

Water & Sewer Commission

December 16th, 2025

Regular Meeting Minutes

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Minutes of East Lyme Water and Sewer Commission Regular Meeting - 12/29/25

Date and time: 12/29/25 07:25 pm to: 12/29/25 08:10 pm

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

CC: Ben North, Chief Operating Officer, Ann Cicchiello, Deputy First Selectman, Tracy Collins, Town Attorney, Joe Bragaw, Director of Public Works, Joe Blanchard, Utility Engineer

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

Topics

1. Call to Order

Note Chairman Cunningham called the December 16th, 2025, Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:25 p.m., following the conclusion of the Public Hearing.

Note It was noted that the Pledge of Allegiance was observed prior to the onset of the Public Hearing.

2. Approval of Minutes

2-1. Public Hearing Minutes - November 18th, 2025

Note see attachment.

 [Water-Sewer-November-18-2025-Public-Hearing-Minutes.pdf](#)

Decision MOTION (1)

Mr. Zoller moved to approve the Public Hearing Minutes of November 18th, 2025, as submitted.

Ms. Royce Williams seconded the motion.

Motion carried, 6-0-2.

Mr. Roberts and Mr. Spencer abstained from the vote due to their absence from the November 18th, 2025, Public Hearing.

2-2. Regular Meeting Minutes - November 18th, 2025

Note see attachment.

 [Water-Sewer-November-18-2025-Regular-Meeting-Minutes.pdf](#)

Decision MOTION (2)

Mr. Zoller moved to approve the Regular Meeting Minutes of November 18th, 2025, as submitted.

Ms. Russell seconded the motion.

Motion carried, 6-0-2.

Mr. Roberts and Mr. Spencer abstained from the vote due to their absence from the November 18th, 2025, Regular Meeting.

3. Delegations

Note There were none.

4. Presentation on the Determination of Capacity for Dan Trakas ETAL Concerning a Development on 202 Pennsylvania Ave

Note The Commission moved into formal deliberations regarding the sewer capacity request for the Dan Trakas ETAL development. The discussion revealed a deep division between members over the interpretation of the ticket holder reserve.

Note Several Commissioners expressed that the board is legally and mathematically bound by Exhibit 3, which shows the town is currently overallocated by over 26,000 gallons. They argued that the 137,000-gallon reserve for ticket holders must be protected as a legal obligation, comparable to a "seat at a concert" already paid for.

Note Ms. Royce Williams clarified that the previous 74,000-gallon allocation for this site was not returned but had simply expired under regulations. She emphasized that while she values the Trakas family's legacy, the Board cannot legally treat an applicant differently based on their history or the quality of the project.

Note Mr. Bond argued that the 137,000-gallon figure is a phantom number or moving target that is unlikely to be fully utilized in the next several decades. He contended that since a moratorium is impending, the town should approve this legacy project to secure infrastructure and new ratepayers. He argued that the town must eventually find more capacity anyway and should "push it to the wire" to force progress on regional capacity solutions.

Note Ms. Russell expressed deep concern about meeting legal obligations to the 137,000-gallon ticket holder reserve and felt the Trakas project would dip too heavily into that buffer.

Note Ms. Royce Williams stated that the Commission is legally obligated to save seats for ticket holders. She noted that without a "use it or lose it" policy, the math clearly shows the town is overallocated by over 26,000 gallons. She emphasized that the decision must be limited to math, not the legacy status of the owners. Mr. Spencer concurred.

Note Mr. Murphy agreed wholeheartedly that capacity does not exist today based on current calculations and stated he could not vote to approve even a single gallon.

Note Mr. Cunningham noted that while he has warm feelings for the family, the Commission's obligation to ticket holders must come first. He mentioned that since the town can no longer assume it can buy capacity from Waterford or New London, the Board must be diligent and deny the request.

Note Mr. Bond reiterated that the reserve is a phantom number that is unlikely to be used in 5, 10, or 20 years. He argued that the spreadsheet shows less capacity than what is actually available in reality.

Note Mr. Bond also argued that this was the last application before the moratorium and that the town should absorb the 54,000 gallons now. He cited his own status as a ticket holder who has no intention of hooking up to the sewer, suggesting many others in the 137,000-gallon pool are in the same position.

Note Mr. Zoller concurred.

Decision MOTION (3)

Mr. Bond moved to approve the allocation of 54,190 gallons.

Mr. Zoller seconded the motion.

Motion failed, 2-5-1.

Yay- Mr. Bond and Mr. Zoller.

Nay- Ms. Russell, Ms. Royce Williams, Mr. Spencer, Mr. Cunningham, Mr. Murphy.

Abstentions- Mr. Roberts

Decision MOTION (4)

Mr. Spencer moved to deny the application for allocation of 54,190 gallons.

Ms. Russell seconded the motion.

Motion carried, 5-2-1.


Yay- Ms. Russell, Ms. Royce Williams, Mr. Spencer, Mr. Cunningham, Mr. Murphy.

Nay- Mr. Bond and Mr. Zoller.

Abstentions- Mr. Roberts

5. Discussion and Possible Action on Linebacker Service Protection Program

Note see attachment.

 [3500_001.pdf](#)

Note The Commission briefly discussed the Linebacker Service Protection Program, but the item was tabled until January due to the absence of the presenter.

6. Correspondence Log

Note see attachment.

 [3501_001.pdf](#)

Note Mr. Cunningham noted that communication was received from the Waterford Utility Commission; a letter dated December 10th, 2025, was received, which included the Minutes from their December 9th, 2025, meeting.

7. Billing Adjustments/Disputes


Note There were none.

8. Approval of Bills

Note There were none.

9. Finance Director Report

Note see attachment.

 [3502_001.pdf](#)

Note Mr. Cunningham noted that Mr. Gervais could not attend this evening, but that his report was included in the Member Packet.

Note Mr. North shared that the Finance Director reported that the departments' numbers remain in healthy shape.

10. Discussion and Possible Action on FY2025 Final Transfer Request of Water and Sewer Accounts

Note The Commission addressed the final transfer requests for the 2025 fiscal year. This marks a change in administrative procedure to align the Water and Sewer Commission with other town boards by formalizing the reallocation of operating funds through a public vote rather than staff-level recommendations.

Note see attachment.

 [3503_001.pdf](#)

Note Mr. North explained that these transfers are a "catch-up with reality," representing reallocations that occurred throughout the previous fiscal year to balance various budget lines. It was clarified that these actions result in a "debt zero" outcome—they do not represent new spending but rather the movement of existing funds between accounts to cover overages in specific operating lines.

Decision MOTION (5)

Ms. Royce Williams moved to approve the requested Water Department transfer for fiscal year 2025 as presented in exhibit A, for a total of \$129,188.

Mr. Spencer seconded the motion.

Motion carried, 8-0-0.

Decision MOTION (6)

Ms. Royce Williams moved to approve the requested Sewer Department transfer for fiscal year 2025 as presented in exhibit B, for a total of \$46,136.

Ms. Russell seconded the motion.

Motion carried, 8-0-0.

11. Discussion on Possible New Water/Sewer Rate Structures and Schedule Finance Subcommittee

Note Mr. North, Mr. Bragaw and Mr. Blanchard introduced an analysis of town-wide water usage, highlighting a significant irrigation problem. Using new billing software data from May to October, staff revealed:

*80% of residential customers use only 50% of the water.

*A small group of 300 customers (roughly 5% of residents) accounts for a massive portion of the usage, averaging 960 gallons per day, largely due to irrigation.

Note Staff proposed moving toward a more nuanced rate structure to separate Residential, Commercial, and Industrial classes. The primary goals discussed were:

*Equity- Commissioners noted that the current one-size-fits-all approach causes "by-catch," where businesses are penalized by higher tiers intended for conservation, while typical residents effectively subsidize the treatment and pumping costs of heavy irrigators.

*Conservation- both the DEEP and DPH have tasked the town with finding ways to limit production and stretch current water resources to sustain future housing growth.

*Sewer Implications- since sewer bills are often calculated based on water usage, heavy irrigators frequently complain about paying sewer fees for water that goes into the ground. A tiered or separated rate structure would address the choice to irrigate.

Note The discussion revealed several perspectives:

*One commissioner urged staff to keep it simple and look at models from other water companies to avoid creating a confusing system of 18 choices.

*There was debate over what constitutes essential use. While staff viewed irrigation as a luxury choice, some noted that a home garden might be essential to some residents and shouldn't be penalized.

*The new structure aims to protect businesses (like laundromats) from being pushed into high-cost tiers simply due to the nature of their operations.

Note A Finance Subcommittee meeting was scheduled for Thursday, January 15th, 2026, at 3:00 p.m.

12. Chairman's Report


Note Mr. Cunningham noted that the Commission will begin the heavy work of fiscal budget preparation in the coming weeks.

Note He also gave an update on the I-95/Route 161 Project. The bridge project is 75% complete and aiming for a November 2026 finish. Blasting schedules have been delayed but are expected to resume next week.

13. Staff Updates

13-1. Water Department Monthly Report


Note see attachment.

 [3505_001.pdf](#)

Note Mr. North reported on recent maintenance activities, specifically addressing a series of water pipe bursts. Several leaks occurred recently, including a few over the previous weekend. The Department's vacuum (vac) truck was cited as an essential tool in these repairs. Mr. Cunningham and staff noted that the equipment has been impressive, allowing crews to access, repair, and exit job sites much more quickly than with traditional excavation methods.

13-2. Sewer Department Monthly Report

Note see attachment.

 [3504_001.pdf](#)

14. Future Agenda Items

Note The Commission identified several key focus areas for the beginning of 2026.

14-1. Sewer Capacity Subcommittee

Note Work will continue to address the town's limited capacity and the ongoing moratorium.

14-2. Finance Subcommittee

Note This group will meet on January 15th at 3:00 PM to tackle the new water rate structures and irrigation usage data.

14-3. Capital Projects Subcommittee

Note Upcoming proposals regarding large-scale infrastructure and capital improvement plans are anticipated.

15. Adjournment

Decision MOTION (7)

Mr. Murphy moved to adjourn the December 16th, 2025, Water & Sewer Commission Meeting at 8:10 p.m.
Mr. Zoller seconded the motion.
Motion carried, 8-0-0.

Note Respectfully Submitted,
Brooke Stevens,
Recording Secretary