

**Minutes of the April 9, 2018 Water Authority Meeting
Southeastern Connecticut Water Authority
1649 Route 12, Gales Ferry, CT**

Present

Authority: Chairman Edward Monahan, Treasurer Paul Eccard, Barbara Lee Franciosi, Peter Balestracci, and Nicholas Mullane.

Authority Staff: General Manager Josh Cansler

Call to Order

Chairman Monahan called the meeting to order at 5:16 p.m.

Public Comment on any Item on the Agenda – None

Approval of Prior Minutes

On a motion of Mr. Mullane, seconded by Mr. Eccard, the Authority approved the minutes of the March 12, 2018 Water Authority Meeting, by a vote of 5-0.

Correspondence – Mr. Cansler referenced a letter from the Ledyard Lions Club asking if SCWA was interested in posting an advertisement in the Ledyard Memorial Day Parade booklet. Purpose of the proceeds from booklet is to support this patriotic annual event. SCWA has supported this request in the past. On motion of Mr. Eccard, seconded by Mr. Balestracci, the Authority approved, by a unanimous vote of all members present, to place a half-page ad in the Ledyard Lions Club booklet, at a cost of \$50.

General Manager's Report

1. Claim by Raspberry Junction Holding, LLC vs SCWA

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. Although Gladfelter, working with SCWA, has proposed settlements on two occasions, Raspberry Junction has not agreed to either proposal.

In January the Authority approved a motion to hire Attorney Lloyd Langhammer, a specialist in appellate law, to provide legal representation for SCWA, and assist Attorney Berry with preparation of the case vs Raspberry Junction. At the March Authority meeting, at the request of Attorney Berry's office, Dr. Monahan signed an affidavit regarding information about his July 2015 Chairman's Report to the RAB.

Ms. Franciosi asked if Attorney Langhammer had met with Attorney Berry yet. General Manager Cansler replied that Attorney Langhammer is currently working with Attorney Berry to prepare a response to the Raspberry Junction brief. Mr. Eccard asked if Attorney Langhammer had requested anything of us yet, and if he had any kind of schedule. Mr. Cansler said that although he has been in contact with Attorney Langhammer regarding the case, he has not requested anything of SCWA yet, and has not provided a schedule.

2. Update on Miller's Pond

In August Mr. Rob Schacht, who represents the family that owns Miller's Pond, presented a memo which included ideas and concepts for SCWA to assist the Miller's Pond L.L.C. (MPLLC) to move forward with the excavation permitting process, and operation of Miller's Pond as a regional wholesale water supply. Mr. Eccard, Chairman of the SCWA Miller's Pond committee, presented this memo to the Authority at the August meeting.

The Authority decided to have legal counsel review the concept memo prior to making any decisions regarding possible future coordination with MPLLC. After discussing the legal review with several attorneys, the Authority chose Catherine Marrion, from the firm Waller, Smith & Palmer in New London, to review the MPLLC concept memo, and evaluate all options available to SCWA regarding this issue.

Attorney Marrion completed her legal review in March, and provided a detailed list of concerns to SCWA prior to the March Authority meeting. The SCWA Miller's Pond Committee met with Attorney Marrion on March 26, 2018 to discuss her legal review of the joint venture concept memo, her list of concerns, and potential courses of action. General Manager Cansler asked if Mr. Eccard, the Miller's Pond Committee Chairman, would like to summarize the outcome of the March 26th meeting.

Mr. Eccard stated that he would like to thank Ms. Franciosi for helping to find Attorney Marrion to assist with this issue, because in his opinion, Ms. Marrion has done an exceptional, and detailed, analysis of the MPLLC Concept Memo, and the issues involving a proposed joint venture. He stated that she has clarified many of the concerns he has, and presented several new concerns that SCWA has not addressed. Mr. Eccard stated that the Miller's Pond Committee, along with Attorney Marrion, will meet with the Schacht family on April 23rd to discuss the legal review and the best direction going forward.

Mr. Eccard said he was concerned that a Miller's Pond joint venture posed some significant risks for SCWA. He said he intends to relay his concerns to the Schacht's at the April 23rd meeting, and will come back to the Authority with the results of the meeting. Amongst his biggest concerns were multiple dredging issues, dam maintenance issues, and the many obstacles involving development of a new reservoir, something that hasn't been successfully accomplished for several decades in Connecticut.

Mr. Mullane asked about the condition of the dam. Mr. Eccard stated that the dam at Miller's Pond is currently rated as a Class B dam, which means that it is a significant hazard potential dam. He read the State's definition of a class B dam: "A Class B dam is a significant hazard potential dam which, if it were to fail, would result in any of the following: (i) possible loss of life; (ii) minor damage to habitable structures, residences, including, but not limited to, industrial or commercial buildings, hospitals, convalescent homes, or schools; (iii) damage to local utility facilities including water supply, sewage treatment plants, fuel storage facilities, power plants, cable or telephone infrastructure, causing localized interruption of these services; (iv) damage to collector roadways and railroads; or (v) significant economic loss".

Ms. Franciosi stated that under State guidelines the owner is responsible for inspection of dams on their property. Mr. Mullane added that the inspection has to be by a certified engineer. Mr. Eccard described how the Quaker Hill area of Waterford could be impacted by a dam failure at Miller's Pond, as had happened many years ago before the current dam was constructed. He felt that this was not a liability that SCWA should assume through a joint venture. Authority Chairman Monahan stated that Attorney Marrion had agreed to formalize her findings prior to the April 23rd meeting.

3. Future DWSRF Projects

In December 2017 DPH informed SCWA that several proposed SCWA projects were eligible for funding through the Drinking Water State Revolving Fund (DWSRF). This program provides low-interest loans, with the potential for up to 25% subsidization, for eligible projects in the form of principal forgiveness. In January General Manager Cansler submitted Part 1 of the required Financial Assistance Application for two projects; Replacement of Tower Division Pump Station, and Interconnection of Montville and Seven Oaks Divisions.

This submittal included preliminary details of the projects to include: preliminary engineering report, information needed for DPH's environmental assessment, professional services documentation (engineering), and financial information to qualify for a DWSRF loan and plans and specifications/construction contract bidding documentation (for construction phase funding). Mr. Cansler stated that he has not heard back from the State regarding his Part 1 submittal.

4. Emergency Interconnections with Ledyard/Groton Utilities

In October SCWA signed an agreement with Groton Utilities and Ledyard to install emergency water main interconnections between all five SCWA Ledyard divisions, and the Ledyard WPCA system. These projects will be fully funded by Groton Utilities in conjunction with a \$15 million DPH DWSRF (Drinking Water State Revolving Fund) funding package they received to assist with financing the upgrade of the Groton Water Purification Plant. General Manager Cansler stated that he had talked to Groton Utilities the week before, and that they are still working on the design and engineering of the emergency interconnections, which are expected to be completed later this summer. He said Groton Utilities hopes to start installation of some of the interconnections later this year.

5. Extension of Services on Fairway Drive/Thames Aquatic Center –Ledyard

SCWA continues to work with the Town of Ledyard regarding support of the proposed Thames Aquatic Center project, as well as the proposed extension of Fairway Drive in Ledyard; both of which are 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 once it is installed, and that the Aquatic Center use SCWA for all required testing and monitoring of the well. In March SCWA received a copy of the reissued approval for the well from DPH. Mr. Cansler stated that the reissued approval is valid until September 2, 2018.

6. Town of North Stonington - New Center for Emergency Services/Water Main Extension

The Town of North Stonington is constructing a new Center for Emergency Services, which also involved extending the North Stonington water distribution system 1500 feet. The water main extension is now complete. SCWA continues to work with the construction contractors on the new Emergency Services Center water system, as needed.

7. Town of North Stonington School Upgrade Project

SCWA has been working with the Design/Engineer Firm, as needed, to assist with the initial engineering and design of a project to renovate existing facilities, and construct some additions, to the Town of North Stonington Elementary School and Middle/High School. General Manager Cansler said that the contractors had not yet contacted SCWA regarding hook-up of new water lines at the school, or possible shutdowns of the water system for this project.

8. Regional Considerations

a) State Water Plan and Water Utility Coordinating Committees (WUCC):

The State of Connecticut is currently in the process of approving a State Water Plan for the management of water resources within the state. In conjunction with State Water Plan, DPH has coordinated the activities of the three Water Utility Coordinating Committees (WUCCs). The Eastern Connecticut WUCC member meetings are held at 1 p.m. every second Wednesday of the month, at either the Southeastern Connecticut Council of Governments (SCCOG) offices in Norwich, or the Northeastern Connecticut Council of Governments (NECCOG) offices in Killingly. These meetings are open to the public.

b) SCWA interaction with the Southeastern Connecticut Council of Governments (SCCOG). Chairman Monahan periodically attends the regular monthly SCCOG meetings.

c) SCCOG Regional Water Committee's Technical Advisory Subcommittee (TAS). SCWA staff participate on the SCCOG Regional Water Committee's Technical Advisory Subcommittee.

d) General Manager Cansler continues to represent SCWA as a member of the Connecticut Water Planning Council Advisory Group (WPCAG), which meets monthly; and as a member of the Connecticut Water Works Association (CWVA) Legislative Affairs Committee, which meets monthly between November and June.

9. RAB Chairman and Authority Member Recognition

At the January meeting, the Authority approved a motion for SCWA to recognize outgoing Authority member Michael O'Conner with a plaque for his two terms of service as an Authority member. At the January meeting the Authority agreed to purchase a 7" x 9" wooden plaque with the SCWA logo and a brass plate. Mr. Cansler stated that the plaque is ready and showed it to the members present. He asked how the Authority wanted to give/present the plaque to Mr. O'Connor. Chairman Monahan suggested that Mr. Cansler contact Mr. O'Connor regarding his preferences.

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 5:51 p.m.

It was noted the next Authority meeting is scheduled to occur on May 14, 2018, 5:15 p.m. at 1649 Rt. 12, Gales Ferry, CT.

Joseph C. Cansler
Secretary