Mingo that they should leave agenda item #7 (Discussion on available sewer capacity) where it is and they should follow the regulation.

Mr. Kargl passed out the spreadsheet that he had used for the calculation this evening noting that the allocations and the remaining capacity with the 25,200gpd considered would be 117,669.

****MOTION (4)**

Mr. Mingo moved to grant the applicant Rocky Neck Village the 25,200 gpd sewer capacity that they have requested contingent upon proof of ownership or proof of authority to develop the property within 30 days.

Mr. Murphy seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

5. Billing Adjustments

▪ 63 Edge Hill Road – 1 in 10

Mr. Kargl explained that this adjustment is for \$65.85 which does not suit the parameters of the policy as it would need to be \$75 or more of an adjustment. This was due to a leaking toilet with the water going into the sewer. He noted that with the recent readings that the toilet has been fixed and everything is normalized. The owner is present.

****MOTION (5)**

Mr. Bond moved to adjust this as a 1 in 10 in the amount of \$65.85 even though it does not meet the parameters.

Mr. Zoller seconded the motion.

Ms. Russell asked the owner if he understands that this is his one shot in 10 years for this adjustment. He said that he did.

Mr. Nickerson called for a vote on the motion.

Vote: 7 – 2 – 0. Motion passed.

Against: Mr. Mingo, Mr. Spencer

▪ 15 Freedom Way – Unit #84

Mr. Kargl synopsised this case that they had discussed earlier in the year. He noted that the owner was supposed to be present this evening. The association said that there was no power washing during that time indicating that his water was not used.

Mr. DiGiovanna said that he thinks that we have done all that we can and the customer has not even filed a request so if he does not show up then this is done.

6. Approval of Bills

There were none.

7. Review and Discussion of Available Sewer Capacity Calculations

Mr. Mingo asked that they discuss this at their next meeting as it was not in their packets and they did not have the time to review it.

Mr. Kargl gave a brief synopsis of his compilation that includes the August data. He said that if the years were averaged that they would come up with 369,000 so he feels that they are on track with the 380,000.

The high amount of rainfall might be the factor that affects it.

Mr. Mingo said that he is of the opinion that we would not run out as the State has a lot of unused capacity that technically belongs to the people.

Mr. DiGiovanna asked if they would at least agree on the 380,000 as a starting point number. Attorney Zamarka suggested that perhaps they could settle upon how long the 'look-back' period would be instead.

Mr. North said that he would work on what 'ticket-holders' we have and the build out for some more accurate figures. Note was made that water also needs to be considered.

8. Tri-Town Sewer Agreement

Mr. Kargl noted that the agreements were included in their packets.

Attorney Zamarka noted that they have agreements with Waterford and New London and also an agreement with Waterford. They are 30-year agreements that come up for 2021. They are trying to set up some preliminary discussion on this which is the stage that they are at now.

9. Finance Director Report

Mr. Nickerson noted that Ms. Johnson had provided the report which was in their packets.

10. Preliminary Discussion on Water and Sewer Rates

Mr. Kargl noted that they had information from Mr. Bragaw indicating that they were pretty much on track with the water and sewer budget rate increases as he had presented in April - 2% increase on the water side and 2.5% increase on the sewer side.

~~He noted that he would set up the Public Hearing for their October meeting on these proposed rate increases.~~

11. Water Project Updates

▪ Meter Replacement Project

Mr. North noted that the DPH has issued contracts as well as the loan agreement from the State. January – July 2020 is the roll out and installation of the new meters. The cell tower at Darrows Ridge was the setback and that now looks to be on track.

▪ Well 1A and 6 Treatment Plan Modifications and Upgrades – Schedule for re-bid

Mr. Kargl reported that the DPH had approved the revised project and that the objective is to get going by early 2020.

12. Correspondence Log

Mr. Kargl noted that there was fluoridation information from Ms. Russell in it.

13. Chairman's Report

Mr. Nickerson reported that they are paving the second portion of Saunders Point; Costco will be opening November 14, 2019 and the 120 units up the hill at the Sound will be starting soon. He noted that they are the No. 1 taxpayer in the Town. He also reported that Parks & Rec has had the most successful summer ever and they will be changing the HVAC unit in this building very soon.

Mr. Mingo said that he would like to see some grant money to test for another well site.

14. Staff Updates

a. Water Department Monthly Report

There were no comments.

b. Sewer Department Monthly Report

Ms. Russell noted that the flow at the prisons was up a bit.

Mr. Nickerson noted that there is a large construction project going on there and that is probably contributing to it.

15. Future Agenda Items

No discussion.

16. ADJOURNMENT

Mr. Nickerson called for a motion to adjourn.

****MOTION (6)**

Mr. DiGiovanna moved to adjourn this Regular Meeting of the East Lyme Water & Sewer Commission at 8:56 PM.

Mr. Bond seconded the motion.

Vote: 9 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

Clarifications

Proposed Corrections to Water & Sewer Regular Meeting Minutes August 27, 2019

Please amend Page 2 Item 4 Second Paragraph as follows:

Ms. Russell discussed her analysis of the annual averages of remaining flow capacity for the period 2012 thru July 2019. She expressed concern that using the 2012 thru 2018 average of 380,000 gpd as the starting point (before deducting for known future capacity obligations) may be too high a starting figure.

Also, please amend Page 2 **MOTION (3) fourth paragraph as follows:

Discussion / recission

Ms. Russell said that while a ticketholder is allowed capacity, the amount to be granted is not unlimited and the Commission needs to weigh the request based on an analysis of remaining capacity.

Submitted by C. Russell 9/24/19

**East Lyme Sewer Department
Sewer Capacity Allocations
Sep-19**

Average Month East Lyme Allocation Remaining (7 years)									380,000
									(gallons)
A	Applicant/Development	Date of Request	Type of Use	Additional Project Description	Date of Public Hearing	Status	Methodology Used to Determine Capacity	Sewer Capacity Requested (gallons)	Sewer Capacity Allocated or Need Anticipated (gallons)
	1 Landmark Dev. Group		Residential	Apartments				0	118,400
	2 Costco		Commercial	Retail				0	7,650
	3 Gateway Phase II		Residential	Apartments				0	18,681
	4 Pazz & Construction		Residential	Multi-family				0	35,400
	5 Rocky Neck Village		Residential	Multi-family				25,200	
	Subtotal							25,200	180,131
B	Prior Approved Projects Under Construction (>5,000 gpd)								
	1 Village Crossing		Residential	Condominiums				0	14,400
	2 Orchards Subdivision		Residential	Single Family				0	42,600
									0
									0
	Subtotal							0	57,000
C	Other (>5,000 gpd)								
	Subtotal							0	0
							Total	25,200	237,131
							Balance Remaining		142,869
							Balance Remaining with A5		117,669



Remaining buildouts

Attachment Submitted by B. Kaul

9/24/19