

EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 22, 2023
MINUTES

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, August 22, 2023. Chaiman Seery called the Regular Meeting to order at 7:00 PM.

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

ALSO PRESENT: Joe Bragaw, Public Works Director
Matt Garneau, Assistant Utility Engineer
Anne Santoro, Deputy First Selectman
Ed O'Connell, Town Attorney

ABSENT: Michelle Williams

RECEIVED FOR RECORD
EAST LYME, CT
2023 AUG 24 A 9:58
Cathy Williams
TOWN CLERK

1. Call to Order/Pledge of Allegiance

Chaiman Seery called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:00 PM. The Pledge was observed.

2. Approval of Minutes

Regular Meeting Minutes — July 25, 2023

Mr. Seery called for a motion or any discussion on the Regular Meeting Minutes of July 25, 2023.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular meeting Minutes of July 25, 2023, as presented.

Mr. Zoller seconded the motion.

Vote: 8 - 0 - 0

3. Delegations

Mr. Seery called for delegations.

There were none.

4. Correspondence Log

Mr. Seery mentioned that 231 Boston Post Road disputes need to be reviewed by the board's attorney for recommendations before bringing them to the board for resolution.

5. Billing Adjustments/Disputes

Mr. Seery brought up 221 W. Main Street as a billing issue that he would like to table to review in more detail and to present to the commission later.

6. Approval of Bills

****MOTION (2)**

Mr. DiGiovanna moved to approve Tighe and Bond Inv. No. 072391012 and West and Sampson Inv. No. 8231023 and Mr. Zoller seconded the motion.

Vote: 8- 0 -0. Motion passed.

7. Finance Director Report

Mr. Gervais was excused from the meeting today by Mr. Seery. All questions about reports to be presented to Mr. Gervais to be addressed at the next meeting.

8. Discussion and Possible Action on Charges for Delinquent Interest

Mr. Bragaw presented that he would like to change the monthly delinquent rates from 1% to 1.5% to be consistent with the Town's Tax Collector's rates (change from 12% to 18% a year). Attorney O'Connell mentioned that he had come up with 2 sets of solutions. **Handouts were shared (Reference attached).**

The **First Resolution** was pertaining to the **Water** and contained two provisions.

Attorney O'Connell read the First Resolution. Mr. Bragaw mentioned that the Public Hearing should probably take place at the next meeting. Mr. Roberts questioned if the next meeting is a feasible timeline for the public hearing and how the public would be notified. Mr. Seery and Attorney O'Connell responded that the notice should be published in the newspaper at least 10 days prior to the meeting. Mr. Seery mentioned that the Town Clerk would also have to post it. Mr. Bragaw mentioned that it should not be hard to pass such changes since it is just a technicality on having the Water delinquent rates match the town's tax rates. Mr. Bragaw also mentioned that this increase in rates would increase revenue.

Mrs. Russell mentioned that the language about new rates should be about standardization of the Water rates to match the states rates. Mr. O'Connell mentioned that it would also match the town's Tax Collector rates of 18%.

****MOTION (3)**

Mr. Bond moved to adopt the First Resolution. Mr. Murphy seconded the motion.

Vote 8- 0 - 0. Motion passed.

The **Second Resolution** was pertaining to Sewer that also contained two provisions.

Attorney O'Connell read the Second Resolution and mentioned that these solutions are right out of the statute and that they keep the consistency of using the same 18% rate that the state uses. Mr. Seery asked if there were any questions on the Second Resolution. Mrs. Russell asked if a lien is to be applied on a property, do we have to notify the public ahead of time. Mr. Seery answered that it is an everyday process in the Sewer Department, and it would not be

different under these resolutions. Mr. Bragaw mentioned that it is not something that is taken lightly and that a protocol will be followed within the department just like the Sewer Assessment liens are done today.

****MOTION (4)**

Mr. Roberts moved to adopt the Second Resolution. Mr. Murphy seconded the motion. Vote 8- 0 - 0. Motion passed.

9. Project Updates:

a. Meter Replacement Project

Mr. Garneau reported that they changed out 236 meters in July for an 86% completion rate. He also mentioned that meter replacements will continue throughout the meter reading process for the upcoming billing. There are at least 300 appointments scheduled throughout the next couple of months, making the meter reading process much easier. Mr. Garneau mentioned that we will, in the end, have 5% to 8% of customers that will be a challenge to replace the meters and that we should probably start looking into implementing the meter replacement fee on the May 2024 bill.

Mr. DiGiovanna asked if the meters that are left to be replaced are spread out throughout town. Mr. Garneau answered yes. Mr. Murphy asked how the beach areas are doing since it is going to be more challenging once we lose accessibility after summer residents leave. Mr. Garneau mentioned that we still have a lot of meter pits to be replaced in those areas and that we would be targeting them to get completed.

Mr. Bond asked what the plan is for quarterly bills. Mr. Bragaw said that maybe fall of 2024. Mr. Garneau mentioned that we would need a 98% to 99% completion of meter replacements in order to implement quarterly billing. Mr. Bragaw mentioned that the quarterly billing would improve cash flow and that if the rates are going to change before next fall, then now is the time to start talking about quarterly bill rates.

b. Niantic Pump Station Rehabilitation Project

Mr. Garneau reported that this project is progressing along in a timely manner.

c. Well 2A Raw Water Transmission Main Project

Mr. Garneau reported that we started the execution of this project last week and that will probably take 4-5 weeks to finish the main installation.

10. Chairman's Report

Mr. Seery mentioned that the I95-Exit 74 project is overall on time, however, the blasting schedule is falling behind schedule. There are not enough State Troopers to oversee the closing of I95 and our police department is being hired to help - the police are being paid by the state contractor.

11. Staff Updates

a. Water Department Monthly Report

Mr. Garneau mentioned that our demand for water is down by 19%. Because the flushing of hydrants is going to start in September, the New London Interconnection will be used.

b. Sewer Department Monthly Report

12. Future Agenda Items

There were none.

13. ADJOURNMENT

Mr. Seery called for a motion to adjourn.

****MOTION (5)**

Mr. DiGiovanna moved to adjourn this Regular Meeting of the East Lyme Water and Sewer Commission at 7:39 PM.

Mr. Spencer seconded the motion.

Vote: 8 - 0 - 0

Respectfully submitted,

Tania Ranelli
Recording Secretary

RESOLVED, that the Commission hereby authorizes the Chair to execute a notice of public hearing to consider the amendment of Section 52.20 of the Resolution entitled "Water Rates Generally" to provide that any rates for use of the town's water system, if not paid when due shall constitute a lien upon the premises served and a charge against the owner thereof, which lien and charge shall bear interest at the same rate as would unpaid taxes.

FURTHER RESOLVED, that the Commission hereby authorizes the Chair to execute a notice of public hearing to consider the amendment of Section 52.21 of said Resolution, pertaining to "Various Water Charges", to provide that any fee or charge described in said section which is not paid within thirty days from the date it becomes due and payable shall bear interest at the rate of 18% per annum until paid. The remainder of said section shall be in full force and effect.

RESOLVED, that the Commission hereby authorizes the Chair to execute a notice of a public hearing to consider the amendment of Section 53.103(B) of the "Resolution Regarding Adoption of Sewer Use Charges; Sewer Rates and Charges Generally" to provide that any charge for use of the town's sewerage system, not paid within thirty days of the due date, shall thereupon become delinquent and shall bear interest from the due date at the rate and in the manner provided by the general statutes for delinquent property taxes. Each addition of interest shall be collectible as a part of such use charge.

FURTHER RESOLVED, that the Commission hereby authorized the Chair to execute a notice of public hearing to consider the amendment of Section 53.103(C) of said Resolution to provide that any such unpaid charge shall constitute a lien upon the real estate against which such charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed in the same manner as a lien for property taxes.