

**EAST LYME WATER & SEWER COMMISSION
REGULAR MEETING
Tuesday, JANUARY 19th, 2010
MINUTES**

The East Lyme Water & Sewer Commission held a Regular Meeting on Tuesday, January 19, 2010 at the East Lyme Town Hall, 108 Pennsylvania Avenue, Niantic CT. Chairman Formica called the Regular Meeting to order at 7:00 PM.

PRESENT: Paul Formica, Chairman, Steve DiGiovanna, Dave Zoller, Roger Spencer, Dave Murphy, Joe Mingo, Carol Russell, Dave Bond

ALSO PRESENT: Don Iannicelli, Geo-Insight
Chris Clark
Attorney O'Connell, Town Counsel
Brad Kargl, Municipal Utility Engineer
Michael Giannattasio, Director of Public Works

ABSENT: Mary Cahill

1. Call to Order

Chairman Formica called the Regular Meeting of the East Lyme Water & Sewer Commission to order at 7:00 PM and led the assembly in the Pledge of Allegiance.

2. Approval of Minutes

◇ **Regular Meeting Minutes – December 15, 2009**

Mr. Formica called for a motion or any discussion or corrections to the Regular Meeting Minutes of December 15, 2009 -

****MOTION (1)**

Mr. DiGiovanna moved to approve the Regular Meeting Minutes of December 15, 2009 as presented.

Mr. Zoller seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

3. Delegations

Mr. Formica called for anyone who wished to speak under delegations. There were none.

4. Billing Adjustment Requests – from Attachment A

Mr. Kargl said that he has provided them with the four (4) that he had noted at the previous meeting.

Mr. Giannattasio noted the 2001 minutes of the Commission where Mr. Ashburn had indicated the consensus on how they would address the '1 in 10' issue with respect to the owner occupied seasonal units. He said that they would bring only those that need the Commissions' decision, before them.

Mr. Kargl said that he has provided them with the information on the requests and how they are suggesting that they be handled. He also noted that the fourth property is a commercial rental.

Mr. Mingo noted the responsibility issue regarding the pipe to the meter being their responsibility and the pipe that leaves the meter to the home being the owners' responsibility. He questioned the request of 61 Attawan Road under that provision.

Mr. Kargl said that some have a variety of reasons.

Mr. DiGiovanna suggested that the first three listed were something that staff could handle and that the fourth item – the commercial rental at 371 Main Street, he would suggest that they only waive the sewer charges and not the water charges.

Mr. Formica asked if they were in agreement that the first three can be decided by staff.

Mr. Mingo said that in the case of 61 Attawan Road that he thinks that the people need to know that the problem occurred on their side of the meter and that there is an emergency after hours number that is listed on the recording during off-hours and that is the number that they should call.

****MOTION (2)**

Mr. DiGiovanna moved that the bill for the 371 Main Street property will be adjusted from \$767.28 to \$444.84 by taking the unadjusted water portion of \$322.28 and the historical average of \$122.56 for the sewer portion.

Mr. Bond seconded the motion

Vote: 8 – 0 – 0. Motion passed.

5. Approval of Bills – from Attachment B

Mr. Formica called for a motion on the Darrow Pond bills.

****MOTION (3)**

Mr. DiGiovanna moved to approve payment of the following Darrow Pond bills: ALTA Environmental Corp – Invoice #5858 in the amount of \$510.90 and Geolnsight, Inc. – Invoice #21803 in the amount of \$750.00.

Mr. Zoller seconded the motion.

Mr. Mingo asked if there were any further bills coming on this.

Mr. Kargl that there was some additional that would be coming from ALTA.

Mr. Bond asked how much was left from what they had allotted for this.

Mr. Kargl said that they had allotted a total of \$380,000 and that all of it would probably be spent. He noted that they are still analyzing the pump test data and that they need that information to make a further decision on this project.

Vote: 8 – 0 – 0. Motion passed.

Mr. Formica called for a motion on the Chlorination – Construction Phase Services bills.

****MOTION (4)**

Mr. DiGiovanna moved to approve payment of the following Chlorination bill: Maguire Group - Invoice #14 in the amount of \$7756.20 and C.H. Nickerson & Co., Inc. – Payment Appl. #1 in the amount of \$51,333.25.

Mr. Zoller seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

Mr. Formica called for a motion on the Replacement Well 3B bill.

****MOTION (5)**

Mr. Zoller moved to approve payment of the following Replacement Well 3B bill: Maguire Group - Invoice #15 in the amount of \$3,250.00.

Mr. DiGiovanna seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

6. Water Supply Improvement Project Updates

- **Regional Interconnection**

Mr. Formica reported that he and Mr. Clark met with the appropriate parties and set up a draft to move forward with. They will meet this week with New London and they are also meeting with others to try to acquire more 'dollars' to help fund this project; such as the \$300,000 that they recently received from Congressman Courtney for this project. He also suggested that they put through for another grant.

Mr. Mingo suggested that they also ask Congressman Courtney for some seed money for a desalination plant.

- **System-wide chlorine Disinfection Project**

Mr. Kargl reported that this process has started.

- **Replacement Well 3B - and**

- **Water Treatment Wastewater General Permit – Water Quality Testing Proposal**

Mr. Kargl reported that the wastewater project for Well 3B requires a bit more review and work that they would be able to do in-house. As they do have money in the budget for it – they will be requesting that Maguire do it.

****MOTION (6)**

Mr. Murphy moved to authorize the Chair to sign a contract with Maguire Group for the Well 3B Wastewater Water Quality Testing & Permitting project.

Ms. Russell seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

- ◆ **Proposed Streamflow Regulations**

Mr. Formica said that the Public Hearing on this would be held on 1/21/2010 at the DEP in Hartford and that he would be going to this meeting. The COG has drafted a proposal opposing this and there would be a press conference on it tomorrow.

Mr. Kargl noted that Geo-Insight had conducted preliminary analysis of this proposal using the 'stream depleat' methods which is a program that the DEP recognized and that based upon it; if these regulations were implemented, East Lyme's water capacity could potentially be reduced by 50%. This would be especially crucial during the summer months when they so desperately need the water.

Mr. Formica said that he is not sure of the forum at the public hearing although they do have regional help on this.

Mr. DiGiovanna asked if this affects the Towns with surface water systems as well as those with wells. Mr. Kargl said yes, it affects all of them.

Mr. Bond asked if this would put the brakes on the New London project.

Mr. Formica said that it would actually speed it up as there is excess water to be had during off months. Mr. Bond and Mr. Murphy said that the problem will be that they will not be able to give it to us when we most need it.

Mr. Bond added that there is also such a long time frame for the implementation

Mr. Kargl said yes, they are planning the implementation to take some 5 to 10 years as they first have to classify the streams.

Attorney O'Connell noted that as a water company that they do have certain rights.

7. 38 Hope Street and Methodist Street Draft Sewer Benefit Assessment Resolution

Attorney O'Connell explained that this (Sewer Main Extension No. 6 – known as the "Methodist Street Extension") is the last assessment ordinance and that once it is implemented that they would be caught up for the moment. It includes Methodist Street and up to 150 units in various development stages at 38 Hope Street. The flat rate for the individual homes is \$12,066 and they have the attached condominium units based at 75% of the flat rate. There are also one or two commercial assessments. The 'opt-in' does not apply to 38 Hope Street so they will become effective immediately upon passing of the extension. The future units that are to be built have been set up to be due upon the certificates of occupancy. He said that they do have April 1st set as the date of the first payment and that they may have to move it forward based upon when they hold the public hearing. Lastly, they would need to make a motion authorizing the Chair to sign the notice of public hearing.

****MOTION (7)**

Mr. Mingo moved to authorize the Chair to sign the notice of Public hearing for the Methodist Street sewer assessment.

Mr. Bond seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

8. Communications

◇ See Correspondence Log

There was no discussion.

9. Chairman's Report

Mr. Formica said that he had already spoken on the DEP public hearing. He thanked everyone for their caring and support for him and his family during their most difficult time.

10. Staff Updates

a. Water Department Monthly Report

Mr. Kargl noted that there had been four (4) water main breaks during the very cold weather that they had experienced and that all of them were repaired by the water department.

Mr. Murphy noted that the water usage rates are consistently down.

Mr. Kargl said that it is due to a combination of things – the economy and conservation and the prison usage is down.

b. Sewer Department Monthly Report

There was no discussion.

c. Saunder's Point Sewer Extension

Mr. Kargl noted that the DEP is reviewing the scope of work on this.

d. Tri-town Wastewater Capacity Study

Mr. Kargl noted that they will be holding a meeting soon and that the Scope of Work is being reviewed by the DEP.

e. Crossley Court Sewer Extension

Mr. Kargl said that they had received the quotes for the soil borings and had gone with the lowest bid as their was not that much difference between the quotes.

f. Other

There was none.

12. New Business

There was none.

13. ADJOURNMENT

Mr. Formica called for a motion to adjourn.

****MOTION (8)**

Mr. DiGiovanna moved to adjourn the January 19, 2010 Regular Meeting of the East Lyme Water & Sewer Commission at 8:02 PM.

Mr. Zoller seconded the motion.

Vote: 8 – 0 – 0. Motion passed.

Respectfully submitted,

Karen Zmitruk,
Recording Secretary