

**EAST LYME WATER & SEWER COMMISSION
SPECIAL MEETING
Tuesday, FEBRUARY 3, 2015
MINUTES**

The East Lyme Water & Sewer Commission held a Special Meeting on Tuesday, February 3, 2015 at Town Hall, 108 Pennsylvania Avenue, Niantic, CT. Chairman Nickerson called the Special Meeting to order at 7:30 PM.

PRESENT: Mark Nickerson, Chairman, Dave Bond, Steve DiGiovanna, Dave Murphy, Joe Mingo, Carol Russell, Roger Spencer

ALSO PRESENT: Joe Bragaw, Public Works Director
Brad Kargl, Municipal Utility Engineer
Attorney Edward O'Connell, Town Counsel
Anna Johnson, Finance Director
Kevin Seery, Ex-Officio, Board of Selectmen

FILED IN EAST LYME
CONNECTICUT
Feb 10 2015 AT 9:55 AM
Carly Johnson
EAST LYME TOWN CLERK

ABSENT: Dave Zoller

1. Call to Order

Chairman Nickerson called the Special Meeting of the East Lyme Water & Sewer Commission to order at 7:30 PM and led the assembly in the Pledge.

2. Approval of Minutes

▪ **Regular Meeting Minutes – December 9, 2014**

Mr. Nickerson called for a motion or any discussion or corrections to the Regular Meeting Minutes of December 9, 2014.

Ms. Russell said that on page 3 where she is speaking that she had elaborated on the history of the hydrant fees and that she would like it made clear that the fire protection aspect of the water system benefits the Town as a whole and not just the ratepayers and that she recommends making an adjustment in the new budget cycle to \$50/hydrant for the 800 hydrants for a total cost of \$40,000 to the Town which is still a savings from the 1999 payment.

On page 4 where she is speaking she wants to add: that she again suggested changing the hydrant fee to \$50/hydrant and then engaging in further study on how to phase in future increases to return hydrant fees at least to the 1999 levels.

Mr. Nickerson cautioned that the minutes are not a transcript and that in fact all that they need to reflect are the motions. He asked if the members would approve the minutes as amended.

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of December 9, 2014 as amended.

Ms. Russell seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

3. Delegations

Mr. Nickerson called for anyone who wished to speak under Delegations.

There were no delegations.

4. Billing Adjustment Requests – Attachment A

There were none.

5. Approval of Bills – from Attachment B

Mr. Nickerson called for a motion on the Treatment Plant Filter Upgrade bill.

****MOTION (2)**

Mr. Murphy moved to approve payment of the following Treatment Plant Filter Upgrade bill: Hungerford & Terry, Inv. #RS04328-IN in the amount of \$53,472.00.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Mr. Nickerson called for a motion on the Columbus Ave. Bridge Water Main/Valves bills.

****MOTION (3)**

Mr. DiGiovanna moved to approve payment of the following Columbus Ave. Bridge Water Main/Valves bill: Jack Farrelly Co., Inv. #S1106817.001 in the amount of \$27,992.00.

Mr. Spencer seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

****MOTION (4)**

Mr. DiGiovanna moved to approve payment of the following Columbus Ave. Bridge Water Main/Valves bill: Machnik Bros., Inv. #006603 in the amount of \$7,195.80.

Mr. Spencer seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

6. Gateway Project – Meters

Mr. Kargl recapped the previous discussion and that there are 10 buildings with 28 units in each building. Each building has a 2" master meter and the developer wants the ability to bill each tenant separately with a meter for each unit. He noted that they had already purchased half of the tenant meters. He noted that he had invited some Gateway representatives in for this discussion. He said that he had prepared a draft motion that states that they would supply the meters and suggested that they could use it as a working item for the discussion.

****MOTION (5)**

Mr. DiGiovanna moved that it be RESOLVED, that the Water & Sewer Commission supply water to each building in the Gateway Development Project through a master building meter owned by the Commission. The building owner shall be responsible for the payment of bills for all water passing through the master building meter, in conformity with the Commission's schedule of water rates as it may be amended from time to time. The Commission shall also install separate water meters owned by the Commission for each dwelling unit within the building. At the request of the building owner, the Commission may in its sole discretion provide readings from the dwelling unit meters in a format determined by the Commission. If any such readings are provided, the building owner shall be responsible for any and all expenses, direct or indirect, incurred in gathering, preparing and transmitting such information, including but not limited to any programming expenses that may be required.

It is expressly understood that the Commission's sole customer for water provided to a building in the Gateway Development Project is the building owner. Unless and until further action is taken by the Commission, the Commission does not consider that a tenant or occupant of a dwelling unit within a building is a customer of the Commission.

Mr. Bond seconded the motion.

Mr. Bond asked if they could charge their tenants more than what is billed.

Attorney Harris, representing Gateway Development said that they would not be doing that.

Mr. Mingo said that he is opposed to this as they would then be a water company and he does not think that is appropriate and he also believes that it is illegal.

Mr. Nickerson asked Attorney O'Connell for his opinion.
Attorney O'Connell said that in his opinion it is not against the law.

Mr. DiGiovanna asked if the units would also have sewer hook-ups.
Mr. Kargl said yes.

Mr. Bond asked if they would be charging for both water and sewer.
Attorney Harris said that is correct.

Ms. Russell said that her concern is the budget as it is not set up for this and it is tight and she does not know how they would explain this to the ratepayers.

Mr. Kargl said that the total cost for all of the meters was \$80,000 and they have purchased half of them in this years' budget.

Mr. Bond said that he looks at it from the point that every tenant becomes a citizen of the Town; a taxpayer and a ratepayer.

Mr. DiGiovanna asked Mr. Kargl about other complexes within the Town and if they have this set up.
Mr. Kargl said that they have a number of areas where they have units that have separate meters. There are all types of metering scenarios out there such as Deerfield and Latimer Commons.
Mr. DiGiovanna stated that to do this – to put a meter in each unit – is not uncommon.
Mr. Kargl said no – that was done and set long ago.

Mr. Bond noted that the benefit of having a master meter is that it helps you narrow down where the problems are.

Mr. Murphy asked about a 'hold harmless' clause in the event that something becomes incorrect in a computer run.

Mr. Nickerson asked how much for each meter.

Mr. Kargl said that it is \$250 - \$125 for the meter and \$125 for the radio head.

Mr. Nickerson noted that they are estimating \$116,000 per year in billing which is a significant income.

Mr. Mingo said that he disagrees with the Attorney as two or more people are a water company. Further, the only way that he could agree with this is if they bill each apartment. He also said that he did not agree with the word 'install' and could not agree that it would mean that they could supervise the installation by the developer's plumber.

Attorney O'Connell said that the Commission has never sent a bill to a tenant. They have only sent bills to the owner of the property as they are the person who is responsible for everything. The proposed system is consistent with the long-standing policy of the Commission.

Attorney O'Connell also said that install meant many things and that they could change that to read: 'supervise the installation by a licensed plumber'

Mr. DiGiovanna said that he would amend his MOTION (5) to read in the third sentence: *'The Commission shall also supervise the installation by a licensed plumber of separate water meters.....'*

Mr. Bond amended his second to accept this change.

Mr. Bond said that he works in this field and that he feels that you cannot move forward if you are constantly at people to always pay for every little thing and are not willing to meet people half way.

Mr. Spencer said that he thinks that it is good to do this and to put the new meters out there.

Mr. Nickerson agreed and called for a vote on the amended motion.

Vote: 6 – 1 – 0. Motion passed.

Against: Mr. Mingo

7. Village Crossing Sewers

Mr. Kargl explained this sewer extension and noted that the secondary option is under negotiation and that he would like to set up an informational meeting before the February 24, 2015 Regular meeting if they have the information. He suggested that it could be held at 6:30 PM and that they would invite the neighbors in the area as it would be billed as an opt-in sewer system option. He said that he would keep Mr. Nickerson apprised of the progress.

8. Columbus Ave. Water Main – Bridge Crossing

Mr. Kargl said that he had sent an email to the Commissioners regarding this Amtrak bridge crossing which had icicles hanging from it and indicated a leak. The water main is in close proximity to the electric lines for Amtrak which makes it very difficult to work on. He said that they did put in two 12" insertion valves at a cost of \$27,000. He said that Machnik did come back with a proposal to get the work done but it involves Amtrak shutting down the line and RR fees. The cost is estimated at \$70,000 which includes the current \$36,000. He asked that payment be authorized from the water construction fund.

****MOTION (6)**

Mr. DiGiovanna moved to approve up to \$70,000 from the Water Construction Account to pay for the installation of valves, water main improvements and repair to the 12-inch water main on the Columbus Avenue Bridge over the Amtrak right-of-way.

Ms. Russell seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

9. Water Project Updates

▪ Regional Interconnection

Mr. Kargl noted that they had a copy of Mr. Kenney's report on the close-out of this project and that it was well done and on point in many areas. He said that their actual final cost for this project was \$8.1M (the bond had been for \$10.971M with DWSRF funds of \$9.2M). In the end the loan is for \$6M – so all in all it was a very good project.

Mr. Nickerson said that they have not formally celebrated this project and that they had won an Engineering Excellence Award for it and they should consider a ribbon cutting event for it.

▪ Well 1A, 3A, 5 Energy Efficiency Projects

Mr. Bragaw explained that they would need to authorize the Chairman to sign documents to get this project going.

****MOTION (7)**

Mr. Mingo moved that they authorize the Chairman to sign the necessary documents to move forward the Energy Efficiency Projects for Wells 1A, 3A and 5 in an amount up to \$80,000.

Mr. DiGiovanna seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

▪ Water Capital Plan

Mr. Kargl explained the plan that he had prepared along with a recap on the meters.

10. Finance Director Reports

Ms. Johnson noted that they had received the report.

Ms. Russell asked about a presentation on the audit that they have done.

Mr. Nickerson said that while they might not get a report from the auditor that they could certainly get a copy of it.

11. Sewer Capital Costs

▪ Giants Neck PS building Upgrade

Mr. Kargl said that they had made renovations to the Giants Neck pump station in the fall which improved the access to the electrical panels and he was requesting the \$9700 from the sewer benefit assessment fund.

****MOTION (8)**

Mr. DiGiovanna moved to authorize a capital expenditure of \$9700 from the Sewer Benefit Assessment Fund for the renovation of the Giants Neck Pump Station building enclosure in order to provide better access to electrical panels and improve safety.

Mr. Spencer seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

▪ SCADA Upgrade

Mr. Kargl said that he would also like to fund this alarm monitoring upgrade from the sewer benefit assessment fund. The platform is there from the water upgrades and the radio telemetry system would unify Water & sewer on one SCADA system. He noted that he is still working on this.

12. Communications

▪ See Communications Log

There were no comments on the log.

Ms. Russell said that she would like the fluoride update put back on the agenda.

Mr. Nickerson said that he is not going to put it back on the agenda as only action items belong on the agenda and the meetings are long enough as they are. They all understand her passion for this item and she is certainly welcome to disseminate copies of information to the Commissioners when she has some.

13. Chairman's Report

Mr. Nickerson commended the Water & sewer Department who stepped up and helped out with the snow removal. He also specifically cited Mr. Bragaw for his non-stop work throughout the storm making the Town safe.

14. Staff Updates

▪ Water Department Monthly Reports

Mr. Murphy noted that the water and sewer percentages have finally balanced out.

▪ Sewer Department Monthly Reports

There were no comments.

15. ADJOURNMENT

Mr. Nickerson called for a motion to adjourn.

****MOTION (9)**

Mr. DiGiovanna moved to adjourn the February 3, 2015 Special Meeting of the East Lyme Water & Sewer Commission at 9:35 PM.

Mr. Murphy seconded the motion.

Vote: 7 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary