

**EAST LYME WATER & SEWER COMMISSION  
PUBLIC HEARING II  
Tuesday, MARCH 23, 2021  
MINUTES**

The East Lyme Water & Sewer Commission held a Public Hearing on March 23, 2021 via Zoom meetings to hear comments on the Supplemental Assessment GDEL Residential, Phase 2 to Sewer Main Extension No. 5, immediately following Public Hearing I.

**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, Asst. Municipal Utility Engineer  
Attorney Mark Zamarka, Town Counsel  
Anna Johnson, Finance Director

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

**Pledge of Allegiance**

The Pledge was previously observed.

**Public Hearing II**

♦ **Supplemental Sewer Assessment GDEL Residential, Phase 2 to Sewer Main Extension No. 5.**

Acting Chairman Seery called this Public Hearing on the Supplemental Sewer Assessment GDEL Residential, Phase 2 to Sewer Main Extension No. 5 to order at 6:37 PM immediately following Public Hearing I.

The Notice of Public Hearing and Supplemental Sewer Assessment listing were entered as Exhibit I into the record and are attached to the minutes.

Mr. Seery asked if there were any comments from the public.  
Hearing none,  
He asked if the Commissioners had any comments –  
Hearing none - he called for a motion to close this Public Hearing.

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

**Mr. Murphy moved to close this Public Hearing.**

**Mr. DiGiovanna seconded the motion.**

**Vote: 8 – 0 – 0. Motion passed.**

FILED

Mr. Seery closed this Public Hearing at 6:42 PM.

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary

Mar 30 2021 AT 10:41 AM PM  
Karen Zmitruk  
EAST LYME TOWN CLERK

**NOTICE OF PUBLIC HEARING  
(Via Zoom – Instructions Below)**

**TOWN OF EAST LYME  
WATER AND SEWER COMMISSION**

**SUPPLEMENTAL SEWER ASSESSMENT  
GDEL RESIDENTIAL  
(GATEWAY – Phase 2)**

Notice is hereby given that the East Lyme Water and Sewer Commission, acting as the Town of East Lyme's duly designated Water Pollution Authority, will hold a Public Hearing on March 23, 2021 via Zoom for the Supplemental Sewer Assessment, GDEL Residential, Gateway Phase 2, immediately after the Public Hearing to be held at 6:30 p.m. for the Supplemental Sewer Assessments for Sewer Extension No 5, The Orchards at East Lyme, to hear comments regarding a proposed benefit assessment resolution to be levied on the properties benefited by the East Lyme Sanitary Sewer System listed on Schedule A attached hereto.

The public is invited to attend and be heard regarding the proposed benefit assessment resolution. A copy of the proposed assessment resolution has been filed with the Town Clerk and is available for inspection by the public.

EAST LYME WATER AND SEWER COMMISSION

By: 

Mark C. Nickerson, Its Chairman

East Lyme Water and Sewer Commission is inviting you to a scheduled Zoom Meeting.

Topic: Public Hearing for Supplemental Sewer Assessment, GDEL Residential, Phase 2  
Time: March 23, 2021, immediately after the Public Hearing for Supplemental Assessment to Sewer Main Extension No 5, The Orchards at East Lyme to be held at 6:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88389860195?pwd=aGJ4R3dSeWJUVFZHTStoVW83M0hSdz09>

Or Dial by phone +1 646 558 8656 US (New York)

Meeting ID: 883 8986 0195

Passcode: 772864

*Attachment*

*Ex. 1*

*WES PH 11*

*3/23/21*

**TOWN OF EAST LYME  
WATER AND SEWER COMMISSION**

**NOTICE OF PUBLIC HEARING**

**SUPPLEMENTAL SEWER ASSESSMENT  
GDEL RESIDENTIAL  
(GATEWAY – PHASE 2)**

**SCHEDULE “A”**

<b>OWNER</b>	<b>Acct #</b>	<b>#</b>	<b>Address</b>	<b>Map</b>	<b>Lot</b>	<b>Unit</b>	<b>Assessment</b>
<b>GDEL RESIDENTIAL – BUILDING A</b>	000879	1	BEACON LANE	26.0	2		
Apts 101 – 106						6	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING B</b>		2	BEACON LANE	26.0	2		
Apts - 201 -206						6	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING C</b>		3	BEACON LANE	26.0	2		
Apts – 301 - 306						6	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING D</b>		4	BEACON LANE	26.0	2		
Apts – 401 – 404 -FIRST FLOOR						4	\$1,931.06 ea.
Apts - 405 – 412 – SECOND FLOOR						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING E</b>		2	LIGHTHOUSE LANE	26.0	2		
Apts – 201 -204 – FIRST FLOOR						4	\$1,931.06 ea.
Apts – 205 – 212 – SECOND FLOOR						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING F</b>		3	LIGHTHOUSE LANE	26.0	2		
Apts – 301 – 304 – FIRST FLOOR						4	\$1,931.06 ea.
Apts. – 305 – 312 – SECOND FLOOR						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING G</b>		4	LIGHTHOUSE LANE	26.0	2		
Apts – 401-404 – FIRST FLOOR						4	\$1,931.06 ea.
Apts – 405 – 412 SECOND FLOOR						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING H</b>		5	LIGHTHOUSE LANE	26.0	2		
Apts – 501 – 504 – FIRST FLOOR						4	\$1,931.06 ea.
Apts – 505 – 512 SECOND FLOOR						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING I</b>		1	BUOY LANE	26.0	2		
Apts – 101 - 108						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING J</b>		2	BUOY LANE	26.0	2		
Apts – 201 -208						8	\$1,931.06 ea.
<b>GDEL RESIDENTIAL – BUILDING K</b>		3	BUOY LANE	26.0	2		



**SUPPLEMENTAL SEWER  
ASSESSMENT RESOLUTION**

**GDEL RESIDENTIAL (GATEWAY - PHASE 2)**

**RESOLUTION** relative to a supplemental assessment of benefits pursuant to the resolution adopted by the East Lyme Water and Sewer Commission on August 27, 1991, as amended on March 24, 1992 (hereinafter the "**Resolution**"), in connection with various properties located in the Town of East Lyme, Connecticut, establishing the due date of said assessments, providing for installment payments of assessments and interest thereon:

**WHEREAS**, the East Lyme Water and Sewer Commission, the statutory municipal Water Pollution Control Authority existing under the laws of the State of Connecticut within and for the Town of East Lyme, has heretofore adopted a Resolution relative to the assessment of benefits for public sanitary collection sewers installed in the Town of East Lyme; and

**WHEREAS**, said Resolution provides that structures constructed or expanded after the adoption of the Resolution are to be assessed in accordance with the terms of said Resolution; and

**WHEREAS**, certain of the properties hereinafter specified contain structures which were constructed or expanded after the adoption of the Resolution, and all properties hereinafter specified are benefitted by the sanitary sewer system; and

**WHEREAS**, it is the intention to levy supplemental assessments upon said properties in accordance with Section 7-249 of the Connecticut General Statutes and the Resolution.

**NOW THEREFORE, BE IT RESOLVED** by the East Lyme Water and Sewer Commission as follows:

1. The owners, properties and the amounts of the assessments hereby levied upon said properties are set forth on **Schedule A** attached hereto.

2. That the assessments set forth in Paragraph 1 hereof shall be due and payable on **June 1, 2021**. The owner(s) of any assessed property may elect to pay the entire amount of the assessment in full on or before the date that it is due and payable without interest, or may elect to pay said assessment by installment payments made in accordance with paragraph 3 hereof.

3. If the election is made to pay said assessment by installment payments, installment payments of the assessment for each property shall be made in substantially equal annual installments, the first installment to be due and payable **June 1, 2021**, and each subsequent payment of an installment to be due and payable on or before **June**

1<sup>st</sup> of each year, and the final payment shall be due and payable no later than **June 1, 2035**. Payments shall be made payable to the order of the Treasurer of the Town of East Lyme. Notice of installment payments will be recorded on the East Lyme land records as provided by the Connecticut General Statutes.

Notwithstanding any other provision herein, if any portion of any installment, including accrued interest, has not been paid by the first anniversary date after such installment was due and payable, then the entire principal sum of the assessment, together with all accrued interest, shall become due and payable.

4. That interest at the rate of **five percent (5%)** per annum on the unpaid balance of the assessment shall be due and payable at the time of the payment of each installment provided for in paragraph 3 above. Any person may pay an installment or installments for which he is liable at any time prior to the due date thereof.

5. That the assessment or any installment thereof, if not paid within thirty (30) days after the due date, shall be delinquent and shall be subject to interest from such due date at the rate and in the manner set forth in the Connecticut General Statutes for delinquent property taxes.

6. That each installment of interest shall be collectible as part of such assessment.

7. That any delinquent assessment or delinquent installment of any assessment and any interest due thereon shall constitute a lien against the real estate against which the assessment was levied from the date such levy became due. Each such lien may be continued, recorded and released in the manner provided by the Connecticut General Statutes for continuing, recording, and releasing real property tax liens. Each such lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed in same manner as real property taxes.

8. That these supplemental assessments are in addition to sewer benefit assessments previously levied against these properties.

**BE IT FURTHER RESOLVED**, that the assessments of benefits stated herein and in the public record of the Water and Sewer Commission of the Town of East Lyme should be deemed duly and legally made. Notice shall be published listing the proposed properties against which benefits have been assessed, with the amount to be paid by the Owner(s) and a notice of the date when assessments become due and payable. A copy of the assessment of benefits shall be mailed to the Owner(s) of each property affected thereby in accordance with the Connecticut General Statutes.