

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING MINUTES
TUESDAY, MAY 26th, 2020
Via Zoom Meetings**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, May 26, 2020 by Zoom Meetings. Chairman Nickerson called the Regular Meeting to order at 7:03 PM.

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

ALSO PRESENT: Joe Bragaw, Public Works Director
Brad Kargl, Municipal Utility Engineer
Ben North, Municipal Utility Engineer
Anna Johnson, Finance Director
Kevin Seery, Ex-Officio, BOS

FILED

ABSENT: No One

June 1 2020 AT 10:15 AM/PM

EAST LYME TOWN CLERK

1. Call to Order / Pledge of Allegiance

Chairman Nickerson called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:03 PM via Zoom meetings. He noted those in attendance. The Pledge was observed.

2. Approval of Minutes

▪ **Regular Meeting Minutes – April 28, 2020**

Mr. Nickerson called for a motion or any discussion to the Regular Meeting Minutes of April 28, 2020.

Mr. Mingo said that he was in and out of the meeting and that he did not vote on any motions due to technical difficulties.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of April 28, 2020 as noted/ amended.

Mr. Murphy seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Mingo

3. Delegations

There were no delegations.

4. 231 Boston Post Road Sewer Assessments

Mr. Kargl said that he had put this on the agenda for them to be able to discuss if they wished. It dates back to at least 2011 to when sewers were put in by the contractor. These are condos and the assessment is \$9000+ with an opt-in to be paid over 15 year's time. What triggered it here was the failure of the septic system. They bought into this and are now looking for some reduction. They will have to put in a pump station gravity feed to the sewer lateral. This is a done deal and is a resolution that went through all the proper means and the ship has sailed on this. He said that he is not sure that there is anything that can be done – perhaps they can have the attorney look into any possibility of extending the payment time to more than 15 years.

Mr. Mingo read from a sewer use manual stating that everyone who uses the system must pay their share and that no one is exempt. This is not a tax and it is not considered tax exempt. (Could not hear the rest as Mr. Mingo kept fading in and out)

Mr. DiGiovanna said to Mr. Kargl that he thought that the language of the resolution is that they have to tie into the sewer if their system fails and that there is an option to fix or do a new tank.

Mr. Kargl said that if it was only a matter of pumping the tank or something that LLHD would agree with being done to extend the life of the tank then that could be a course of action but he said that he thinks that they chose to go down this road rather than what LLHD wanted them to do which would have been throwing good money after bad for what they would have been able to get time wise on the tank.

Mr. Jacques asked how many units there are.

Mr. Kargl said that he believes that there are 24.

Mr. Nickerson said that this is an assessment and that he does not see us moving off of that.

Mr. Murphy asked about inquiring if the pay back time could be extended to 20 years.

Mr. Kargl said that they would have to have the Attorney weigh in on that and a resolution would have to be put forth as the resolution has been approved already at the 15 years payback and anything else would require legal clarification.

Ms. Russell asked if the assessment that they are being charged is consistent with how condos are being charged.

Mr. Kargl said yes, these are just smaller condos.

Mr. Nickerson said that they do not consider economic sentiments of the properties when they hook into the system.

Mr. Bond recalled the history explaining that they originally were apartments and they petitioned the Town to have them be separate condos so that they could be sold individually so that is how this came to be and that is the way that it is.

Mr. Nickerson said that he would check with the Attorney on the potential for a 20 year payback and what would be involved.

5. Billing Adjustments

▪ 86 Old Black Point Road

Mr. Kargl said that this falls in line with the spirit of the "1 in 10" policy however he wanted to explain it as it was calculated over two (2) billing periods and does not involve much history as the ownership of the property changed in 2018. The property had a serious leak under the driveway after the meter pit.

Mr. Mingo asked what kind of pipe was under the driveway.

Mr. Kargl said that it was plastic pipe which is allowed. He continued that he also had to determine what the history would be as there was not much to go on with the new ownership and spanning two billing periods.

6. Approval of Bills

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

****MOTION (2)**

Mr. DiGiovanna moved to approve the following Well 1A/6 Treatment Project bill: Tighe & Bond Inv. #052090080 in the amount of \$28,353.10.

Ms. Russell seconded the motion.

Mr. DiGiovanna asked what Frawley Engineers did.

Mr. Kargl said that they did some of the design work for the structural components.

Vote: 9 – 0 – 0. Motion passed.

****MOTION (3)**

Mr. DiGiovanna moved to approve the following Well 1A/6 Treatment Project bill: RH White, Inv. Appl. #0001 in the amount of \$715,187.55.

Mr. Spencer seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Bond

****MOTION (4)**

Mr. DiGiovanna moved to approve the following Well 1A/6 Treatment Project bill: CIRMA, Inv. No. 18599 in the amount of \$15,829.00.

Mr. Spencer seconded the motion.

Vote: 8 – 0 – 1. Motion passed.

Abstained: Mr. Mingo

Mr. Nickerson called for a motion on the Meter Replacement Project Bills.

****MOTION (5)**

Mr. DiGiovanna moved to approve the following Meter Replacement Project Bills: PMI, Inv. No.191038.01 in the amount of \$35,834.82; EJ Prescott, Inv. No. 5676919 in the amount of \$23,520.00 and EJ Prescott, Inv. #5663323 in the amount of \$1,014.30.

Mr. Spencer seconded the motion.

Mr. Bond asked what they are paying for.

Mr. Kargl said that this was for the few weeks that they had been working.

Vote: 9 – 0 – 1. Motion passed.

7. Finance Director Report

Ms. Johnson noted that they had her report. She reported that both water and sewer had good healthy cash balances at the end of April.

Ms. Russell asked if they had noticed any differences in payments due to the Covid issue or if things seemed to be on schedule.

Ms. Johnson said that she did not have an answer for that as she did not know how many applications were received to pay on deferral.

Mr. Bragaw said that there were not many that were received and that the payments are coming in.

Mr. Nickerson asked when they were due.

Mr. Bragaw said that they are due by June 1, 2020.

8. Water Project Updates

▪ **Meter Replacement Project**

Mr. Kargl reported that Mr. Scheer has met with Senator Formica on this and that he has asked for a video of what changing out a meter entails. Mr. Scheer is in the process of getting this together.

Mr. Bond noted that he does not think that the State will roll on this but his concern is that we do not pay PMI anymore money for this to use licensed people because they know this is a license State and they have the dollars there to use licensed people. Further it is their job to know this and do their due diligence and sometimes they are able to get away with it and sometimes they don't and this is even within one State in different Towns.

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

Mr. Kargl reported that this is moving along well with the schools out of session. There has been some change order activity and they are now installing the conduit from Well 1A to 6.

Ms. Russell asked what the estimated completion date was.

Mr. Kargl said that the project calls for substantial completion for March/April 2021.

9. Correspondence Log

There were no comments.

10. Chairman's Report

Mr. Nickerson said that there has been no activity on the Tri-Town agreements due to Covid but hopefully they will ramp up with things starting to open and people being in rooms with masks on and distanced from one another.

He noted to the Commissioners that Mr. Bragaw, Mr. Kargl and Mr. North have been instrumental in continuing the running of operations in the Town throughout this whole pandemic. People are in and answering phones and they are working towards limited opening over time. They have so far made it through fairly well and it will probably be July before they will start having Town hall meetings. While

they could potentially try to start now – what happens if they have 50 people from the public show up to speak – they would have to send everyone home and close the building. Obviously, Celebrate East Lyme and all of those events have been cancelled and they are limiting the beach and park capacity - they are doing everything that they can to be safe.

11. Staff Updates

a. Water Department Monthly Report

Ms. Russell asked about the Gateway Phase II projected completion date for it.

Mr. Nickerson said that they will start to come on line in the next couple of months – so many units at a time then rolling in succession after that initial start.

Ms. Russell said that at some point in time they had spoken about adding some monitoring wells.

Mr. Kargl said that they tossed it around but funding was an issue.

b. Sewer Department Monthly Report

Mr. Murphy asked Mr. Kargl when the Orchards is due for the next tie-in on fees as they have been building a lot of new homes up there so it seems it should be time.

Mr. Kargl said that he is hoping to see a sewer assessment in the next couple of months as they could do it now. He added that fortunately they all know the costs and that it was built into the sale so there are no issues with that. The plan is to get something together on it soon.

Ms. Russell said that the State usage for this month was the lowest all year while the Town usage went up a lot.

Mr. Nickerson said that people are home a lot more now.

Mr. Kargl said that the State was not recording properly however they did bill them for the correct usage.

12. Future Agenda Items

Mr. Mingo said that he wanted to discuss elevations on Boston Post Road for gravity main and another item which could not be heard as he was fading in and out.

Ms. Russell said that she wanted a POCD update as it relates to water and sewer issues.

13. ADJOURNMENT

Mr. Nickerson called for a motion to adjourn.

****MOTION (6)**

Mr. Murphy moved to adjourn this Zoom Regular Meeting of the East Lyme Water & Sewer Commission at 8:10 PM.

Mr. Spencer seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary