

# Town of

Office of Water & Sewer Commission  
Tel: 860-739-6931 • Fax: 860-739-6930



# East Lyme

Post Office Box 519  
Niantic, Connecticut 06357

January 28, 2013

Cameron Walden  
Connecticut Department of Public Health  
Drinking Water Section  
DWSRF Program  
410 Capitol Avenue – MS# 51WAT  
P.O. Box 340308  
Hartford, CT 06134-0308

Re: East Lyme – Montville Memorandum of Understanding  
Fire Service Connections – Regional Interconnection

Mr. Walden:

Please find enclosed one executed Memorandum of Understanding (MOU) between the Towns of East Lyme and Montville regarding the fire service connections for the Montville Industrial Park on Sachetello Drive. As requested, evidence of the filing on the land records that fire service connections shall only be provided to the identified lots in the MOU, and that no water shall be provided for domestic purposes will be submitted to your office as soon as it is available.

Please do not hesitate to contact me at (860) 739-6931, Ext. 139 if you have any questions concerning this matter.

Sincerely yours,

A handwritten signature in blue ink that reads "Bradford C. Kargl".

Bradford C. Kargl  
Municipal Utility Engineer

C: Paul M. Formica, First Selectman  
Ronald McDaniel, Mayor  
Water and Sewer Commission  
Attorney Edward O'Connell, Waller Smith & Palmer

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is executed as of the 23<sup>rd</sup> day of JANUARY, 2013, by and between the TOWN OF EAST LYME, acting herein by its Water and Sewer Commission ("East Lyme") and the TOWN OF MONTVILLE, acting herein by its MAYOR ("Montville").

### RECITALS

WHEREAS, East Lyme and the City of New London ("New London") have entered into a Regional Water Interconnection Agreement ("Interconnection Agreement"), whereby East Lyme will transmit and receive potable water to and from the New London Lake Konomoc Water Treatment Facility in the Town of Waterford, located on Connecticut Route 85; and

WHEREAS, pursuant to the Interconnection Agreement East Lyme will construct an underground water main that will run from the present terminus of the East Lyme water main located in Connecticut Route 161 near the East Lyme/Montville town line, thence running in a northeasterly direction in and along Route 161 in Montville to its intersection with Butlertown Road, thence running in a southeasterly direction in and along Butlertown Road to its intersection with Satchatello Drive, thence in a northeasterly direction along said road to its intersection with Connecticut Route 85, thence southeasterly in and along Route 85 past the Waterford town line to its terminus at the Lake Konomoc Water Treatment Plant; and

WHEREAS, a portion of the water main running in and along Route 161, Butlertown Road, Satchatello Drive and Route 85 passes through lands located within Montville; and

WHEREAS, East Lyme will own, operate and maintain the above described water main; and

WHEREAS, East Lyme has agreed to provide fire service connections to certain lots located along Butlertown Road and Satchatello Drive in Montville; and

WHEREAS, East Lyme and Montville desire to execute this MOU setting forth their mutual understanding as to the terms and conditions under which East Lyme will operate and maintain the water main;

NOW, THEREFORE, in consideration of the premises recited above and the undertakings of the respective parties set forth below, East Lyme and Montville hereby agree to the following terms and conditions regarding the operation and maintenance of the water main:

1. East Lyme shall provide fire service connections only to the following lots located on Butlertown Road and Satchatello Drive: lots 16, 17, 18, 43, 44, 45, 46, 47, 48, 49 and 50, as set forth on a map entitled "Information Requested by Department of Public Health Drinking Water Section, Montville Industrial Lots," prepared by the Montville Planning Department, a copy of which is attached hereto as Exhibit A and made a part hereof. Provided, however, that lot 17, which is owned by East Lyme and will be used for a water storage tank and related facilities, may also be connected to the water main for the purpose of conveying water to and from said water storage tank.
2. Montville shall record on the Montville land records notices that water service from East Lyme for the above identified lots shall be for the purpose of fire suppression systems only, and shall not be provided for domestic purposes or uses.
3. Each fire service connection for the lots identified above shall be metered, and East Lyme shall take and record meter readings on a routine basis to ensure that no water is being used for domestic purposes or uses. If domestic water use is suspected, East Lyme shall investigate, remediate, and report same to the Connecticut Department of Health Drinking Water Section ("DWS"). East Lyme shall make such meter readings available to DWS during routine sanitary surveys.
4. East Lyme shall not provide fire suppression water supply to the above identified lots until East Lyme has reviewed the proposed domestic water source and plumbing plans for fire protection and domestic water systems for existing or proposed buildings on said lots and has determined that the lot is eligible for fire suppression water supply under Section 1 of this MOU and that the fire connection system is independent of the domestic water supply. The Town of East Lyme shall provide written notification of the review and determination made under this Section on any identified lot in Section 1 of this MOU to the Connecticut Department of Public Health's Drinking Water Section prior to the provision of fire suppression water to that lot. Nothing in this MOU shall be construed to alleviate compliance with applicable laws, regulations, ordinances and/or codes of the Town of Montville, including without limitation building and fire codes. All installations permitted by this MOU shall also be subject to review and inspection by the Town of Montville to ensure compliance with such codes.
5. This agreement shall not be construed as prohibiting East Lyme from establishing and collecting connection fees and/or water usage rates for the above identified lots which are served by a fire service connection. East Lyme

may, in its sole discretion, impose such fees and charges as it deems necessary, consistent with East Lyme's rates for such benefits and services.

6. East Lyme reserves the right to establish and collect fees consistent with actual expenses incurred for hydrants used for firefighting purposes in municipalities where the interconnection main is located. No such fees may be charged for hydrants designed and intended solely for flushing and maintenance purposes.
7. East Lyme shall indemnify and hold Montville harmless from any losses, damages, claims and/or injuries resulting from any negligent and/or intentional acts and/or omissions of East Lyme in connection with, arising out of and/or relating to this MOU and/or the Interconnection Agreement.

EAST LYME WATER AND SEWER  
COMMISSION

By: 

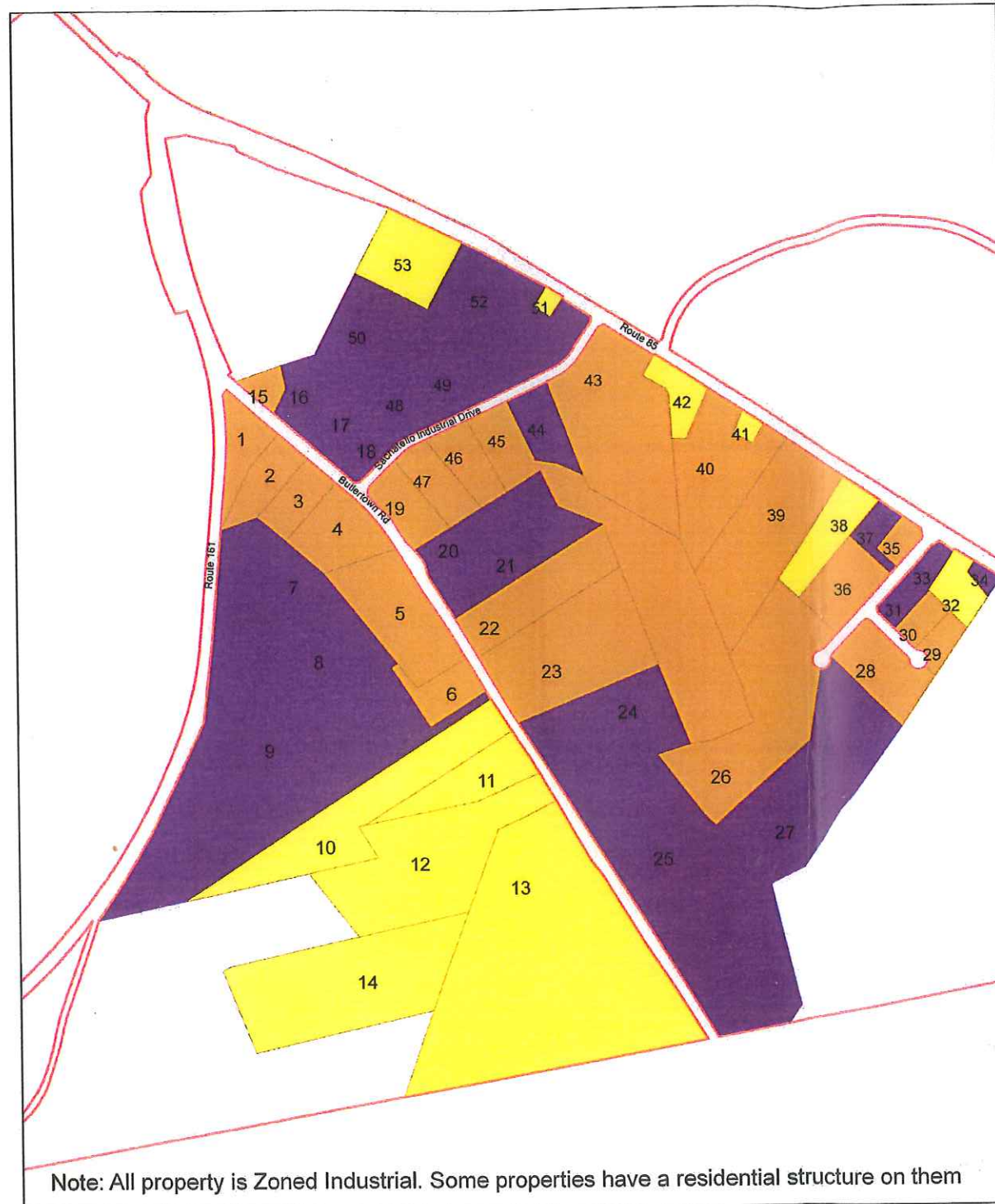
Paul Formica, its Chairman

TOWN OF MONTVILLE

By: 

Renato M. Danne, Mayor

## Information Requested by Department of Public Health Drinking Water Section Montville Industrial Lots



ID #	Address	ID #	Address
1	398 Butlertown Rd	28	3 Enterprise Ln
2	388 Butlertown Rd	29	14 Enterprise Ln
3	376 Butlertown Rd	30	8 Enterprise Ln
4	350 Butlertown Rd	31	2 Enterprise Ln
5	326 Butlertown Rd	32	1368 Route 85
6	318 Butlertown Rd	33	1370 Route 85
7	314 Butlertown Rd	34	1362 Route 85
8	312 Butlertown Rd	35	1384 Route 85
9	Route 161 Map 1 Lot 6	36	15 Lakewood Dr
10	308 Butlertown Rd	37	1364 Route 85
11	300 Butlertown Rd	38	1394 Route 85
12	288 Butlertown Rd	39	1404 Route 85
13	230 Butlertown Rd	40	1434 Route 85
14	11 Silver Falls Rd	41	1422 Route 85
15	397 Butlertown Rd	42	1446 Route 85
16	393 Butlertown Rd	43	2 Sachatello Industrial Dr
17	375 Butlertown Rd	44	10 Sachatello Industrial Dr
18	25 Sachatello Industrial Dr	45	18 Sachatello Industrial Dr
19	42 Sachatello Industrial Dr	46	26 Sachatello Industrial Dr
20	335 Butlertown Rd	47	34 Sachatello Industrial Dr
21	325 Butlertown Rd	48	17 Sachatello Industrial Dr
22	315 Butlertown Rd	49	9 Sachatello Industrial Dr
23	305 Butlertown Rd	50	1 Sachatello Industrial Dr
24	279 Butlertown Rd	51	1474 Route 85
25	Butlertown Rd Map 2 Lot 2	52	1492 Route 85
26	33 Lakewood Dr	53	1502 Route 85
27	34 Lakewood Dr		

### Legend

- Built Ind
- Vacant Ind
- Built Res

Created By the Town of Montville Planning Department  
For Informational Purposes Only