

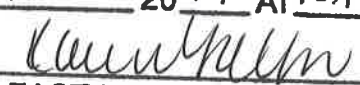
**EAST LYME WATER & SEWER COMMISSION  
REGULAR MEETING  
TUESDAY, OCTOBER 22, 2019  
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, October 22, 2019 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Acting Chairman Seery called the Regular Meeting to order at 6:45 PM immediately following the previously scheduled Public Hearings.

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

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

FILED

Oct 29 2019 AT 10:14 AM/PM  
  
EAST LYME TOWN CLERK

**ABSENT:** Mark Nickerson, Chairman, Joe Mingo

**1. Call to Order / Pledge of Allegiance**

Acting Chairman Seery called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 6:45 PM immediately following the previously scheduled Public Hearings. The Pledge was previously observed.

He asked that they add 'Sewer Benefit Assessment Transfer' to Item 8 – Approval of Bills on the agenda.

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

Mr. Murphy moved to add 'Sewer Benefit Assessment Transfer' to Item 8 – Approval of Bills on the agenda.

Ms. Russell seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

**2. Approval of Minutes**

- Public Hearing Minutes – September 24, 2019

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

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

Mr. Zoller moved to approve the Public Hearing Minutes of September 24, 2019 as presented.

Mr. Murphy seconded the motion.

Vote: 6 – 0 – 1. Motion passed.

Abstained: Mr. Seery

- Regular Meeting Minutes – September 24, 2019

Mr. Seery called for a motion or any discussion to the Regular Meeting Minutes of September 24, 2019.

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

Mr. Zoller moved to approve the Regular Meeting Minutes of September 24, 2019 as presented.

Mr. Murphy seconded the motion.

Vote: 6 – 0 – 1. Motion passed.

Abstained: Mr. Seery

**3. Delegations**

Mr. Seery called for delegations.

Nicholas Stimac, 10 South Ridge Rd., said that he was fairly new to the neighborhood and Town and that they have been dealing with a water purity problem. He presented pictures to the Commissioners showing the water when the hydrants were flushed; rust in the toilets, etc. He said that they had Niantic Plumbing put in a filter system but it does not seem to be working. They are concerned with the rust and would like them to expedite the process with the work on the well.

#### **4. Consider Adoption of Proposed Sewer Rates**

Mr. Bragaw noted that the proposed rates went up by 2.5%.

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

**Mr. Murphy moved to adopt the Sewer Rates as proposed,**

**Mr. Zoller seconded the motion.**

**Vote: 7 – 0 – 0. Motion passed.**

(Note: Mr. DiGiovanna joined the meeting and was seated.)

#### **5. Consider Adoption of Proposed Water Rates**

Mr. Bragaw noted that the proposed rates went up by 2%.

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

**Mr. Murphy moved to adopt the Sewer Rates as proposed,**

**Mr. Jacques seconded the motion.**

**Vote: 7 – 0 – 1. Motion passed.**

**Abstained: Mr. DiGiovanna**

#### **6. Ladies Aid Society, Pine Grove – Request for Sewer Assessment Adjustment**

Mr. Kargl noted that this would be tabled until their meeting in December as more information is being obtained.

#### **7. Billing Adjustments**

##### **▪ 15 Freedom Way – Unit #84**

Mr. Kargl explained that this was previously discussed in February where they offered some relief in line with the '1 in 10' policy. The owner was not present at that meeting but is present this evening. However, Mr. Nissankararao (owner) is looking for a much larger adjustment as there is no leak in his mind so he is back this evening. He recapped that the owner claimed that a power washing company may have used his faucet to power wash the condominiums however research with the management company indicated that during that time frame no power washing was done so they are back reviewing this.

Mr. Nissankararao said that he also did not have a toilet issue and that he really could not explain what happened but he wants more relief than what they are offering.

Mr. Jacques asked what they were offering.

Mr. Kargl said that they offered \$1100 and that they would also remove the interest during the point of contention.

Mr. Bond asked if they have been paying the regular bills since then.

Mr. DiGiovanna said that he would be willing to consider the 1 in 10 amount and the interest and penalty amounts since the point of contention.

Mr. Nissankararao said that he cannot consider that amount and that he wants more consideration.

Mr. Kargl said that if they want him to look at some hard numbers that he could look into the sewer numbers for the next meeting.

#### **8. Approval of Bills**

Mr. Seery called for a motion on the Well 1A/6 Treatment bills.

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

Mr. DiGiovanna moved to approve the following Well 1A/6 Treatment Project bills: Tighe & Bond Inv. #071997141 in the amount of \$22,353.13; Tighe & Bond Inv. #081997043 in the amount of \$443.01 and Tighe & Bond Inv. #091997682 in the amount of \$8,821.10.

Mr. Zoller seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

▪ **Consider Sewer Benefit Assessment Transfer**

Mr. Bragaw explained that this \$100,000 is necessary due to the bill that they need to pay the City of New London. This is billing that they pay a couple of times each year.

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

Mr. Murphy moved to transfer up to \$100,000 from Fund 3 - the Sewer Benefit Assessment Fund to Fund 6 – the Sewer Operating Fund for payment to the City of New London for treatment costs and subsequent reimbursement of said amount to the Sewer Assessment Fund following receipt of payments from the November 2019 Sewer Use billing.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 -0. Motion passed.

**9. Finance Director Report**

Ms. Johnson reviewed her report noting that funds would be replenished with the proceeds from the current billing coming in.

There were no questions.

**10. 91 East Pattagansett Road Sewer Connection**

Mr. Kargl explained that the house that is currently tied to sewers has a free split making two lots. The proposal is to install a two-family behind the existing house. He is bringing this before the Commission as they would be sharing laterals which is not typically allowed. He noted that he has provided the specifications that would be necessary in order to approve this as the regulations do not allow shared laterals.

Ms. Russell asked if it would be reasonable to ask the property owner to carry some insurance in case a problem occurs.

Mr. Bond said that the way this would work is that it is on their property and once inspected they own it and would have to maintain it.

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

Mr. Murphy moved to approve a sewer connection for a two-family residential building on Lot #2 to an existing sewer lateral for 91 East Pattagansett Road (Lot #1) as shown on the plan entitled, "Improvement Location Survey/Lot Split, Property of David J. Pazzaglia, dated 10/17/19, prepared by Robert J. Pfanner & Associates, PC Civil engineers & Land Surveyors with the following conditions:

1. The applicant's engineer must certify that the existing 6-inch sewer lateral has sufficient carrying capacity for the sewer flow from both residential buildings located on Lot #1 & Lot #2.
2. A utility easement over Lot #1 is to be granted in favor of Lot #2 for the connection, maintenance and repair of the building sewer serving Lot #2.
3. A sewer manhole must be constructed as shown on the referenced plan to accommodate the connection of two separate building sewers from which the sewer flows can be monitored and the sewer lines accessed for cleaning.
4. Each building must be served by its own building sewer to the point where they connect to the sewer manhole.
5. Both parties must agree to a shared responsibility for the future maintenance of the sewer manhole.
6. The existing well on Lot #1 must be properly abandoned by a licensed well driller/contractor.
7. The applicants engineer will need to provide invert elevations of the proposed building sewer and manhole connections.

**8. Upon connection to the sewer system, a sewer assessment will be levied on Lot #2 in an amount consistent with the Sewer Assessment Resolution adopted in 1991.**

**Mr. DiGiovanna seconded the motion.**

**Vote: 8 – 0 – 0. Motion passed.**

**11. Continued Review and Discussion of Available Sewer Capacity Calculations**

Mr. North explained the mapping that he had done for this noting that he had used the Fuss & O'Neill 2014 mapping as a reference point.

He presented a draft for further discussion at a later time.

**12. Test Wells for Potential Replacement of Well 5**

Mr. Kargl explained that they need to prepare for things to come and that they would be looking to put in a replacement well within a 200' radius of the current well. He said that they would like to do some test wells in that area. He noted the saturated thickness that would be necessary for a well and that it would be found within the 200' radius. He said that he would speak on some proposals from SB Church on this item.

Mr. Jacques asked how costly it would be to do test wells in that area.

Mr. Kargl said that four test wells would cost approximately \$35,000.

**13. Water Project Updates**

**▪ Meter Replacement Project**

Mr. North reported that the agreement would be signed in November and the meters radios and wires would be delivered in December.

**▪ Well 1A and 6 Treatment Plan Modifications and Upgrades**

Mr. Kargl reported that the project is out to bid with an OCTOBER 24 NON-MANDATORY BID MEETING. The bid opening is November 14, 2019 and they are hoping for a contract award by mid-winter to early spring.

Mr. Kargl noted that they would be flushing South Ridge Road this week and that the Well 1A project would help this area.

Mr. Bond asked if Tighe & Bond is charging us again for this re-bid.

Mr. Kargl said yes.

Mr. Bond noted that it seems that they do this all the time – they provide fictitious numbers upfront and then charge us again to re-bid and it costs us more – he suggested that they need verbiage to eliminate this from happening again.

**14. Correspondence Log**

There were no comments.

**15. Chairman's Report**

Mr. Seery reported that November 11 – 25 Boston Post road between Lover's Lane would be closed as the DOT would be working there. Also, November 14, 2019 is the Costco opening.

**16. Staff Updates**

**a. Water Department Monthly Report**

Mr. Murphy asked if they have 10% more to draw back from New London.

Mr. Kargl said that based on the figures, yes – but based on the budget – no.

**b. Sewer Department Monthly Report**

Ms. Russell noted that the September precipitation was much lower.

Mr. Kargl noted that is a huge factor that they try to average in. He suggested that they try to modify the diversion permit.

**17. Future Agenda Items**

No discussion.

**18. ADJOURNMENT**

Mr. Seery called for a motion to adjourn.

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

**Mr. Zoller moved to adjourn this Regular Meeting of the East Lyme Water & Sewer Commission at 8:07 PM.**

**Mr. DiGiovanna seconded the motion.**

**Vote: 8 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

**TOWN OF EAST LYME  
WATER AND SEWER COMMISSION  
NOTICE OF PROPOSED SEWER RATES**

NOTICE IS HEREBY GIVEN of a public hearing to be held by the East Lyme Water and Sewer Commission at the East Lyme Town Hall on Tuesday October 22, 2019 at 6:30 PM to consider proposed revisions to the rates and charges for connection to and the use of the East Lyme sewerage system. The proposed sewer rates and charges are as follows;

**SCHEDULE I – RATES FOR USAGE** based on meter readings at six-month intervals.

	<u>Rate</u>
Up to 2,500,000 gallons per six-month period	<b>\$8.10/1,000 gallons</b>
2,500,000 gallons and over per six-month period	<b>\$8.80/1,000 gallons</b>
Unmetered, per six 6-month period	<b>\$213.20</b>

**SCHEDULE II – MISCELLANEOUS SEWER CHARGES**

Application for Connection Permit	
Class 'A'- Residential	\$105.00
Class 'B'- Multi Family and Commercial	\$210.00
Class 'C'- Industrial	\$525.00
Demolition/Disconnect-Any Class	\$55.00
Sale of Stocked Material	Cost, incl. shipping, plus 12% admin fee
Inspection Services	
During Normal Working Hours	<b>\$75.00/hour</b>
After Normal Working Hours	<b>\$112.00/hour</b>

These proposed rates and charges would become effective on November 1, 2019 if approved. Rates for usage shall be payable at six-month intervals. All other rates shall be payable at the time services are rendered.

The owners of properties against which the proposed rates and charges are to be levied and other interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut on this 7th day of October 2019

EAST LYME WATER AND SEWER COMMISSION

Mark Nickerson, W&S Commission Chair

**TOWN OF EAST LYME  
WATER AND SEWER COMMISSION  
NOTICE OF PROPOSED WATER RATES**

NOTICE IS HEREBY GIVEN of a public hearing to be held by the East Lyme Water and Sewer Commission at the East Lyme Town Hall on Tuesday October 22, 2019 to consider proposed revisions to the rates and charges for connection to and the use of the East Lyme water system. The water rate public hearing will commence immediately after the conclusion of a public hearing to be held on said time and said place regarding the sewer rates. The proposed water rates and charges are as follows:

**SCHEDULE I – RATES FOR USAGE** based on meter readings at six-month intervals.

	<u>Rate</u>
<u>Minimum charge</u> per six-month period, for usage up to a maximum of 3,500 gallons per six-month period	<b>64.13</b>
<u>3,501 gallons</u> , to 40,000 gallons per six-month period	<b>\$4.72/1,000 gallons</b>
<u>3,501 gallons</u> , to 675,000 gallons per six-month period	<b>\$5.21/1,000 gallons</b>
<u>3,501 gallons</u> to 2,500,000 gallons per six-month period	<b>\$5.69/1,000 gallons</b>
<u>3,501 gallons</u> to over 2,500,000 gallons per six-month period	<b>\$6.86/1,000 gallons</b>

**SCHEDULE II – MISCELLANEOUS WATER CHARGES**

State Assessment Fee from CT DPH divided up equally over the year (\$1 per 6-month bill)	\$2.00/customer/year
Meter Service/Maintenance Fee divided up equally over the year (\$12.50 per 6-month bill)	\$25.00/customer/year
Application for Connection Permit	
Class 'A'- Residential	\$105.00
Class 'B'- Multi Family and Commercial	\$210.00
Class 'C'- Industrial	\$525.00
Demolition/Disconnect-Any Class	\$55.00
 ANNUAL PRIVATE HYDRANT CHARGE	 <b>\$215.00</b>
 ANNUAL FIRE SPRINKLER CHARGE	 <b>\$215.00</b>
 SALE OF WATER DEPT. STOCKED MATERIALS	 Cost, incl. shipping, plus 12% admin. fee

METER CHARGES (FLAT RATE)

Frozen Meter Repair (normal working hours)	<b>\$107.10</b>
Frozen Meter Repair (after normal working hours)	<b>\$165.75</b>
Install/Disconnect Meter (normal working hours)	<b>\$107.10</b>
Install/Disconnect Meter (after normal working hours)	<b>\$165.75</b>
All Meter Tests	\$80.00

INSPECTION SERVICES

During Normal Working Hours	<b>\$75.00/hour</b>
After Normal Working Hours	<b>\$112.00/hour</b>

TURN ON/SHUT OFF (FLAT RATE)

During Normal Dept. Working Hours (includes turn on & off and Charged at the time of the turn on)	\$80.00
After Normal Dept. Working Hours	\$125.00

CONNECTION CHARGES

All services	\$2,500.00 min (actual cost)
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These proposed rates and charges would become effective on November 1, 2019 if approved. Rates for usage shall be payable at six months intervals. All other rates shall be payable at the time services are rendered unless otherwise noted.

The owners of properties against which the proposed rates and charges are to be levied and other interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut on this 7<sup>th</sup> day of October, 2019

EAST LYME WATER AND SEWER COMMISSION

Mark Nickerson, W&S Commission Chair



## East Lyme Water and Sewer Commission

### Analysis of Proposed Sewer Rates

#### Six Month Billing Period

10/22/2019

#### **WITH CURRENT RATES**

	Use Category	Customer Usage *	Exist. Rates **	Total Bill ***
1	Low	10,000	\$7.90	\$79.00
2	Medium	40,000	\$7.90	\$316.00
3	High	150,000	\$7.90	\$1,185.00
4	Very High	1,000,000	\$7.90	\$7,900.00
5	Highest	2,600,000	\$8.59	\$22,334.00

#### **WITH PROPOSED RATES (2.5% INCREASE)**

	Use Category	Customer Usage *	Exist. Rates **	Total Bill ***	Diff from Current Rates
1	Low	10,000	\$8.10	\$81.00	\$2.00
2	Medium	40,000	\$8.10	\$324.00	\$8.00
3	High	150,000	\$8.10	\$1,215.00	\$30.00
4	Very High	1,000,000	\$8.10	\$8,100.00	\$200.00
5	Highest	2,600,000	\$8.80	\$22,880.00	\$546.00

\* Per billing period (approx 6 months)

\*\* Per 1000 gallons

\*\*\* Total bill over a 6 month period