

**Draft Minutes of the June 8, 2020 Water Authority Meeting
Southeastern Connecticut Water Authority
1649 Route 12, Gales Ferry, CT**

Due to the COVID-19 pandemic this meeting was held virtually using public meeting guidelines established by the Governor to limit the spread and impact of the virus. Members attended via the Zoom app, either by calling in, or logging in through their computer.

Present

Authority: Chairman Edward Monahan, Vice-Chairman Harry Watson, Treasurer Paul Eccard, Barbara Lee Franciosi, Claudia Koerting, Peter Balestracci, Nicholas Mullane.

Authority Staff: General Manager Josh Cansler

Call to Order

Chairman Monahan called the meeting to order at 5:15 p.m.

Public Comment on any Item on the Agenda – None

Approval of Prior Minutes

On a motion of Mr. Eccard, seconded by Mr. Mullane, the Authority approved the minutes of the March 9, 2020 Water Authority Meeting, by a vote of 7-0. The April and May 2020 meetings were not held due to the COVID-19 pandemic.

Correspondence – None

General Manager's Report

1. Budget

a) FY 2021 SCWA Annual Budget

General Manager Cansler stated that the SCWA Finance Committee met on June 4, 2020 to discuss the draft FY 2021 SCWA annual budget. Finance Committee members present were Finance Committee Chairman Paul Eccard, Edward Monahan, and Nick Mullane. After General Manager Cansler presented the budget to the Authority, Mr. Eccard said that he was pleased with the proposed budget, and stated that the Finance Committee had voted to endorse the FY 2021 budget as proposed, and to present the budget to the full Authority at this meeting, for review and approval.

Mr. Eccard also stated that, based on several alternatives presented by Mr. Cansler, the Finance Committee was recommending a 5% rate increase for water usage fees, but was proposing to leave other fees (basic minimum fee, service fees, connection fee) the same. Chairman Monahan referred to an article that appeared in *The Day* newspaper the same day that indicated Groton Utilities, via the Ledyard WPCA, will be raising their rates 10.25% for their Ledyard customers over the next two years.

After some discussion, Mr. Eccard made a motion to adopt the proposed Fiscal Year 2021 budget, as presented, for a total of \$1,707,860. This motion, seconded by Mr. Mullane, passed by a unanimous vote of all seven members.

Mr. Eccard then made a motion that the Authority notify the Representative Advisory Board (RAB) of its intention to increase usage rates during FY 2021, and request a public hearing prior to the July RAB meeting. This motion, seconded by Mr. Mullane, passed by a vote of 7-0.

b) External Salary Study

At the November meeting, the Authority's HR Committee requested that the General Manager arrange for an external salary review prior to next year's budget approval. At the recommendation of the committee SCWA reached out to Attorney Dugan at Suisman Shapiro, who has helped the Authority with HR issues in the past. Her office completed the external salary review in late May, and the results of the study were passed on to the Finance Committee the first week in May.

Mr. Cansler said that although Suisman Shapiro did a thorough job with the salary study, SCWA is unique to other utilities, so comparing salaries at other utilities against some of our positions, such as the General Manager and Office Manager, was a lot like comparing apples and oranges. He said that some of the other positions aligned more neatly with similar positions at other utilities. Mr. Eccard said he felt the same way, though he still felt the survey was useful in that it gave the Authority more confidence that our salary structure was consistent with other utilities.

c) Refinancing of 2007 Bond

At the December 2019 meeting the Authority approved the Bond Resolution for refinancing of the 2007 bond, to allow for capital funds to complete some key projects, such as Tower Division upgrade and well, interconnection of Seven Oaks and Montville Manor, and replacement of some hydro-pneumatic tanks. Last month our Bond Counsel informed us that their point of contact with the Bond Commission has requested a formal cover letter for the packet to be reviewed by the State. The State Bond Counsel has not met in several months due to the COVID-19 pandemic, but our Bond Counsel is hopeful they will meet this month. After reviewing the proposed letter Mr. Eccard made a motion to authorize the Chairman, on behalf of the Authority, to sign the formal request letter to the Bond Commission once the Chairman is satisfied to the accuracy and content of the letter. This motion, seconded by Mr. Mullane, passed by a vote of 7-0.

2. SCWA Operations during the COVID-19/Coronavirus Lockdown

In mid-March the Governor ordered all non-essential businesses to close. General Manager Cansler stated that SCWA is considered an essential business, however due to concerns about operators infecting each other during the height of the crisis, SCWA started having the certified operators rotate the days they come in, basically two operators doing rounds each day, two working from home. Operators not at work were expected to respond immediately (30 minutes) if called. In early April, the Office Manager and Customer Clerk started rotating on a similar schedule. Mr. Cansler said that starting May 11th the entire staff returned to a normal schedule; with social-distancing measures and sanitation procedures in place. To date none of the staff at SCWA have been infected by the virus. Mr. Cansler added that because of safety concerns, and the Governor's ban on in-person public meetings, the scheduled Authority and RAB meetings in April and May were cancelled, as was the quarterly Representative Advisory Board (RAB) meeting in April. Starting March 12th, DPH has been conducting weekly webinar meetings via computer, which the General Manager Cansler has been attending.

3. Board Member Officers and Terms

General Manager Cansler stated that the terms for the Authority offices of Vice-Chairman, Treasurer, and Secretary are for one-year each, and will expire on June 30, 2020. The Authority Chair serves a three-year term, which expires on June 30, 2022.

Mr. Eccard nominated Harry Watson to serve another term as Authority Vice-Chair. Chairman Monahan asked if there were any other nominations; there were none. Mr. Eccard's motion, seconded by Mr. Mullane, was approved by a vote of 7-0. Mr. Watson's new term as Vice-Chair will expire June 30, 2021.

Mr. Balestracci nominated Paul Eccard to serve for another term as Treasurer. Chairman Monahan asked if there were any other nominations; there were none. Mr. Balestracci's motion, seconded by Mr. Watson, was approved by a vote of 7-0. Mr. Eccard's new term as Treasurer will expire June 30, 2021.

Mr. Watson nominated Josh Cansler to serve for another term as Secretary. Chairman Monahan asked if there were any other nominations; there were none. Mr. Watson's motion, seconded by Mr. Eccard, was approved by a vote of 7-0. Mr. Cansler's new term as Secretary will expire June 30, 2021.

Mr. Cansler also pointed out that the Authority term for Mr. Watson will expire on September 18, 2020. His appointment is for one of the two positions on the Authority which are nominated by the Southeastern Connecticut Council of Governments (SCCOG), and approved by the Representative Advisory Board (RAB). Mr. Cansler stated that he will have the RAB Chairman send a letter to the SCCOG requesting nominations for this seat. The Representative Advisory Board shall make an appointment from the nominations provided. Mr. Watson stated he would like to serve another term, if nominated and approved by the RAB. Mr. Watson will continue to serve until he is either re-appointed, or another person is appointed in his place.

Mr. Cansler also pointed out that Mr. Balestracci's term will expire at the end of the calendar year. His appointment is nominated and approved by the RAB.

4. SCWA Response to Administrative Order DWS 19-072-063

Last September, SCWA received an Administrative Order from DPH requiring a series of corrective actions in response to the vandalism at the Tower Division pump station on September 23, 2019. At a Special Meeting on October 15th, the Authority approved a motion to have Attorney Rich Cody, of Suisman Shapiro, prepare a Request for an Appeal, and a Request to Stay the Administrative Order, on behalf of SCWA. Both requests were sent by Attorney Cody to the Department of Public Health (DPH) on October 23, 2019, after approval by the Authority. On November 13, 2019 the Request to Stay the Administrative Order was granted. On November 26th Attorney Cody met with a State Assistant Attorney General, Dan Shapiro, via teleconference, to discuss the Administrative Order. To date a Hearing has not been scheduled by DPH.

5. CodeRed Implementation

General Manager Cansler stated that SCWA used the CodeRed system for an emergency alert on March 12, 2020 when a subcontractor for Eversource hit a water main in the Tower Division, which caused a temporary water outage (approximately two hours). He said this was the first use of the CodeRed system to alert customers in the affected division, and was very successful. SCWA contracted with the company OnSolve in 2019 to service SCWA with the CodeRed system, which offers the ability to send voice or text messages based on specific geographical areas, or to all our customers, at one time.

Mr. Cansler said that on May 26th, and again on June 8th, SCWA used the CodeRed system to alert customers in the Montville and Robin Divisions of upcoming flushing of the distribution system. Again the use of the CodeRed system to alert customers of general maintenance was successful. For all three events information was also posted on the SCWA website and Facebook page.

6. Installation of Pressure Reducing Valve (PRV) between Ledyard Division and Gray Farms Division

Mr. Cansler said that SCWA has decided to move forward with a project to install a Pressure Reducing Valve (PRV) along the interconnection between the Ledyard Division and the Gray Farms Division. The interconnection was installed by Groton Utilities last year as part of project to install emergency water main interconnections between all five SCWA Ledyard divisions, and the Ledyard WPCA system. Once the PRV is installed SCWA will be able to bypass the Gray Farms pump station by using water from the Ledyard Division, which is currently operating at only about 20% of its capacity.

The Gray Farms Division needs a complete upgrade of several equipment systems, to include the hydro-pneumatic pressure tank. Installation of a PRV will be significantly cheaper than upgrading the Gray Farms pumphouse, and will eliminate future operational and maintenance costs at the Gray Farms pump station.

7. Tower Division - Well #3

SCWA is continuing to move forward on the replacement of Tower Division Well #3. In September 2019 SB Church Well & Pump installed a test well and conducted an analysis of the potential capacity of the replacement well, and in October DPH approved installation of the well. In mid-October SCWA received an estimate of \$122,000 from SB Church Well & Pump to install the permanent well. Their estimate was approximately three times what SCWA and Lenard Engineering estimated for installation of the well.

As a result General Manager Cansler reached out to LaFramboise Well Drilling Inc. for another estimate. Their estimate, for a slightly smaller diameter well, was for \$66,000. Mr. Cansler reached out to Jim Ericson of Lenard Engineering for their thoughts on the differences between the two estimates, and the well diameters. Mr. Ericson thought that the larger diameter wasn't justified by doubling the cost. At the February Authority meeting Mr. Cansler stated that he preferred the LaFramboise estimate based on cost. The General Manger stated that installation of the well is pending refinancing of the 2007 Bond.

8. Claim by Raspberry Junction Holding, LLC vs SCWA

In 2016, Raspberry Junction LLC, owners of the Bellissimo Grande Hotel in North Stonington, filed a legal claim against SCWA for losses incurred during the water outage that resulted from the rupture of a pressure tank in 2015. This claim was forwarded to our insurance company at the time, Gladfelter Insurance. They hired Attorney Stephanie Berry, of the law firm of Tang & Maravelis, in New London, to handle the case.

After a series of hearings at the lower courts, the case was forwarded to the Connecticut Supreme Court which issued a ruling last April reversing the trial court's granting of the summary judgment motion. The case was remanded back to the trial court for consideration of the summary judgment argument, based on the alternative grounds of the economic loss doctrine, which the trial judge declined to rule on.

At a Pre-argument Conference in February 2020 the judge proposed a settlement range that was much higher than our insurance company was willing to accept. On March 9, 2020, SCWA received word that the judge sent the appeal back to the State Supreme Court for adjudication.

9. PFAS (Per- and Polyfluoroalkyl Substances)

To address concerns regarding PFAS, Governor Lamont released a State PFAS Action Plan last November. The Action Plan calls for the establishment of a Safe Drinking Water Advisory Council to advise DPH regarding the potential development of Maximum Contaminant Levels (MCLs), prioritize testing locations and parameters, and establish treatment requirements. To support this Action Plan the Governor's proposed budget included \$857,119 in the General Fund for FY 2021 to address PFAS. This includes: \$354,000 for DEEP to initiate statewide surface water and sediment sampling; \$282,599 to enhance the Department of Public Health's staffing and operating resources to provide toxicological expertise to assist with updating standards and action levels for drinking water, review environmental laboratories to become approved for PFAS testing, and implement PFAS testing of drinking water at the state's Public Health Laboratory; and \$100,000 to DPH to support consultant services to assist the Safe Drinking Water Advisory Council in its work. It has not been determined whether the Safe Drinking Water Advisory Council will be established by Executive order or through legislation.

10. Thames Aquatic Club –Ledyard

The new Thames Aquatic Club in Ledyard opened for business in July. Because the Aquatic Club is within the SCWA Exclusive Service Area of Ledyard, and DPH originally granted the Club approval based on SCWA being their certified operator, the Authority sent a letter to DPH in September requesting more clarification regarding SCWA's responsibilities related to water purification at the Aquatic Club. As of May 6, 2020, SCWA has not received a response to our letter.

11. Sanitary Surveys

Sanitary Surveys are conducted at each community public water system (PWS) by the DPH Drinking Water Section every 3 years, and at each non-community PWS every 5 years. A Sanitary Survey is an on-site inspection of the water sources, treatment, distribution system, finished water storage, pumping facilities and controls, monitoring and reporting data, system management and operation, and operator compliance with State requirements. The Sanitary Survey for Tower/Ferry View Division was conducted on September 10, 2019. Inspections were completed for Hillcrest, Chesterfield, and Seven Oaks Divisions, on November 7, 2019, and for Montville and Ledyard Center Divisions on November 14th. SCWA has not received the results back on any of the five sanitary surveys conducted last year.

12. Replace Montville Manor Distribution System

Over the past year SCWA staff met twice with the Montville Director of Public Works, along with their consulting engineer, to discuss paving of several roads in SCWA areas of Montville. The Town is concerned that water line leaks in Montville Manor will result in numerous patches in their new pavement, specifically along Connecticut Boulevard. During a meeting on October 22nd, the General Manager and SCWA informed the DPW that most of the leaks in Montville Manor are service line leaks, not main breaks. SCWA suggested replacing all of the service lines on Connecticut Blvd that cross the road, and have not already been replaced recently. This cost for just this work will be approximately \$150,000. The Montville DPW said they would discuss this with the Town at their next meeting.

13. Four-log Applications and North Stonington Chlorine Treatment Application

Applications were submitted to DPH in January 2019 requesting 4-log certifications for all SCWA systems which treat water with chlorine, and meet minimum storage requirements. Currently 10 of our 14 systems meet both requirements. If the applications are approved, SCWA will be able to reduce our sampling/testing requirements, and SCWA will not have to conduct a public notification for positive e-coli results, from samples taken before treatment. SCWA responded to multiple requests for additional information over the summer, but the applications are still under review at DPH.

14. Regional Considerations

a) State Legislation impacting Water Utilities: The State Water Plan was approved by the legislature last June. A State Water Plan Implementation Workgroup has been created by the Water Planning Council (WPC) to monitor adherence to the plan, and provide guidance to the WPC regarding implementation. Several bills proposed during the 2021 Legislative Cycle that might have impacted water utilities were all put on hold when the State Legislature had to end their session early as a result of the Coronavirus lockdown.

b) Water Utility Coordinating Committee (WUCC): The Eastern Connecticut Water Utility Coordinating Committee (WUCC) met virtually on May 27, 2020, to elect new officers and discuss implementation of a Statewide Coordinated Water System Plan (CWSP).

c) SCWA Interaction with SCCOG: SCWA and the SCCOG continue to interact cooperatively. To this end, Chairman Monahan attends the monthly SCCOG meetings if there are items relating to water on the agenda. He also attends meetings of the SCCOG Regional Water Committee, which meets only as needed. The General Manager participates on the SCCOG Regional Water Committee's Technical Advisory Subcommittee (TAS).

d) SCWA Interaction with the Water Planning Council (WPC): The General Manager, representing SCWA, is co-chair of the CT Water Planning Council Advisory Group (WPCAG), which meets monthly.

e) SCWA Interaction with AWWA and CWWA: General Manager Cansler is also a member of the Connecticut Water Works Association (CWWA) Legislative Affairs Committee, which meets monthly between November and June.

Other Business- None

Report from Chairman - None

Report from Authority Members- None

Public Comment – None

Adjourn

On motion of Mr. Eccard, seconded by Ms. Franciosi, the Authority voted to adjourn the meeting at approximately 6:20 p.m.

It was noted the next Authority meeting is scheduled to occur on July 13, 2020, at 5:15 pm, either virtually, or at 1649 Rt. 12, Gales Ferry, CT.

Josh Cansler
Secretary