

**Draft Minutes of the July 8, 2019 Water Authority Meeting
Southeastern Connecticut Water Authority
1649 Route 12, Gales Ferry, CT**

Present

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

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. Watson, the Authority approved the minutes of the June 10, 2019 Water Authority Meeting, by a vote of 5-0, with two abstentions (Ms. Koerting and Mr. Mullane).

Correspondence - None

General Manager's Report

1. Ledyard Center Easement

In April, General Manager Cansler and SCWA Attorney Nick Kepple met with the Town of Ledyard Mayor, Fred Allyn III, and Town Attorney, Meredith Diette, regarding the development of an easement for the section of property where the SCWA Ledyard Center pumphouse and wells are located. This land, which is currently owned by the Town, is in the process of being sold to a private developer, so the Town is interested in completing the easement as soon as possible.

At the April 2019 meeting, the Authority authorized Chairman Monahan to sign the easement, once it has been reviewed and approved by SCWA legal counsel. The site survey for the easement was completed in early May. General Manager Cansler stated that the draft of the easement has also been completed, and is still under review by the SCWA and Town of Ledyard attorneys.

2. Tower Division - Well #3

SCWA is continuing to work on different strategies to replace or rehabilitate Tower Division Well #3, which failed last summer. An effort to install a new well at an alternate site, outside current wetlands restraints, produced a minimal yield. In conjunction with Department of Public Health (DPH) and the CT Water Works Association (CWWA), SCWA was able to get language inserted into a legislative bill to allow installation of replacement wells within wetlands constrained boundaries, as long as the replacement well is not closer to wetlands. The bill this language was included in has now been approved and signed by the Governor.

General Manager Cansler said that he resubmitted the application for the replacement well in June, and reached out to SB Church Well & Pump to schedule the installation of the well. He said that DPH is still reviewing the resubmitted application. SB Church has agreed to begin test wells as soon as the application is approved.

3. Thames Aquatic Center –Ledyard

SCWA continues to monitor construction of the Thames Aquatic Center in Ledyard, which is in the SCWA Exclusive Service Area. Although SCWA proposed alternatives to provide water from our Ledyard Center system, DPH granted approval of a well for the Aquatic Center, with the stipulation that they connect to the water main on Fairway Drive extension, if/when it is installed. DPH also specified that the Aquatic Center use SCWA for all required testing and monitoring of the well.

The well was drilled late last year, and in April SCWA received a copy of the Phase 1 well review from DPH. The Phase 1 review approved the water quality of the well, but did not indicate whether the current safe yield of 972 GPD was adequate. SCWA reached out to DPH regarding the quantity issue, and was told that the Aquatic Center's application stated their demand would only be 700 GPD. In May DPH sent an email to the Aquatic Center stating they would have to install a 1000 gallon storage tank before DPH will approve their Phase 2 request.

Chairman Monahan presented an article about the new Thames Aquatic Center that appeared in *The Day* newspaper last week. The article indicated that the 6-lane pool was complete. Mr. Cansler said that he has not heard anything from DPH or the new center's owners about SCWA serving as certified operators of their well. He stated that he would reach out to the State.

4. Emergency Interconnections with Ledyard/Groton Utilities

In 2017 SCWA signed an agreement with Groton Utilities and Ledyard WPCA to install emergency water main interconnections between all five SCWA Ledyard divisions, and the Ledyard WPCA system. These projects are fully funded through a DWSRF (Drinking Water State Revolving Fund) package Groton Utilities received.

Groton Utilities completed the Tower/Ferry View and Barrett interconnections last fall, and they completed the Chriswood and Ledyard connections in May. They are waiting on a state right-of-way permit, for the section along Route 214, before they can start the interconnection between the SCWA Ledyard Center Division and the Gray Farms Division. Mr. Cansler stated that the Foreman had done some calculations regarding the pressure of the water from Ledyard when it reached Gray Farms, and had determined that a pressure reducing valve (PRV) should be installed during construction of this line. They had verified this with our consulting engineer. Mr. Cansler said that they were working with Groton Utilities regarding installation of the PRV.

5. Town of North Stonington – Discussion of Extension of Water Main on Route 2

On June 21, 2019 SCWA met with the North Stonington First Selectman, Mike Urgo, and members of the Casey family about the possibility of extending the North Stonington Division water main approximately ½ mile north on Route 2 (Norwich-Westerly Highway). The Casey's are analyzing the feasibility and costs of building a 40-unit development on several properties they own just north of the Route 2 and Route 201 intersection. SCWA's position was that we have the capacity to support their proposed development, but that the developer would have to run the line from where it ends, at the Bellissimo Hotel, to their property. Mr. Cansler said they suggested the Town and/or developers reach out to other property owners along Route 2 about contributing to the cost of the new main.

6. Updated Asset Management Plan

In February 2019 SCWA submitted an updated application to the Drinking Water State Revolving Fund (DWSRF) program for a project to upgrade the Tower Division pumphouse, and add a water tank. The DWSRF program provides low-interest loans, with the potential for up to 25% subsidization, for eligible projects in the form of principal forgiveness. As part of the program SCWA is required to have an updated Asset Management Plan. DPH has indicated that SCWA's current plan, submitted in 2016, needs to be updated for SCWA projects to be funded under the DWSRF program. At the May meeting, at the request of the General Manager, the Authority approved a motion to expend no more than \$4,000 to have Lenard Engineering update the 2016 Asset Management Plan.

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

Applications were submitted to DPH on January 17, 2019 requesting 4-log certifications for all SCWA systems which treat water with chlorine, and meet minimum storage requirements. Currently 9 of our 14 systems meet both requirements. In addition SCWA has submitted a request to start chlorine treatment at the North Stonington system in November 2018. A 4-log certification request was submitted for North Stonington as well. 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. General Manager Cansler stated that the North Stonington application to start chlorine treatment was approved on June 21, 2019, but that the 4-log applications are still under review at DPH.

8. Vulnerability Assessments for Per- and Polyfluoroalkyl Substances (PFAS)

DPH required all water systems that prepare water supply plans, which includes SCWA, to conduct an evaluation of potential contamination resulting from possible nearby sources of per- and polyfluoroalkyl substances (PFAS). All utilities were required to complete a vulnerability assessment study for each system. In February the Authority authorized the General Manager to have Lenard Engineering prepare all the vulnerability assessments, to include mapping and land use research. In late March assessments for all 14 SCWA divisions were submitted to DPH. SCWA has not heard anything back from DPH regarding the assessments.

Mr. Cansler mentioned that just before this meeting he received an email announcing that Governor Lamont will convene a working group to examine issues related to the chemical PFAS. This workgroup will be led by Department of Energy and Environmental Protection (DEEP) and the Department of Public Health (DPH).

9. 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 & Marvelis, in New London, to handle the case. Although Gladfelter, working with SCWA, has proposed settlements on two occasions, Raspberry Junction did not agree to either proposal.

After a series of hearings at the lower courts the case was forwarded to the Connecticut Supreme Court in September 2017. The Connecticut Supreme Court heard the case on November 13, 2018, and on April 3, 2019 the State Supreme Court issued a ruling that reversed the trial court's granting of the summary judgment motion, holding that the SCWA lacks authority to promulgate a rule that immunizes it from liability for disruption in water service.

As a result, 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. This trial has been scheduled to commence on April 6, 2020 at the New London Superior Court. On May 25th Attorney Berry informed General Manager Cansler that the judge was strongly encouraging both sides to settle beforehand. On July 2, 2019 Attorney Berry requested a meeting with Mr. Cansler regarding written discovery requests submitted by the Attorney for Raspberry Junction.

10. Consumer Confidence Reports

General Manager Cansler said that in June, SCWA staff distributed Consumer Confidence Reports, also referred to as "Annual Quality Reports", to each of our approximately 2800 customers. Because of the nature of SCWA's water service operations, sixteen distinct reports were prepared and distributed. These reports were researched, written, and copied completely in-house. As in the past, processing the reports for mailing, via the U.S. Postal service, was carried out by Viability, Inc. (formerly Community Enterprises), SCWA's co-tenant at 1649 Rt. 12, Gales Ferry.

11. Regional Considerations

a) State Water Plan: The State Water Plan was approved by the legislature in early June and has been signed by the Governor. This plan was formally re-submitted to the Connecticut General Assembly by the Water Planning Council (WPC) on November 28, 2018. The plan was originally submitted to the General assembly during last year's legislative cycle, but no action was taken. Mr. Cansler stated that the WPC has created a State Water Plan Implementation Workgroup to monitor adherence to the plan, and provide guidance to the WPC regarding implementation.

b) Water Utility Coordinating Committee (WUCC): The Eastern Water Utility Coordinating Committee (WUCC) last met on Nov. 14, 2018 at the Southeastern Connecticut Council of Governments (SCCOG) office. The date of the next meeting is to be determined. These meetings are open to the public.

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 AWWA and CWWA: The General Manager represents SCWA as a member of the Connecticut Water Planning Council Advisory Group (WPCAG), which meets monthly. Mr. Cansler is currently Chair of the WPCAG Nominating Committee, which prepares the annual membership slate for appointment/reappointment of members to the WPCAG. Mr. Cansler is also a member of the Connecticut Water Works Association (CWWA) Legislative Affairs Committee, which meets monthly between November and June.

e) New Development in the Town of Franklin

At the June Authority meeting, Ms. Franciosi mentioned that there is a new development going into Franklin, and asked if General Manager Cansler knew if this development was in our Franklin ESA. The Town of Franklin is split between three Exclusive Service Areas (ESAs) controlled by SCWA, Norwich Utilities, and the Town of Franklin. Mr. Cansler stated that he talked to a planner for SCCOG and was informed the new development, a housing area and golf course, was in the Town of Franklin ESA.

12. FY 2020 SCWA Annual Budget

At the May 13, 2019 meeting the Authority approved the Fiscal Year (FY) 2020 budget. The Authority also approved a motion that the Authority notify the Representative Advisory Board (RAB) of its intention to increase service rates during FY 2020, and request a public hearing prior to the July RAB meeting. The next RAB meeting is scheduled to be held on July 18, 2019, at t 7 pm, at the Waterford Library.

13. Meetings

General Manager Cansler discussed recent meetings he has attended since the last Authority meeting. One of these meetings, with the First Selectman of North Stonington, was to discuss the recent water outage resulting from contractors at the North Stonington school project causing an emergency shutdown of the pumps at the pump station, after connecting to a hydrant without knowledge of SCWA.

Mr. Cansler also mentioned he attended a meeting at the Bellissimo Hotel to discuss requirements for installation of a 4" meter, which the hotel intends to go forward with. Also, in late June Mr. Cansler met with our insurance company to renew our annual insurance policies.

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 5:47 p.m.

It was noted the next Authority meeting is scheduled to occur on August 12, 2019, 5:15 pm at 1649 Rt. 12, Gales Ferry, CT.

Josh Cansler
Secretary