

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 24, 2023
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, January 24, 2023. Chairman Seery called the Regular Meeting to order at 7 PM.

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

ALSO PRESENT: Joe Bragaw, Public Works Director
Kevin Gervais, Finance Director
Ben North, Municipal Utility Engineer
Anne Santoro, Deputy First Selectman
Attorney Mark Zamarka, Town Counsel

ABSENT: David Jacques

RECEIVED FOR RECORD
EAST LYME, CT
2023 JAN 31 A 10:03
Kathleen M. McElroy
TOWN CLERK

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.

Mr. Seery noted that Mr. Mingo, after some 30+ years of service, had informed him that he was resigning from this Commission effective January 1, 2023. He thanked him for his invaluable service to this and other Boards and Commissions that he has served on.

He also noted that he had received a notice of resignation from David Jacques effective January 31, 2023 as he will be moving to a neighboring Town. He thanked Mr. Jacques for his service to this Commission and wished him well.

2. Approval of Minutes

▪ **Regular Meeting Minutes – November 15, 2022**

Mr. Seery called for a motion or any discussion on the Regular Meeting Minutes of November 15, 2022.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of November 15, 2022 as presented.

Mr. Zoller seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Seery asked that they add two items to the agenda – Under Item 4. add 26 MacKinnon Place and under Item 6 – add Item 6.a. – Discussion regarding Public Hearing – Niantic Village at Dodge Pond.

****MOTION (2)**

Mr. DiGiovanna moved that to add two items to the agenda – Under Item 4. add 26 MacKinnon Place and under Item 6 – add Item 6.a. – Discussion regarding Public Hearing – Niantic Village at Dodge Pond.

Mr. Murphy seconded the motion.

Vote: 7 – 0 – 0. Motion passed

3. Delegations

Mr. Seery called for delegations.

There were none.

4. Billing Adjustments/Disputes

▪ 26 MacKinnon Place

Mr. North synopsised the events noting that communication had all been via email regarding a bill they had received for 191,000 gallons of water usage since the meter was replaced with the new Sensus meter on March 7, 2020. This reading encompassed four (4) billing cycles. The new meter was not able to be read as the landscapers had covered it with wood chips. The owner is challenging the bill as the new Sensus meter reading is higher than their old meter readings. (135 gallons per day usage vs. 208 gallons per day now). The owner maintains that his parents lead a very structured life and that the meter needs to be recalibrated as it must be inaccurate based on old meter historical usage. He requests that the new meter be removed and re-calibrated and that the \$350 fee to do so be waived.

Mr. North continues that they had provided all of the reading information and that the billing over the time from when the meter was changed out had been computed based on the actual rates in effect at that time. He said that he further feels that they have made all concessions that they possibly can at this time and that this customer wants special dispensation and that the readings based on the new meter show that they were actually using more water than the old meter was capturing.

Mr. Seery noted that this would require a motion from the Commission to allow for a free re-calibration of the new Sensus meter. He called three times for anyone who would like to make a motion to that effect –

Hearing no motion he stated that they were done with this item.

5. Approval of Bills

Mr. Seery called for a motion on the Weston & Sampson DOT Engineering Analysis bills and the Tighe & Bond bill:

****MOTION (3)**

Mr. DiGiovanna moved to approve the following Weston & Sampson DOT Engineering Analysis bills: Weston & Sampson Inv. #12221004 in the amount of \$2600.00 and Weston & Sampson Inv. #1231078 in the amount of \$380.00.

Mr. Zoller seconded the motion.

Vote: 7 – 0 – 0. Motion passed

****MOTION (4)**

Mr. DiGiovanna moved to approve the following DOT Engineering Analysis bill: Tighe & Bond Inv. #122292168 in the amount of \$9000.00.

Mr. Spencer seconded the motion.

Vote: 6 – 0 – 1. Motion passed.

Abstained: Mr. Bond

6. Capacity Allocation Discussion and Possible Action – Niantic Village at Dodge Pond

Attorney Zamarka explained that this regards use of future capacity and that entertaining this request follows the statute and that they must respond within 65 days of the receipt of the request which is today (1/24/2023). They must decide by Thursday 3/30/2023.

Attorney Sweeney and Attorney Harris presented a brief overview of this on behalf of the applicant and suggested that a Public Hearing be scheduled.

Attorney Sweeney, Tobin, Carberry, 43 Broad Street in New London said that he is the voice this evening for Attorney Harris. This application is for a senior housing development on 37 acres of property currently owned by the Trakas family who is requesting the sewer capacity. To be known as Niantic Village at Dodge Pond it would include 304 units, 125 assisted living care units and 35 special care units plus a medical care building that would also be open to the general public for seniors – all providing for a continuum of care so that they can stay in the same place. This would use the current water main but would seek to connect to the sewer system and the goal here was to provide a conservative estimate calculation of 110,000 gallons per day usage.

The active adult units have two bedrooms but the calculations treat the bedrooms as habited space however in reality that would not happen except for visitors. He said that he feels that the 110,000 will actually be much lower. The extension of the sewer line up will bring connection availability to dozens of other homes along the line. This project allows for diversification of living for seniors in Town. He also said that he strongly feels that this should go to a public hearing and would like to have it scheduled earlier than the end of March.

He said that Mr. Pfanner would present a preliminary site plan of the project concept.

Bob Pfanner Sr. said that this project is designed for seniors and encompasses approximately 40 acres extending down to Dodge Pond. Two buildings up front would be for assisted care; urgent care and radiology buildings would be open to the public. The property has two hills on it and a bridge would span the two hills. There would also be a community center with a meeting hall, shops, therapy center, movie theater and the general administration offices. The senior housing units are in the back and they would also have family units. They would run 42 feet of sewer gravity feed down to the main street.

Mr. Spencer asked Mr. North how many additional connections could be made between this project and here (Main Street).

Mr. North said that he did not have that information at the moment but would provide it for them at their next meeting.

Mr. Bond asked about the ticket holders being some of those on the line.

Mr. North said that he would check on that to make sure that they are not counted twice.

Mr. DiGiovanna asked Mr. North if he would also check to see if some of these properties are on failing septic systems.

Mr. North said that he would ask Ledge Light.

Mr. Seery suggested checking the data from Gateway and finding what their actual usage is.

Mr. Sweeney said that they most likely not come anywhere near the requested amount.

Mr. Bond asked how the water part would be handled and if it would be single meter.

Mr. North said yes – single meter.

Ms. Russell commented that this would most likely be the very last large project that would be done for the whole Town.

Mr. Bond noted that their determination is with regard to capacity and that is what they act on as a Commission.

6.a. Discussion on Public Hearing – Niantic Village at Dodge Pond

Mr. Seery suggested some dates for a public hearing and then called for a motion to schedule one for this project.

****MOTION (5)**

Mr. DiGiovanna moved to schedule a Public Hearing on the Niantic Village at Dodge Pond Sewer Capacity Request for Thursday, March 2, 2023 commencing at 6:30 PM.

Mr. Zoller seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

7. Finance Director Report

Mr. Gervais reviewed his report with the Commission.

Mr. DiGiovanna asked about the delinquent accounts and if we are or should be going after them.

Mr. North said that they are engaging the company that worked on the tax collections to work on their delinquent accounts also. He added that some have come forward and are on a plan to pay – if they

miss a payment then the plan is done and they go to shut off/collection. They have been successful in many instances so far.

▪ **Discussion on Water Budgets & Sewer Budgets**

Mr. Bragaw noted that the \$205,000 that was carried over to this budget year has really helped with chemicals and other expenses. He said that he had included a sheet in their packets for review and that Mr. Gervais had covered much of it in his report.

8. Project Updates

▪ **Meter Replacement Project**

Mr. North said that they average about 250 per month on installations.

▪ **Boston Post Road Tank Rehabilitation Project.**

Mr. North reported that it looks like this starts on March 1st and that it will hopefully come in under budget.

9. Discussion and Possible Action on Bride Brook Sewer Pump Station Channel Grinder Replacement

Mr. North said that they have three (3) 'muffin monsters' that screen and grind up any 'clogging' items from entering the sewer system. They are in need of purchasing a new one and are looking to purchase two (2) in order to have a back-up from the sewer assessment fund.

****MOTION (6)**

Mr. Murphy moved to appropriate and transfer \$53,075.00 from the sewer assessment fund into the sewer operating account 06-01-600-400 for the purchase of two (2) channel grinders.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

10. Discussion and Possible Action on Well DOT Exit 74 Purchase Order Amendment for Consulting Engineering Services

Mr. North noted that some of the previous bills were from this project and that they are looking to increase this purchase order by \$5,000. He added that the State reimburses us at 100% for these costs.

****MOTION (7)**

Mr. Murphy moved to increase the Purchase Order #21-02079 by \$5000 from the sewer assessment fund for continued engineering work as part of the DOT Exit 74 Project 0044-0156.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

11. Discussion and Possible Action on Large Meter Ownership and Calibration Regulations

Mr. North noted that he thinks that a lot of the water that we are losing is coming from these large meters that are not being calibrated yearly as required. The policy is being reiterated here for those owners to adhere to.

****MOTION (8)**

Mr. DiGiovanna moved to approve the East Lyme Water Department Large Meter Ownership and Calibration Policy, revised through January 1, 2023 as presented. The new policy shall be effective immediately.

Mr. Zoller seconded the motion.

Mr. Bond asked about who will pay for all of this and go out and do it.

Mr. North said that the vast majority of the large ones can be done where they are and that some may need replacement.

Mr. Bond noted that we are probably losing thousands and thousands of dollars in revenues on this. Mr. North said that they have special calibrations and that the large meters belong to the property owners.

Mr. Zoller asked if they would be sending this to all those users.
Mr. North said yes.

Mr. Seery called for a vote on the motion.
Vote: 7 – 0 – 0. Motion passed.

12. Update on Water Shutoff Procedure

Mr. Bragaw noted that this is the policy that they have been following and that there would also be some new language as in some hardship cases that have been accepted through TVCCA, they will pay for the delinquent water bills and we would accept payment from TVCCA. It was also noted that this policy follows the State Statute on shut-offs.

13. Discussion and Possible Action on Board of Education Meter Installation Project

Mr. North and Mr. Bragaw explained the recent water break at the High School which had apparently been leaking for some time. The entire premises are not properly metered to detect leaks and the water department has determined that the remedy to this situation is to install a meter at each entrance of the facility. The BOE would be billed over a period of time at the current STIF rate as sewer assessment funds would be 'borrowed' from to initiate this installation.

****MOTION (9)**

Mr. Murphy moved to appropriate up to \$150,000 out of funds available in the Sewer Assessment Fund to an account titled "East Lyme High School Meter Installation Project" for the purchase and installation of two (2) water meters and associated appurtenances at the East Lyme High School.

Mr. DiGiovanna seconded the motion.
Vote: 7 – 0 – 0. Motion passed.

14. Correspondence Log

There were no comments.

15. Chairman's Report

Mr. Seery reported on the following:

- They are looking at how other Towns handle meters for irrigation systems
- TVCCA will help residents with their water bills once they are approved as being hardship cases by TVCCA
- He noted that as the First Selectman that he also serves as the Chairman of the Water & Sewer Commission and suggested that they have a discussion on how it would be addressed when people come and ask for special dispensations, etc.

16. Staff Updates

a. Water Department Monthly Report

There were no comments.

b. Sewer Department Monthly Report

There were no comments.

17. Future Agenda Items

Mr. Murphy noted that they were going to look into offering insurance to homeowners.

18. ADJOURNMENT

Mr. Seery called for a motion to adjourn.

****MOTION (10)**

Mr. Murphy moved to adjourn this Regular Meeting of the East Lyme Water & Sewer Commission at 8:43 PM.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary