

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 22nd, 2022
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, February 22nd, 2022. Chairman Seery called the Regular Meeting to order at 7:00 PM.

PRESENT: Kevin Seery, Chairman, Dave Bond, Steve DiGiovanna, Dave Murphy, Carol Russell, Roger Spencer

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

ABSENT: David Jacques, Joe Mingo, Dave Zoller

1. Call to Order / Pledge of Allegiance

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 – January 25, 2022**

Mr. Seery called for a motion or any discussion on the Regular Meeting Minutes of January 25, 2022.

Mr. Murphy asked that on Page 3 at the top that 'Mr. Jacques seconded the motion' is added to the motion.

Ms. Russell supplied a change she wanted made to Item 10. a. - where she is speaking (attached)

****MOTION (1)**

Mr. Murphy moved to approve the Regular Meeting Minutes of January 25, 2022 as amended.

Mr. DiGiovanna seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

3. Delegations

Mr. Seery called for delegations.

There were none.

FILED

4. Billing Adjustments/Disputes

There were none.

March 1, 2022 AT 10:09 AM/PM

Branche Forester ATC

EAST LYME TOWN CLERK

5. Approval of Bills

There were none.

6. Finance Director Report

Ms. Johnson reviewed her report noting that the revenues were a bit less and coming in slower than in the previous year. Water billing for the prison was lower this year than in January 2021 while Sewer billing for the prison was higher this year than in January of 2021. There were no cash outlays from sewer assessment during the month.

7. Discussion and Possible Action on Setting Appropriate Interest Rate for Meter Deposit Reimbursements

Mr. Bragaw explained the meter deposit interest refund situation. He noted that they were coming to the end of the original meter deposit refunds and that they had to compute interest on the meters based on how long they had been on deposit. Because many homes had changed hands the calculation is for different amounts of time as the new owners would start fresh. He said that he spoke with the attorney on this and it was determined that it should be treated in the same manner that landlords have to treat security deposits as set forth by the State. He provided an interest calculation table based on the specific number of years. (Copy attached)

****MOTION (2)**

Mr. Murphy moved to use the interest rate payback structure for the meter deposits as set forth by the State and utilized in rental security deposits.

Mr. DiGiovanna seconded the motion.

Mr. Bond asked if they have to do this.

Mr. Bragaw said yes, as the attorney had said that we have held it as a deposit and we have to return it. He noted that each would have to be figured individually as there are varying amounts of time.

Mr. Murphy noted that now there will be a fee each billing period on the new meters.

Vote: 6 – 0 – 0. Motion passed.

8. Project Updates

▪ **Meter Replacement Project**

Mr. North reported that they have interviewed two (2) new people to install the meters – one to start now and one to start in mid-March. They have had a bit less participation due to the weather but they are still moving in a good direction. They have not seen a lot of extreme scenarios; just a few broken valves. They will be doing more mailings in the very near future and expect that this will all be ramping up with the better weather.

▪ **Update on Well 5 Rehabilitation Project**

Mr. North reported that this is moving along and that it was drilled last week; they are sizing the screen (about 6 to 7 weeks out) and will start relining the tanks soon.

▪ **American Rescue Plan Discussion on Upcoming Projects**

Mr. North said that he and Mr. Bragaw met with them last week and laid out the projects and answered any questions that they had. They are now waiting to hear.

Mr. Seery noted that there are some other potential grants that they are looking into.

▪ **Discussion and Possible Action on Vibration Analysis of Pumps at Niantic Pumping Station**

Mr. North noted the issue with the vibration with the pumps at the Niantic Pump Station. He explained that there are four (4) main pumps, two (2) of which have not been replaced yet with the newer technology. They have had a lot of issues with vibration since the pumps have been installed. They have also received a lot of information on what could/might be the cause of it and are at the point where they feel that they need professional help with determining how to handle this issue. He said that he reached out to a colleague on it and that there is a company in New Jersey who could come up and troubleshoot this and provide them with recommendations on what can be done to mitigate it. He said that he had provided them with the information on the quote to do the vibration analysis troubleshooting.

Mr. Seery called for a motion.

****MOTION (3)**

Mr. DiGiovanna moved to appropriate and transfer up to \$28,700 in the sewer assessment fund from resources available to an account to be established titled, 'Niantic Pump Station Vibration

Analysis' to fund a study that will recommend mitigation measures to solve the vibration and building resonance issues at the pump station.

Mr. Murphy seconded the motion.

Mr. Bond said that they built that station 30 years ago and it vibrated right out of the box. He said that he thinks that it is the foundation that the building sits on and not just the pumps. He also thinks that it is how all the rebar and everything is tied together. With all of the new technology there may be ways around that now but he is also wondering if they are just repeating history.

Mr. North said that this does make him feel that he is working in the right direction to try to solve this issue.

Mr. Kruszewski, W & S Mechanic said that it is frequently the difference in frequencies that would cause this type of issue and that it is not a new issue. He noted that he had come across it before in other positions.

Vote: 6 – 0 – 0. Motion passed.

9. Correspondence Log

Ms. Russell noted the Old Lyme Agreement and asked when they would see it.

Mr. Bragaw said that they are still working on finalizing it and they would get to see it when it is done.

10. Chairman's Report

Mr. Seery reported:

- That the Police and Dispatch have moved into the new Public Safety Building (the Fire Marshal is on the upper floor) and that it feels like a 'home' now. He anticipates holding a ribbon-cutting sometime next month and is also working on having a 'virtual' open house having someone take a video of the building so that the public will be able to see it.
- During the snow storm – night blizzard they also had a water main break.
- The Bi-Town agreement is being worked on.

11. Staff Updates

a. Water Department Monthly Report

Mr. Murphy asked how much we have pumped to New London and if we were over the gallons for the last year.

Mr. North said that they have pumped about 12M gallons but they think that they have a leak some where in the North end of Town that they are trying to isolate.

Mr. Murphy and Mr. Seery suggested that they look in the Alscot / Joval / Colony Road areas.

Mr. North said that they have also reached out to their leak detection contractor to have them start Town-wide leak detection in the next two weeks.

b. Sewer Department Monthly Report

Ms. Russell said that it has been awhile since they have had an updated analysis on their sewer commitments especially with the larger projects in Town.

12. Future Agenda Items

No discussion.

13. ADJOURNMENT

Mr. Seery called for a motion to adjourn.

****MOTION (4)**

Mr. DiGiovanna moved to adjourn this Regular Meeting of the East Lyme Water & Sewer Commission at 7:45 PM.

Mr. Murphy seconded the motion.

Vote: 6 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary

Proposed Correction to Water & Sewer Commission Minutes for January 25, 2022

On Page 4 the last sentence under Item # 10a (Water Department Monthly Report) should be corrected/clarified as follows:

Ms. Russell commented she thought it was appropriate that funding eligibility requirements for projects related to flood resilience had been revised so we will now have to be planning to withstand 500-year storms. (The previous standard was for 100-year storms).

Submitted by Ms. Russell 2/22/22

State of Connecticut Department of Banking

(/DOB)

[CT.gov Home](#) (/) [Department of Banking](#) (/DOB) Rental Security Deposits

Rental Security Deposits

Key Issues for Landlords and Tenants

Landlords, once you give the key to your rental apartment or home to a tenant, you must follow basic rules for security deposits.

Tenants, once you accept the key to your new home, you must also follow guidelines to protect your security deposit.

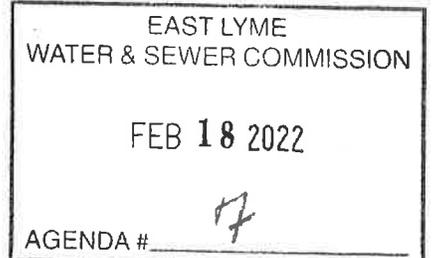
Connecticut law outlines the rights and responsibilities of both landlords and tenants about the collection, holding and return of rent security deposits. This publication answers common questions on rent security deposits. It's our attempt to help *both* landlords and tenants understand their obligations and Connecticut's law. You may wish to review [Section 47a-21](#) (https://www.cga.ct.gov/current/pub/chap_831.htm#sec_47a-21) of the Connecticut General Statutes for more detailed information. See also the [DOB booklet regarding rental security deposit laws](#)

Options for Resolving Disputes (/DOB/Consumer/Consumer-Complaints/Rental-Security-Deposit-Complaints)

The rental security deposit interest rate for 2022 is 0.06%.

Previous Year's Rental Security Deposit Interest Rates:

10/1/73-9/30/82	4.00%
10/1/82-9/30/92	5.25%
10/1/92-6/30/1993	4.00%
7/1/93-12/31/93	2.90%
1994	2.50%
1995	2.80%
1996	3.10%
1997	2.80%
1998	2.60%
1999	2.30%
2000	2.20%
2001	2.40%
1/1/2002-12/31/11	1.50%
2012	0.16%
2013	0.11%



Item # 7 Was 2/22/2022

2014	0.09%
2015	0.08%
2016	0.08%
2017	0.08%
2018	0.09%
2019	0.15%
2020	0.15%
2021	0.08%

The following Excel Worksheet was designed to provide assistance in determining the interest that is owed on rental security deposits: [Interest Calculation Table](#)
Updated December 2021

Frequently Asked Questions

What Is A Security Deposit?

A security deposit is any advance rental payment *other than* an advance for the first month's rent or a deposit for a key or any special equipment. A security deposit remains the tenant's property but the landlord holds a security interest in it. Security deposits must be kept in an escrow account in a Connecticut bank.

How Large A Security Deposit Can A Landlord Require?

Landlords can't require more than two months rent as a security deposit. This limit is reduced to one month's rent if a tenant is 62 years of age or older.

Do Landlords Pay Tenants Interest On Security Deposits?

Yes. Landlords must pay tenants interest on security deposits of at least the average commercial banks savings deposit rate as annually determined and published by the Banking Commissioner. Interest must be paid annually on the anniversary date of a tenancy either directly to tenants or as a credit towards the next month's rent. See [interest rate information \(/DOB/Rental-Security-Deposits/Rental-Security-Deposits/Deposit-Index-and-Interest-Rates\)](#).

What If A Tenant Is Late Paying Rent?

Tenants forfeit interest on their security deposits for any months when they are more than ten days late paying their rent. The only exception is when a tenant's rental agreement already contains a late charge for overdue rental payments.

TIP: Before moving, inspect your apartment with the landlord and note its condition.

How Can Tenants Ensure Their Security Deposits Will Be Returned?

Tenants should carefully note the condition of their apartment when they first move in and confirm that condition *in writing* with their new landlord. When tenants decide to move, they should notify their landlord in writing of their plans to leave and must provide *written notice* of a forwarding address where the landlord may send their security deposit with interest. Since a tenant may need to show proof that the written notice was sent to their landlord, the tenant should send the notice by **certified mail with a return receipt**. All rental payments should be made on time and tenants should repair any damage they cause. Before moving out, if possible, tenants should inspect the apartment together with their landlord. Keys should be returned the day the tenancy ends.

**EAST LYME WATER DEPARTMENT
COMPARISION OF INTEREST RATES FOR WATER METER DEPOSIT
REIMBURSEMENTS**

Year	Year	\$50 meter deposit		Int rate from State	\$70 meter deposit	
		1%	Var		Var	1%
1	2022	\$ 50.00	\$ 50.00	0.06%	\$ 70.00	\$ 70.00
2	2021	\$ 50.50	\$ 50.04	0.08%	\$ 70.06	\$ 70.70
3	2020	\$ 51.01	\$ 50.12	0.15%	\$ 70.16	\$ 71.41
4	2019	\$ 51.52	\$ 50.19	0.15%	\$ 70.27	\$ 72.12
5	2018	\$ 52.03	\$ 50.24	0.09%	\$ 70.33	\$ 72.84
6	2017	\$ 52.55	\$ 50.28	0.08%	\$ 70.39	\$ 73.57
7	2016	\$ 53.08	\$ 50.32	0.08%	\$ 70.44	\$ 74.31
8	2015	\$ 53.61	\$ 50.36	0.08%	\$ 70.50	\$ 75.05
9	2014	\$ 54.14	\$ 50.40	0.09%	\$ 70.56	\$ 75.80
10	2013	\$ 54.68	\$ 50.46	0.11%	\$ 70.64	\$ 76.56
11	2012	\$ 55.23	\$ 50.54	0.16%	\$ 70.75	\$ 77.32
12	2011	\$ 55.78	\$ 51.30	1.50%	\$ 71.81	\$ 78.10
13	2010	\$ 56.34	\$ 52.07	1.50%	\$ 72.89	\$ 78.88
14	2009	\$ 56.90	\$ 52.85	1.50%	\$ 73.98	\$ 79.67
15	2008	\$ 57.47	\$ 53.64	1.50%	\$ 75.09	\$ 80.46
16	2007	\$ 58.05	\$ 54.44	1.50%	\$ 76.22	\$ 81.27
17	2006	\$ 58.63	\$ 55.26	1.50%	\$ 77.36	\$ 82.08
18	2005	\$ 59.22	\$ 56.09	1.50%	\$ 78.52	\$ 82.90
19	2004	\$ 59.81	\$ 56.93	1.50%	\$ 79.70	\$ 83.73
20	2003	\$ 60.41	\$ 57.78	1.50%	\$ 80.90	\$ 84.57
21	2002	\$ 61.01	\$ 58.65	1.50%	\$ 82.11	\$ 85.41
22	2001	\$ 61.62	\$ 60.06	2.40%	\$ 84.08	\$ 86.27
23	2000	\$ 62.24	\$ 61.38	2.20%	\$ 85.93	\$ 87.13
24	1999	\$ 62.86	\$ 62.79	2.30%	\$ 87.91	\$ 88.00
25	1998	\$ 63.49	\$ 64.42	2.60%	\$ 90.19	\$ 88.88
26	1997	\$ 64.12	\$ 66.23	2.80%	\$ 92.72	\$ 89.77
27	1996	\$ 64.76	\$ 68.28	3.10%	\$ 95.59	\$ 90.67
28	1995	\$ 65.41	\$ 70.19	2.80%	\$ 98.27	\$ 91.57
29	1994	\$ 66.06	\$ 71.95	2.50%	\$ 100.73	\$ 92.49
30	1993	\$ 66.73	\$ 74.03	2.90%	\$ 103.65	\$ 93.42
31	1992	\$ 67.39	\$ 77.00	4.00%	\$ 107.79	\$ 94.35
32	1991	\$ 68.07	\$ 81.04	5.25%	\$ 113.45	\$ 95.29
33	1990	\$ 68.75	\$ 85.29	5.25%	\$ 119.41	\$ 96.25
34	1989	\$ 69.43	\$ 89.77	5.25%	\$ 125.68	\$ 97.21
35	1988	\$ 70.13	\$ 94.48	5.25%	\$ 132.28	\$ 98.18
36	1987	\$ 70.83	\$ 99.44	5.25%	\$ 139.22	\$ 99.16
37	1986	\$ 71.54	\$ 104.66	5.25%	\$ 146.53	\$ 100.15
38	1985	\$ 72.25	\$ 110.16	5.25%	\$ 154.22	\$ 101.16
39	1984	\$ 72.98	\$ 115.94	5.25%	\$ 162.32	\$ 102.17
40	1983	\$ 73.71	\$ 122.03	5.25%	\$ 170.84	\$ 103.19
41	1982	\$ 74.44	\$ 126.91	4.00%	\$ 177.67	\$ 104.22
42	1981	\$ 75.19	\$ 131.99	4.00%	\$ 184.78	\$ 105.26
43	1980	\$ 75.94	\$ 137.27	4.00%	\$ 192.17	\$ 106.32
44	1979	\$ 76.70	\$ 142.76	4.00%	\$ 199.86	\$ 107.38
45	1978	\$ 77.47	\$ 148.47	4.00%	\$ 207.85	\$ 108.45