

**Draft Minutes of the February 8, 2021 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, Peter Balestracci, and 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. Balestracci, the Authority approved the minutes of the January 11, 2021 Water Authority Meeting, by a unanimous vote of all members present.

Correspondence – None

General Manager's Report

1. COVID-19/Coronavirus Pandemic Update

General Manager Cansler stated that SCWA staff are continuing to work a full schedule with social-distancing measures and sanitation procedures in place. As of today (February 8th), none of the staff at SCWA have been infected by the virus. Because of safety concerns, and the Governor's ban on in-person public meetings, the scheduled Authority and RAB meetings are being conducted virtually until further notice. In addition, DPH is still conducting bi-weekly webinar meetings via computer, which the General Manager has been attending.

Mr. Cansler also mentioned that back in November DPH reached out to all water utilities and stated they intend to designate water utility employees as "essential frontline workers" in Phase 1b of the statewide COVID-19 vaccination program. However, when the list of essential workers was released last month water utility staff were not included. He said that CWWA had coordinated a letter campaign to the DPH Commissioner and Governor, however water utilities have not been added back to the Phase 1B list of essential workers. Mr. Eccard said that he had watched Governor Lamont's COVID-19 Press Conference earlier in the day. The Governor said that the State would start scheduling individuals 65 and older starting February 11th, and essential frontline workers in early March. Mr. Cansler pointed out that with the current phasing guidelines and vaccination rate SCWA staff would not receive their vaccinations until late summer 2021.

2. Capital Projects Update

a) Tower Division – Main Replacement

General Manager Cansler stated that in November SCWA crews began replacing the water main leading from the Tower Division pump stations to the main distribution located on East Drive in Gales Ferry. Over the past few years there have been several breaks in this water main, each resulting in system wide outages. He said this will be a two phase project.

The first phase includes installation of a new water main from the Tower Small pumphouse to East Drive. The first part of this project, the installation of valves in the existing water mains, was completed on December 3rd. The second part of this project; the installation of a temporary water main to the Tower Small pumphouse has been delayed by weather several times. Phase Two will include installation of a new main from the Tower Large pumphouse. This phase will be completed in the spring, and should not include an outage.

b) Replacement of Pumphouse Roofs at Chesterfield and Birchwood Divisions

SCWA requested bids from 3 carpenters/contractors to replace the pumphouse roofs at both Chesterfield and Birchwood Stations in Montville. We only received one proposal back for both projects. Nutmeg Building and Remodeling LLC, of Ledyard bid \$18,062 to replace the two pumphouse roofs (\$10,091 for Birchwood and \$7,971 for Chesterfield). The estimate for these two projects was \$28,000. Both projects require replacement of the entire roof (rafters, roofing, shingles, and insulation) and are expected to take about 10 days to complete both. Mr. Cansler said that he requested a start date the first week in April due to concerns about equipment in the pump stations freezing while the roofs are exposed.

c) 7 Oaks/Montville Interconnection Project

General Manager Cansler stated that SCWA is working with DPH to expedite a DWSRF (Drinking Water State Revolving Funds) project to construct the interconnection between 7 Oaks and Montville divisions. Installation of this interconnection would greatly relieve pressure on the Montville system, and make it much easier to complete much needed repairs to the storage tanks. If approved for DWSRF funding this interconnection project will be eligible a 50% subsidy with a 50% loan. The estimated cost for the Seven Oaks to Montville Manor Interconnection project is \$435,000.

3. North Stonington Easements:

General Manager Cansler stated that this past year SCWA installed a new service connection to serve properties located at 339 and 343 Norwich-Westerly Road (CT State Route 2). Both of these properties are owned by Mr. Ron Lewis. Mr. Cansler said that Mr. Lewis intends to build several individual homes on these two sites. As part of this development he will be extending the newly installed water main. This new water main will require a grant of an easement to SCWA through both of the properties. The easements were prepared by the attorney representing Mr. Lewis, and have been reviewed by Attorney Nick Kepple, representing SCWA.

Mr. Eccard asked if we would have verification that the easements were filed. He mentioned that SCWA was granted an easement years ago that was never filed. Mr. Cansler said he would discuss verification of the filing with Attorney Kepple. Ms. Franciosi stated that there is a legal requirement that the property owners adjoining the easement be notified of the easement. Mr. Eccard made a motion to approve the grant of the two easements, at 339 and 343 Norwich-Westerly Road in North Stonington, to SCWA. His motion, seconded by Ms. Franciosi, was approved by vote of 6-0.

4. Green Village II – Salem

In November the Authority authorized the General Manager to sign the New Water System Agreement between SCWA and Green Village II, on behalf of SCWA. Green Village II is a 48 unit, 55+ Community complex being constructed in Salem. The complex will have townhouses with individual garages per unit. Each unit will have individual meters. Once completed SCWA will take over as the owner/operator of the Green Village pumphouse and water distribution system. The developer plans to complete the complex by fall 2021.

5. Construction of Millwood Subdivision (part of Hillcrest Division) in Montville

Sun Communities, Inc. has finally started construction of the proposed development (called Millwood) adjacent to their Hillcrest subdivision in Montville. The roads and infrastructure were completed in 2019 before Jensen Communities was sold to Sun Communities. The proposed Millwood development will have 46 modular homes for people age 55+, and will tie into the existing Hillcrest water distribution system. The first homes are expected to be sold this year. SCWA staff have been working with Millwood contractors installing the water distribution lines and meter pits for each unit.

6. 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 in April 2019 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. This past fall both sides filed their Brief to the Courts for the next round. A pre-trial oral argument was held before the Connecticut Supreme Court on January 15, 2021. Mr. Cansler said that Attorney Berry had informed him that the argument went well, and while the court could certainly rule against our position, it did seem they favored our arguments based on the questions the justices asked both sides. She said the court has no official time limit to make its decision by, but generally, decisions are rendered within 4-6 months of the hearing.

7. Insurance Claims

Recently SCWA has reached out to our insurance carrier with two claims by SCWA customers. The first claim, by a homeowner claiming that a SCWA water main break caused his basement to flood, was found to be unjustified by the insurance adjustor. The second claim was regarding exceptionally high invoices from both a customer, and a contractor who repaired a service line for the customer. The contractor submitted a claim for work he performed for the customer, even after pointing out that the service line leak was on the other (SCWA) side of the curb box. SCWA repaired the service line on the SCWA side of the curb box.

General Manager Cansler stated that the insurance company had reached an agreement with the customer to pay for work performed by the contractor up to the point that the location of the service line leak was determined. As part of the settlement the customer signed a waiver stating that SCWA has no future liability regarding the work done on his service line as a result of SCWA actions.

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

In September 2019, 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. The Authority hired Attorney Rich Cody, of Suisman Shapiro, to prepare a Request for an Appeal, and a Request to Stay the Administrative Order, on behalf of SCWA. On November 13, 2019 DPH granted the Request to Stay the Administrative Order. Although a Hearing has yet to be scheduled, the subject of the Administrative Order was discussed briefly during the July Bond Refinancing meeting with representatives from Treasury, OPM, and DPH.

9. PFAS (Per- and Polyfluoroalkyl Substances)

To address concerns regarding PFAS, Governor Lamont released a State PFAS Action Plan in 2019. 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. Due to the COVID-19 crisis the PFAS Advisory Council did not meet for most of 2020, but they are now meeting again. On December 8th CWWA hosted a virtual PFAS update by DPH and DEEP, via Zoom.

10. Miller's Pond Update

General Manager Cansler stated that during the January 2021 Water Planning Council (WPC), Tom Schacht, one of the owners of Miller's Pond in Waterford briefed the council on the history of Miller's Pond, and efforts to develop the pond as a water source, dating back to the 1800's. Most of his background centered on multiple negotiations and litigations between the Miller Family and the City of New London, and Town of Waterford. He mentioned that they recently sent a letter to the City of New London to re-open negotiations regarding use of Miller's pond as a water source.

At the end of his presentation the WPC Chairman asked what Mr. Schacht was looking for from the WPC. Mr. Schacht stated he was looking for the WPC to act as sort of a consultant during negotiations. After some discussion the WPC decided to review the background of Miller's Pond, and put this issue on the agenda for the next meeting. At their February meeting, Lori Mathieu (DPH) stated that she thought that Miller's Pond should be addressed through the Water Utility Coordinating Committee (WUCC) at their next meeting. Mr. Cansler said that the rest of the WPC members agreed to this idea. He said that he would let the Authority know if the subject of Miller's pond was addressed at any future WPC meetings.

11. Regional Considerations

a) Drought Update: Mr. Cansler stated that in mid-January 2021 the Connecticut Interagency Drought Workgroup removed all drought advisories for all counties stating that basically conditions are now normal for this time of year.

b) Planning for Future Water Demands North Stonington: Last fall General Manager Cansler discussed long-term water needs in North Stonington, specifically the area near the Rt.187/Rt. 2 traffic circle, with Attorney Ken Labbe, who is representing the Town. Mr. Labbe indicated that they are trying to involve all the regional utilities. Potential solutions discussed included development of the so-called Romanella aquifer/wellfield near the 187/2 circle, extending the water main from Groton Utilities down 187 (7 miles), and extending a water main from the Westerly water main in Pawcatuck. Mr. Cansler also suggested extending our North Stonington system 1.5 miles down Route 2 to the circle.

c) Water Utility Coordinating Committee (WUCC): The Eastern Connecticut Water Utility Coordinating Committee (WUCC) last met (virtually) on May 27, 2020, to elect new officers and discuss implementation of a Statewide Coordinated Water System Plan (CWSP). The next Statewide WUCC meeting is scheduled for February 17, 2021. This meeting will include breakout sessions for five workgroups being convened to address the following subjects: Interconnections/Regionalization, Non-Community Water Systems Design Requirements, Conservation, Drought, and Updating Process requiring Non-Community Systems to Connect to an Existing Community Water System. General Manager Cansler said he has volunteered to serve on the Interconnections/Regionalization Workgroup, as have members representing the Town of North Stonington.

d) 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).

e) 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. All meetings are currently being conducted virtually via Zoom.

f) SCWA Interaction with AWWA and CWWA: General Manager Cansler is also a member of the Connecticut Water Works Association (CWWA) Legislative Affairs Committee, which generally meets monthly between Nov. and June, however due to the COVID-19 crisis CWWA hasn't met since February.

12. Meetings

General Manager Cansler said that in addition to meetings discussed previously in the General Manager's Report, there was also an emergency virtual meeting called by DPH on short notice to discuss possible threats/attacks on critical infrastructure to include water utilities. He mentioned that although there have not been any specific threats against utilities in the Northeast, there have been threats of attacks against utilities in the Midwest and South. He said this meeting was attended by members of the CT State Emergency Operations Center (SEOC).

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 5:44 p.m.

It was noted the next Authority meeting is scheduled to occur on March 8, 2021, at 5:15 pm, either virtually, or at 1649 Rt. 12, Gales Ferry, CT.

Josh Cansler
Secretary

