

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

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

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

**ALSO PRESENT:** Joe Bragaw, Public Works Director  
Ben North, Municipal Utility Engineer  
Anna Johnson, Finance Director  
Anne Santoro, Deputy First Selectman

**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 – February 22, 2022**

Mr. Seery called for a motion or any discussion on the Regular Meeting Minutes of February 22, 2022.

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

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of March 22, 2022 as presented.

Mr. Zoller seconded the motion.

Vote: 7 – 0 - 2. Motion passed.

Abstained: Mr. Zoller, Mr. Jacques

FILED

**3. Delegations**

Seery called for delegations.

There were none.

*March 29, 2022 AT 10:04 AM/PM*  
*Broske Brown ATC*  
EAST LYME TOWN CLERK

**4. Billing Adjustments/Disputes**

▪ **374 Main Street**

Mr. North explained that this is a mixed use restaurant with apartments where it was found that there were three (3) toilets with leaking flapper valves which created the problem. He said that the problem has been and that the owner has paid \$2000 in good faith to stop the fees from mounting until this could come before them. As the problem has been corrected he suggested that the adjustment be made from the \$8,289.80 billing to \$2,568.83.

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

Mr. Zoller moved to approve the '1 in 10' adjustment for 374 Main Street from \$8,289.80 to \$2568.83 as presented.

Mr. DiGiovanna seconded the motion.

Vote: 9 - 0 - 0. Motion passed.

▪ **170 Flanders Rd., Unit 6**

Mr. North said that this is also a commercial facility (Weight No Longer) where the problem spanned two meter readings. The leaking toilet has been repaired and he is suggesting '1 in 10' adjustments for the both billing periods. For the May 2021 billing period the billing would go from \$1290.78 to \$315.10 and for the November 2021 billing period it would go from \$535.83 to \$249.41.

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

Mr. DiGiovanna moved to approve the '1 in 10' adjustment for 170 Flanders Rd., Unit 6 for the May 2021 billing period the billing would go from \$1290.78 to \$315.10 and for the November 2021 billing period it would go from \$535.83 to \$249.41, as presented.

Mr. DiGiovanna seconded the motion.

Vote: 9 - 0 - 0. Motion passed.

**5. Approval of Bills**

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

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

Mr. DiGiovanna moved to approve the following Well 1A/6 Treatment Project bill: US Bank Invoice #804458200 in the amount of \$500.00.

Mr. Zoller seconded the motion.

Vote: 8 - 0 - 1. Motion passed.

Abstained: Mr. Bond

**6. Finance Director Report**

Ms. Johnson reviewed her report.

There were no questions.

**7. Reclassification of PMI Invoice**

Ms. Johnson explained that these PMI services for meter installation were provided prior to the complaint that resulted in the cease and desist of the installations. As the State did not approve this project, to resolve this issue, it is recommended that this expenditure be reclassified to the funding available in the Bonded Capital Projects Fund.

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

Mr. Murphy moved to reclassify the \$35,834.82 PMI expenditure from account 62-70-010-500-001 (Water Meters - commercial & Residential) to account 62-70-006-300-0001 (Miscellaneous Owner Expenditures). In addition, approve a transfer in the amount of \$35,834.82 from account 62-70-006-500-006 (emergency Power Generator/Well Imp) to 62-70-006-300-001 (Miscellaneous Owner Expenditures).

Mr. DiGiovanna seconded the motion.

Mr. Bond asked if that account has \$35,000 more in it.

Ms. Johnson said no as it was in a holding pattern.

Vote: 9 - 0 - 0. Motion passed.

**8. Discuss Sewer Assessment of Condos at 231 Boston Post Road**

Mr. North recalled that condos are charged at three-fourth's of the regular \$12,000 rate and that the Williamsburg Condo Association had pleaded their case before them and the discussion went to a reduction of the interest rate and/or and extension of the time in which to pay it back. As Williamsburg is not a gravity system, they had to pay to have a system installed.

Mr. Seery said that he has spoken with the Town Attorney on this.

Mr. Mingo said that he thought that there was something in the State Statute that says that we cannot do anything about this. He added that while he does not have an issue with reducing the interest rate to

3.75% that he does not think that we could do anything more than that. He also said that there should be a 'due on sale' clause so that if the unit is sold, it is paid.

Mr. Bond questioned the 'due on sale' item.

Mr. Seery said that he would ask the Town Attorney to draft a motion with the lesser rate and/or longer term and also with regard to the 'due on sale' item for them to review.

### **9. Discuss Water & Sewer Budgets**

Mr. Bragaw noted that he had provided them with the budget materials for review. He provided a brief review of where they stood noting that this was a much harder budget and that they would need to have a special meeting to go over it. As proposed it is showing a 13% increase but with all other logistics considered it would come to a 3.5% increase.

He noted that he had budgeted for a 10% increase from New London but has yet to hear on that. There are also contract negotiations with regard to wages.

Mr. Mingo asked if the meter installers are being paid benefits.

Mr. Bragaw said no, adding that they are hourly employees and would be evaluated at six months.

Mr. Bond noted the wage inequities with our Water & sewer employees vs. other similar Towns.

Mr. Bragaw agreed noting that they are trying to work on that issue.

After discussion, it was decided that there would be a Special Budget Meeting on Tuesday, April 12, 2022 commencing at 6:30 PM.

### **10. Project Updates**

#### **▪ Meter Replacement Project**

Mr. North reported that in February they changed out 184 meters and hired two 2) new people to replace the person who is leaving. He also reported that they are fixing the troubled accounts as they go as it is more than just replacing a meter at this point.

Mr. Bragaw added that this project is proceeding well.

Mr. Mingo asked if any of our regular employees change meters so that when the temps are done they know what to do.

Mr. Bragaw said yes noting that it was our permanent people who actually trained the temporary workers.

#### **▪ Update on Well 5 Rehabilitation Project**

Mr. North reported that this is going well and that they are waiting on the screen. In the meantime a lot of interior work is being done.

Mr. Murphy asked about the budget.

Mr. North said that they are doing really well budget wise; they are on-track as they spent the extra time up front to get good numbers for the project.

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

Mr. Seery noted that the Niantic Pump Station project at \$600,000 and the Water Tank Project at \$750,000 have been sent to the BOS for review at their April 6 meeting as ARPA projects. If passed there, it would then go before the BOF for their April 13 meeting and if passed there - to Town Meeting for final approval. He noted that of the \$5.4M that a bit over 40% would be allocated to substantial Water & Sewer projects.

### **11. Correspondence Log**

There was no discussion.

### **12. Chairman's Report**

Mr. Seery reported that some of the items that they are looking for ARPA funds to support are: A garbage truck for the Town; Hole in the Wall restrooms upgrade as they are totally over-run during the summer and an air handler for this building among a myriad of other items. He noted that the Tax Sale is April 21, 2022 and that they have collected over \$600,000 for that plus another \$350,000 when Gateway was recently sold.

Mr. Mingo asked how much they are losing on taxes for the properties that the State has taken for the massive I-95 project.

### **13. Staff Updates**

#### **a. Water Department Monthly Report**

Mr. North said that they have been working on their leak list and continuing to track down and take care of them. They have also sent letters to customers giving them 14 days to take care of their leaks noting that if they do not then they can risk being shut-off.

Mr. Murphy asked if they are still pumping to New London.

Mr. North said yes.

#### **b. Sewer Department Monthly Report**

There were no comments.

### **14. Future Agenda Items**

Mr. Bond said that he would like to see discussion on – Insurance for water and sewer lines coming into the properties on a future agenda.

Mr. Mingo said that he would like to have them do away with the '1 in 10'.

Mr. Bragaw said that they are at least a year out on that. They need to have all of the new meters installed first.

### **15. ADJOURNMENT**

Mr. Seery 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 PM.**

**Mr. Murphy seconded the motion.**

**Vote: 9 – 0 – 0. Motion passed.**

Respectfully submitted,

Karen Zmitruk,  
Recording Secretary