

EL Water & Sewer Commission
July 22nd, 2025, Meeting Minutes

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Minutes of East Lyme Water and Sewer Commission Regular Meeting - 07/22/25

Date and time: 07/22/25 7:00 PM to: 07/22/25 8:17 PM

Present: Brooke Stevens, Recording Secretary, Commission Members:, Carol Russell, Dan Cunningham, Chairman, David J. Murphy, David R. Zoller, Lindsay Bollenbach, Roger L. Spencer, David B. Bond, Ken Roberts, Absent:, Michelle Royce Williams

CC: Joe Bragaw, Director of Public Works, Kevin Gervais, Finance Director, Ann Cicchiello, Deputy First Selectman, Joe Blanchard, Utility Engineer, Ben North, Chief Operating Officer

Location: East Lyme Town Hall, Upper Conf. Room, 108 Pennsylvania Ave., Niantic, CT, 06357

Topics

1. Call to Order

Note Chairman Cunningham called the July 22nd, 2025, Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:00 p.m. and led those assembled in the Pledge of Allegiance. A quorum of Commission Members were present.

2. Additions to the Agenda

Decision MOTION (1)

Mr. Murphy moved to add the annual Spinnaker contract renewal, Item 8A, to this evening's agenda.
Ms. Russell seconded the motion.
Motion carried, 8-0-0.

3. Approval of Minutes

3-1. June 24th, 2025, Regular Meeting Minutes

Note see attachment.

 [Water-Sewer-June-24-2025-Minutes-1.pdf](#)

Note Ms. Russell requested an amendment to page 3, 7th note down, first sentence, stating that the section needs more context. She suggested adding the following:

"During the discussion, Ms. Russell clarified that her questions regarding administratively approved capacity were to better understand the potential cumulative impact on total available capacity and were not driven by concerns the administrative approval process might be exploited."

Decision MOTION (2)

Mr. Zoller moved to approve the Meeting Minutes of June 24th, 2025, as amended.
Mr. Murphy seconded the motion.
Motion carried, 5-0-3.
Mr. Roberts, Mr. Bond, and Mr. Spencer abstained from the vote due to their absence from the June 24th, 2025, Meeting.

4. Delegations

Note There was none.

5. Correspondence Log

Note see attachment.

 [Log.pdf](#)

Note Mr. Cunningham noted the three items of correspondence received:

1. Waterford Utility Commission- Meeting notice dated July 8th, 2025.
2. New London Water Authority- Notification regarding public hearing.
3. Miscellaneous correspondence included in the meeting packet.

6. Billing Adjustments/Disputes

6-1. 20 Pennsylvania Ave (Mixed Use Property)

Note see attachment.

 [20 Penn Ave.pdf](#)

Note Mr. North detailed some of the following:

- *Property is mixed-use (commercial with apartments).
- *Issue- excessive water bill caused by leaks (toilets in commercial unit and minor apartment leaks).
- *The request letter, repair receipts, and payment confirmation have been provided to his office.
- *1-in-10-year policy applies.
- * The sewer portion has not been adjusted since water entered the sewer system.
- *The water portion was adjusted using the difference between actual usage and average usage of two prior periods.
- *The calculated adjustment is \$11,942.37 (including a \$18.50 meter maintenance fee).

Note Mr. North and the Commission discussed how this is the first adjustment for this owner at this property and how systems are in place to flag future adjustments under the 1-in-10 policy.

Decision MOTION (3)

Mr. Murphy moved to approve the 1-in-10 request for 20 Pennsylvania Avenue per Staff recommendations.
Mr. Roberts seconded the motion.
Motion carried, 8-0-0.

7. Approval of Bills

Note There was none.

8. Finance Director Report

Note see attachment.

 [Finance_Report.pdf](#)

Note Mr. North presented the Finance Director's report on behalf of Mr. Gervais, who was unable to attend this evening's meeting.

Some of the following was highlighted and discussed with the Commission:

Note 1. Water Operations Cash Position-

- *Previous year (June 30, 2024)- \$5,926 in water operations account.
- *Current year (June 30, 2025)- \$2.5 million in water operations account.
- *June interest earnings- \$7,317.72 (despite lower interest rate.)
- **Projection- \$80,000–\$90,000 in annual interest earnings vs \$500 last year.

Note 2. Sewer Operations Revenues and Expenditures-

- *Budget- \$2.9 million.
- *Collected- \$3,047,655 (105% of budget; \$147,717 over target).
- **Comparison to prior year- \$105,000 increase (approx. 3.6%).

Note 3. Water Operations Revenues and Expenditures-

- *Budget- \$4.6 million.
- *Collected: \$4.5 million (approx. 17–18% increase vs prior year).
- *Expenditures- \$3.3 million to date (expected to rise with bond principal and outstanding electric bills).

Note Mr. Roberts asked what he attributes this success to, and Mr. North replied that the revenue growth can be attributed to a 6% rate increase in November 2024, improved collection processes (delinquent notices and shut-off procedures), as well as the fact that credit card payments are now accepted; currently processing fees are absorbed by the utility to encourage timely payments.

Note Mr. North discussed how the new metering system helps detect leaks earlier and reduces 1-in-10 adjustments. It was also noted that 700 delinquency mailers were sent out (approx. 7,000 accounts), and that increased July collections are expected due to the shut-off process and billing system upgrades.

Note 4. Audit-

- *Fiscal Year 2023 Audit expected to be released July 23, 2025.
- * Commission Members to receive electronic copies (150+ pages).
- *Corrective action plan has been implemented for minor record-keeping issue related to sewer assessments.

9. Set Public Hearing Date for Sewer Assessments

Note see attachment.

 [sewer_assessments.pdf](#)

Note Mr. North clarified changes in how they list revenue recognition for sewer assessment payments.

- *Going forward, revenues will be posted to a deferred account.
- *Land records will still reflect the assessments, even if the fee has already been paid.

Note Mr. North briefly discussed the attached sewer assessment schedule and proposed a public hearing to formalize the supplemental schedule.

Note Mr. North shared that the value of assessment fees is approximately \$400,000.

Note MOTION (4)

Mr. Murphy moved to o set a public hearing for Tuesday, August 26th at 6:30 PM regarding the Supplemental Sewer Assessment Schedule A, as proposed by Staff.

Mr. Zoller seconded the motion.

Note Ms. Russell suggested consulting with Finance Director Kevin Gervais due to economic fluctuations for validation of rates to make sure they're not too low. Mr. North added that the hearing resolution will be in draft form and may be revised after the public hearing.

Decision MOTION (4) Vote:
Motion carried, 8-0-0.

9-1. Annual Spinnaker Contract

Note see attachment.

 [Spinnaker.pdf](#)

Note Mr. Zoller recused himself from this item since he lives at Spinnaker.

Note MOTION (5)

Mr. Spencer moved to approve the annual Spinnaker contract renewal.
Mr. Murphy seconded the motion.

Note Mr. North explained that the contract is largely the same as previous years, with updated dates and instead of using the standard CPI-based rate adjustment, a 7% increase was applied, aligning with the new UPSEU labor contract due to the labor-intensive nature of the work.

Decision MOTION (5) Vote:

Motion carried, 7-0-1.

Mr. Zoller abstained from the vote.

10. Discussion on Sewer Capacity Allocation for 235 & 225 Flanders Road

Note see attachment.

 [235 225 Flanders.pdf](#)

Note Attorney Harry Heller and Surveyor Bobby Pfanner were in attendance to represent applicant 283 BPR, LLC, who is seeking a sewer capacity allocation request for a proposed 48-unit, age-restricted, one-bedroom housing development at 225 and 235 Flanders Road.

Note Mr. Heller noted some of the following:

- *The project involves two adjoining parcels and proposes 48 age-restricted active adult, one-bedroom units.

- *The sewer capacity requested is 3,250 gallons/day, based on prior estimates used for a similar project (Parker's Place.)

- *Age-restricted housing typically has lower sewer demand, making the requested allocation reasonable.

- *The request would be subject to the town's sewer ordinance, including requirements for permitting as well as expiration.

- *The application falls below the 5,000-gallon threshold, which normally would qualify it for staff approval, but the unit count triggered commission review.

- *Following the termination of the Nehantic Village allocation, there is now adequate available sewer capacity to accommodate the request.

Note The Commission was reminded that applications received before any future moratorium are still valid and must be considered under current regulations.

Note Ms. Russell asked if septic had been considered for this project and Mr. Pfanner explained that the property has wetlands behind it and steep slopes in front. Although a septic system might be technically feasible, it would be costly and consume much of the usable land, making it impractical. The design includes a wetland crossing, which would require a wetlands permit.

Note Mr. Murphy asked if there is intention for an eventual expansion and Mr. Heller noted a conceptual road extension that might enable future development, though this is not part of the current application and any future phases would require separate approval and permitting.

Note Some Commissioners expressed a desire for more time to study potential induced development impacts (i.e., whether sewer access enables development that would otherwise be limited by wetlands).

Concerns were raised about making sure the Clean Water Fund compliance is considered, especially regarding whether sewers enable development in otherwise unbuildable areas.

There was a desire to allow public input, especially given the environmental features of the site.

Note Mr. North added that a public hearing could coincide with the previously scheduled sewer assessment hearing.

Decision MOTION (6)

Mr. Murphy moved to schedule a Public Hearing for this item on August 26th, 2025, at 6:30 p.m.

Mr. Spencer seconded the motion.

Motion carried, 8-0-0.

Note Mr. Heller emphasized that although a moratorium on sewer capacity allocation/development is pending review by the Board of Selectmen, it has not been enacted yet. The Commission is still obligated to consider applications submitted before the moratorium takes effect.

Note Mr. Heller also clarified that the Commission's role is to allocate sewer capacity based on current availability and ordinance criteria—not to evaluate zoning or wetlands impacts directly, which fall under other commissions.

11. Project Updates

11-1. Water System SCADA Upgrade

Note Mr. North detailed upgrading the water system's Supervisory Control and Data Acquisition (SCADA) infrastructure. The current system relies on outdated Bristol Babcock components, which are no longer adequate. The team is transitioning to a modern Allen Bradley PLC-based system. The upgrade is necessary due to compatibility, data visibility, and security concerns.

Note Mr. North highlighted the following:

- *The upgrade is expected to cost less than \$50,000.

- *Funds will come from the Market Structure Account, and a verbal go-ahead has already been given.

- *The computer has been ordered, and more precise cost details will be available next month.

- *The new system will enable better data acquisition, graphing, and operational visibility, comparable to the recent meter replacement project.

- *There will be improved security, data control, and remote monitoring—but chemical controls will remain physically isolated and read-only, adding a layer of safety.

- *Future integration may involve VFD (Variable Frequency Drive) controls to modulate system performance but still avoid internet-controlled chemical dosing.

Note *The upgrade supports state-level cybersecurity standards and aligns with a grant secured by the town's IT department.

- *It will be connected to the state's fiber optic system with a failover cellular backup, enhancing resilience.

- *Two-step authentication and secure gateways are already in place, and a recent security audit (SISA) was conducted.

Note Commissioners stressed that any current investment must be forward-compatible with future regulatory and technological changes.

12. Chairman's Report

Note Mr. Cunningham gave his report and shared some of the following highlights:

- *Celebrate East Lyme was successful with a strong turnout.
- *Weather was favorable, and no major incidents occurred.
- *Fireworks were enjoyed by all.
- *Thanks were extended to Public Works, Police, Fire Department, and Water & Sewer for their coordination and support.

Note *Progress continues on the redevelopment of the old police station.

- *A \$200,000 grant has been awarded to conduct Phase I and II environmental assessments.
- *Ongoing coordination with Dominion is needed to access the site.
- *A Verbal agreement has been reached; written agreement still pending.
- *He is confident cooperation will allow necessary evaluations to proceed.
- *Once assessments are complete, decisions will be made about the future use of the site.

Note *Significant ADA-related renovations are underway at Town Hall.

- *The exterior ramp is complete, and the grass has grown in successfully.
- *Upstairs bathrooms are near completion, awaiting partition installation (expected to be functional later this week). Work will then shift to the downstairs bathrooms.
- *The Water Department offices have been temporarily relocated to the upstairs conference room during the renovations.
- *The final construction phase includes work in the foyer to ensure better public access to Water Department services.

Note *He hopes to resume activity with the Capital Projects Subcommittee in mid-September.

- *The Plan is to replicate the success of last year's Board of Selectmen strategic capital project planning.
- *Emphasis will be on long-term planning and structured prioritization of projects.

13. Staff Updates

13-1. Water Department Monthly Report

Note see attachment.

 [Water_report.pdf](#)

Note Mr. North reported some of the following:

- *Water demand is increasing while streamflows are dropping.
- *Wells 3A and 3G are in regular use.
- *Well 2A (previously underused due to manganese) is now fully operational after being connected to treatment.
- *Well 5 is nearing its streamflow restriction trigger, though it should remain usable for a few more weeks.

Note *There was a system Incident at the Orchards Booster Station.

- *A pump contactor failed over the weekend, causing over-pressurization in the Orchards system.
- *This led to flooding in a homeowner's basement.
- *Water Department staff responded quickly and helped clean up and moved affected items.
- *The homeowner was satisfied with the response.
- *The incident is under review with the insurance company for further damage assessment.

Note *They plan to upgrade booster stations from old contact starters to VFDs.

*VFDs provide smoother pump starts, reduce wear on pumps and bearings, allow modulated control (not just on/off), save energy and extend equipment life.

*Estimated cost: ~\$5,000 per VFD, three pumps at the station.

*Already implemented at Niantic and other well stations.

*Staff will explore energy rebate programs to offset upgrade costs.

Note *Water transfer agreement exists with New London.

*No current transfers; used only for emergency needs.

*Both towns prefer avoiding routine reliance on this source.

Note *Well 5 has been successfully redeveloped.

*Well 6 is SCADA-managed- automated flow totalizer shuts the well off before exceeding the daily limit (440,000 gallons/day).

*SCADA & logic controls now regulate runtime and flow, optimizing yield safely.

13-2. Sewer Department Monthly Report

Note see attachment.

 [Sewer_report.pdf](#)

Note Mr. North reported some of the following:

*Stipulated Judgment Approved for Parker's Place- 8,124 gallons/day approved.

*Future request possible for sewer line relocation.

*Attorney Hollister submitted a request on behalf of Mr. Russo for an additional 123,000 gpd.

*This is in addition to an existing 118,000 gpd allocation.

*Likely part of the second phase of an earlier development plan.

*No formal application yet—just a preliminary request.

 [Hollister_email.pdf](#)

Note Commission Members raised concerns about sewer capacity moratoriums and the prospect of developers rushing to submit applications to get in line before the moratorium is enacted. Mr. Bond noted that even if applications are rejected, developers may claim priority once moratoriums lift and legal counsel may be needed to navigate future disputes.

Note Moratorium mechanics and regulatory implications were discussed in depth.

Note Mr. Cunningham and Mr. North discussed how a public hearing is scheduled for August 6th, 2025, by the Board of Selectmen regarding the potential moratorium.

The BOS may choose to:

*Approve the proposed moratorium.

*Request changes or more information.

*Continue the hearing if needed.

**If approved, the moratorium would affect applications that exceed current regulation limits (e.g., 20+ unit developments).

14. Future Agenda Items

14-1. Sewer Capacity Subcommittee

14-2. Capital Projects Subcommittee

15. Adjournment

Decision MOTION (7)

Mr. Murphy moved to adjourn the July 22nd, 2025, Water & Sewer Commission Meeting at 8:17 p.m.

Mr. Bond seconded the motion.

Motion carried, 8-0-0.

Note Respectfully Submitted,

Brooke Stevens,

Recording Secretary