

**Draft Minutes of the March 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.

Present

Authority: Chairman Edward Monahan, Vice-Chairman Harry Watson, Treasurer Paul Eccard, Barbara Lee Franciosi, Peter Balestracci, Claudia Koerting, and Nick 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. Balestracci, the Authority approved the minutes of the February 8, 2021 Water Authority Meeting, by a vote of 6-0; with one abstention (Mr. Mullane).

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 March 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.

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. 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. Mr. Cansler said that unfortunately 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 stated that SCWA has requested a start date the first week in April due to concerns about equipment in the pump stations freezing while the roofs are exposed, however Nutmeg LLC has not yet committed to the April timeframe as of today.

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 for a 50% subsidy with a 50% loan. The estimated cost for the Seven Oaks to Montville Manor Interconnection project is \$435,000.

To expedite this project General Manager Cansler is recommending that funds from the 2020 Bond Anticipation Note (BAN) be used to hire Lenard Engineering to do the design and engineering. Lenard Engineering did all concept drawings and preliminary engineering report for this project. They have proposed to complete the design/engineering for \$25,000 to \$30,000; not to exceed \$30,000.

After some discussion, Mr. Eccard made a motion to authorize the use of 2020 BAN funds to contract with Lenard Engineering to do the design and engineering for the interconnection project between 7 Oaks and Montville divisions, at a cost not to exceed \$30,000. His motion, seconded by Mr. Mullane, was approved unanimously by all Authority members present.

3. North Stonington Easements:

During the February meeting the Authority approved the granting of the two easements, at 339 and 343 Norwich-Westerly Road in North Stonington, to SCWA. Last year SCWA installed a new service connection to serve these properties, which are both owned by Mr. Ron Lewis. 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, which will require a grant of an easement to SCWA through both of the properties. The easement documents were prepared by the attorney representing Mr. Lewis, and have been reviewed by Attorney Nick Kepple, representing SCWA. General Manager Cansler stated that he talked to Attorney Kepple in February and was informed that the two easements had not been filed yet. Attorney Kepple assured the General Manager that SCWA would receive copies of the easements as soon as they are filed.

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. Attorney Berry informed General Manager Cansler 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. 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.

8. PFAS (Per- and Polyfluoroalkyl Substances)

To address concerns regarding PFAS, the Governor's proposed budget includes \$408,000 in FY 2022 and \$420,000 in FY 2023 to support the Department of Public Health (DPH) in implementing certain recommendations of the Connecticut Interagency PFAS Task Force, as follows:

- Providing toxicological expertise to assist with updating standards and action levels for drinking water; to include a Toxicologist, a Laboratory Consultant, a Chemist and an Environmental Analyst.
- Ensuring environmental laboratories may become approved for PFAS testing.
- Implementing PFAS testing of drinking water at the state's Public Health Laboratory.
- Supporting testing of public water systems.
- Educating stakeholders to protect the public health from the impacts of PFAS in drinking water.

The proposed budget also includes \$100,000 for laboratory testing supplies, \$600,000 from the Capital Equipment Purchase Fund for additional laboratory equipment, and \$1.15 million Grants-in-Aid to municipalities for the purpose of providing potable water and for assessment and remedial action to address pollution from perfluoroalkyl and polyfluoroalkyl containing substances.

9. Miller's Pond Update

During the January 2021 Water Planning Council (WPC) Tom Schacht, one of the owners of Miller's Pond in Waterford, requested that the WPC act as a consultant during future negotiations between the Miller's Pond owners, and the City of New London, and Town of Waterford. At their February meeting the WPC members agreed that Miller's Pond should be addressed by the Water Utility Coordinating Committee (WUCC) at their next meeting. General Manager Cansler stated that he had attended the February 17th WUCC meeting, and that Miller's Pond was not on the agenda, and was not discussed.

10. Regional Considerations

a) FY 2022 State Legislative Cycle- Potential Bills Impacting SCWA and other Water Utilities.

General Manager Cansler stated that there are several proposed bills under consideration by the State Legislature that could impact water utilities if passed. He addressed the following bills:

HB-6443- An Act Concerning Revenue Items to Implement the Governor's Budget, Section 24

This bill continues the Safe Drinking Water Assessment, which was scheduled to sunset July 2021. Under the bill, the assessment becomes permanent. The bill also changes the method for calculating the assessment.

SB- 460- AN ACT REQUIRING A POTABLE WELL FOR THE PAWCATUCK EASTERN PEQUOT TRIBE

To provide for potable water to the Pawcatuck Eastern Pequot Tribe's reservation in North Stonington, and to establish paved road access to such reservation.

SB 191- An Act Concerning Plumbing and Piping Work.

Would amend Title 20 of the general statutes to clarify that water meter replacement shall not be considered plumbing and piping work. This bill is the result of the State requiring the Town of East Lyme to use certified plumbers for town wide meter installation contract.

Mr. Cansler also mentioned another proposed bill, Bill 863, which addresses changes and updates to the State Plumbing Standards, specifically addressing water efficiency and conservation. He stated that the Governor's proposed budget also authorizes DPH to hire two new staff to enhance response to drinking water issues in schools undergoing construction projects and assist with the continued administration of safe drinking water standards for public drinking water.

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). A Statewide WUCC meeting was held virtually on February 17, 2021. This meeting included breakout sessions for five workgroups that were convened to address the following subjects:

- Interconnections/Regionalization
- Non-Community Water Systems Design Requirements
- Updating Process requiring Non-Community Systems to Connect to an Existing Community Water System
- Conservation
- Drought

General Manager Cansler 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.

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 5:40 p.m.

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

Josh Cansler
Secretary

