

EAST LYME BOARD OF SELECTMEN
PUBLIC HEARING OF JANUARY 21, 2026
MINUTES

PRESENT: Board of Selectmen Members Dan Cunningham, Rose Ann Hardy, Ann Cicchiello, Jason Deeble and Candice Carlson. Cindy Collins joined via Zoom.
ALSO IN ATTENDANCE: Ben North, Water & Sewer

Mr. Cunningham opened the Public Hearing at 7:00 p.m. and led the Pledge of Allegiance.
Ms. Cicchiello read the Public Hearing Notice into record as follows:

NOTICE IS HEREBY GIVEN of a public hearing to be held by the East Lyme Board of Selectmen at 7:00 p.m. on January 21, 2026 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut to consider an amendment to Ordinance Section 52.21 entitled "Various Water Charges". The proposed amendment raises the interest rate on overdue fees and charges imposed by the Water and Sewer Commission from 12% to 18%. Copies of the full text of the proposed Ordinance are on file for public inspection at the office of the East Lyme Town Clerk, 108 Pennsylvania Avenue, Niantic, Connecticut and at www.eltownhall.com to which reference may be had. Interested persons are invited to attend and be heard. Dated at East Lyme, Connecticut, on this 7th day of January, 2026. East Lyme Board of Selectmen.

Ben North, Chief Operating Officer of Water and Sewer, stated that the rate was approved in 2023 by the Water and Sewer Commission who were, at the time, deemed the authority to do so. In November 2023 the new rate of 18% started, and users that are late on their payments have paid the 18% since that time. There were a number of public meetings held in advance of this increase, but no public attended and spoke. 18% is a universal rate for late payments, so this brings this policy in line with the others in Town. Since this change took place in 2023, tonight's action is to simply to the housekeeping and amend the ordinance as it was not done previously. Documents referenced are attached hereto as Exhibit A.

To watch the full meeting and to find a full transcript using the Town of East Lyme YouTube channel, please go to eltownhall.com/government/videos/.

Mr. Cunningham called for anyone else from the public to speak. There was no public in attendance to speak on this matter, so he called for a motion to close the public hearing.

MOTION (1)

Motion by Ms. Cicchiello to close the Public Hearing of January 21, 2026, at 7:08 p.m.
Seconded by Ms. Hardy. Motion passed 6-0.

Respectfully Submitted,



Sandra Anderson
Recording Secretary

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EAST LYME, CT
JAN 22 P 12:38
TOWN CLERK

Recording Copy
Exhibit A

Exhibit A

**TOWN OF EAST LYME
WATER AND SEWER COMMISSION
NOTICE OF PUBLIC HEARING RE
INTEREST RATES ON DELINQUENT WATER CHARGES**

NOTICE IS HEREBY GIVEN that the East Lyme Water and Sewer Commission will hold a public hearing on Tuesday, September 26, 2023, at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut at 6:30 p.m. to consider amendments to subsection (C) of the ordinance designated as "§52.20 Water Rate Generally" and to subsection (D) of the ordinance designated as "§52.21 Various Water Charges" to provide that the interest rate set forth in said subsections be changed from 12% per annum to 18% per annum.

Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut on this 13th day of September, 2023.

**TOWN OF EAST LYME
WATER AND SEWER COMMISSION**

By


Kevin Seery, Its Chair

A. 1000-1000-1000

**TOWN OF EAST LYME
WATER AND SEWER COMMISSION
NOTICE OF PUBLIC HEARING RE INTEREST
AND DELINQUENT SEWER CHARGES AND SEWER LIENS**

NOTICE IS HEREBY GIVEN that the East Lyme Water and Sewer Commission will hold a public hearing on Tuesday, September 26, 2023, at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut at 6:30 p.m. to consider an amendment to the resolution designated as subsection (B) of "§53.103 Billing and Late Charges" of the Resolution titled "Resolution Regarding Adoption of Sewer Use Charges; Sewer Rates and Charges Generally" to provide that the interest rate set forth in said subsection be changed from 1% for each 30 days of delinquency to 1.5% for each such 30 days, and an amendment to subsection (C) of said resolution to provide that the date that any unpaid charge becomes a lien upon the premises is the date that it becomes delinquent..

Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut on this 13th day of September, 2023.

TOWN OF EAST LYME
WATER AND SEWER COMMISSION

By


Kevin Seery, Its Chair

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C

**MOTION REGARDING INTEREST
ON DELINQUENT SEWER CHARGES**

The resolution designated as subsection (B) of "§53.103 Billing and Late Charges" of the Resolution titled "Resolution Regarding Adoption of Sewer Use Charges; Sewer Rates and Charges Generally" is hereby amended to provide that the interest rate set forth in said subsection be changed from 1% for each 30 days of delinquency to 1.5% for each such 30 days, effective on _____, 2023.

**MOTION REGARDING INTEREST RATES
ON DELINQUENT WATER CHARGES**

Subsection (C) of the ordinance designated as "§52.20 Water Rate Generally" and subsection (D) of the ordinance designated as "§52.21 Various Water Charges" are hereby amended to provide that the interest rate set forth in said subsections be changed from 12% per annum to 18% per annum, effective on _____, 2023..

9

MOTION REGARDING SEWER LIENS

The resolution designated as subsection (C) of "§53.103 Billing and Late Charges" of the Resolution titled "Resolution Regarding Adoption of Sewer Use Charges; Sewer Rates and Charges Generally" is hereby amended to provide that the date that any unpaid charge becomes a lien upon the premises is the date that it becomes delinquent, effective on _____, 2023.

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
TUESDAY, SEPTEMBER 26, 2023
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on September 26, 2023. Chairman Kevin Seery called the Regular Meeting at 6:43 PM after the previously held Public Hearing.

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

ABSENT: None

ALSO PRESENT: Joe Bragaw, Public Works Director
Matt Garneau, Utility Engineer
Ben North, Chief Operating Officer
Kevin Gervais, Finance Director
Ed O'Connell, Town Attorney

1. Call to Order/Pledge of Allegiance

Chairman Kevin Seery called the Regular Meeting for the Town of East Lyme Water and Sewer Commission to order at 6:43 PM. The Pledge was previously observed.

2. Approval of Minutes

Regular Meeting Minutes – August 22, 2023

Mr. Seery called for a motion to approve or any discussion on the Regular Meeting Minutes of August 22, 2023.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of August 22, 2023, as presented.

Mr. Zoller seconded the motion.

Vote: 9 – 0 – 0

Motion passed.

3. Delegations

Mr. Seery called for delegations. There were none.

4. Correspondence Log

Mr. Murphy asked about the correspondence for 237 Upper Pattagansett

Mr. North spoke about the correspondence for the 237 Upper Pattagansett zone change application to revert the zoning on this property to R-40 from its previous designation of affordable housing. He also mentioned that there is only water available at the location but no sewer.

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EAST LYME, CT
OCT - 2 A 11:4
TOWN CLERK

5. Discussion and Possible Action on Charges for Delinquent Interest

Attorney O'Connell passed print outs containing the sections of ordinance that were being considered for amendments (Attached to the Minutes). Attorney O'Connell read aloud the parts that were being requested to be changed. He also mentioned that these changes will also match the interest rates of the State Of Connecticut interest rates per annum of 18%.

Mr. Seery asked if there were any comments or questions on the changes proposed for the delinquent interest rates.

Mr. DiGiovanna asked when the effective date of new interest rates would be.
Mr. North answered the effective date could be immediate.

Mrs. Russell asked if the state's rates would go down, would the Water and Sewer Department have something in place to also change their rates.
Attorney O'Connell answered that the rates could be amended again.

Mr. Seery asked that a motion regarding **Interest Rates on Delinquent Water Charges**

****MOTION (2)**

Mr. DiGiovanna made a motion regarding Interest Rates on Delinquent Water Charges and to amend the ordinance in the following manner: Subsection (C) of the ordinance designated as "\$52.20 Water Rate Generally" and subsection (D) of the ordinance designated as "\$52.21 Various Water Charges" are hereby amended to provide that the interest rate set forth in said subsections be changed from 12% per annum to 18% per annum effective on September 26, 2023.

Mr. Murphy seconded the motion.

Vote 9 – 0 – 0

Motion passed.

Mr. Seery asked that a motion regarding **Interest Rates on Delinquent Sewer Charges**

****MOTION (3)**

Mr. DiGiovanna made a motion regarding Interest Rates on Delinquent Sewer Charges and to amend the ordinance in following manner: The resolution designated as subsection (B) of "\$53.103 Billing and Late Charges" of the Resolution titled "Resolution Regarding Adoption of Sewer Use Charges; Sewer Rates and Charges Generally" is hereby amended to provide that the interest rate set forth in said subsection be changed from 1% for each 30 days of delinquency to 1.5% for each such 30 days, effective on September 26, 2023.

Mr. Murphy seconded the motion.

Vote 9 – 0 – 0

Motion passed.

Mr. Seery asked that a motion would be made to amend regarding **Sewer Liens**

****MOTION (4)**

Mr. DiGiovanna made a motion regarding Sewer Liens to amend the ordinance in the following

manner: The resolution designated as subsection (C) of “§53.103 Billing and Late Charges” of the Resolution titled “Resolution Regarding Adoption of Sewer Use Charges; Sewer Rates and Charges Generally” is hereby amended to provide that the date that any unpaid charge becomes a lien upon the premises is the date that it becomes late, effect on September 26,2023.

Mr. Murphy seconded the motion.

Vote 9 – 0 – 0

Motion passed

6. Billing Adjustments/Disputes

Mr. North noted that the one adjustment that needed to be approved was the 10 Chesterfield Rd since it is a commercial property. He explained that the leak happened in a bathroom upstairs of the restaurant and that it had been fixed but the water did go into the Sewer.

Chairman Kevin Seery asked if there any questions on the 10 Chesterfield Rd Adjustment.
There were none.

Mr. North explained that the adjustment for the 31 High St. was similar to the 10 Chesterfield Rd, because it was also a leaky toilet and that water had also gone into the sewer.

****MOTION (5)**

Mr. DiGiovanna made a motion to approve the adjustment for 10 Chesterfield Rd.

Mr. Murphy seconded the motion

Vote: 9 – 0 – 0

Motion passed.

7. Approval of Bills

Mr. Seery called for the approval of Invoices for Well 5 Lagoon Expansion Project and DOT Water and Sewer Relocation Project.

Mr. Ken Roberts asked Mr. Garneau if he was still satisfied with Tighe and Bond as a vendor.

Mr. Garneau responded yes.

Mr. North agreed.

Mr. Murphy requested that in the he prefers that if Mr. North would stamp an “approval to pay” on the invoices presented for approval.

****MOTION (6)**

Mr. DiGiovanna moved to approve the following Well 5 Lagoon Expansion Project bill: Tighe and Bond Inv. #082391006 in the amount of 6,035.00.

Mr. Murphy seconded the motion.

Vote: 9 - 0- 0.

Motion passed.

***MOTION (7)**

Mr. DiGiovanna moved to approve the following DOT Water and Sewer Relocation Project bill: Weston & Sampson Inv. #9231103 in the amount of \$2,800.00

Mr. Zoller seconded Motion.

Vote: 9 – 0 - 0