

REPRESENTATIVE POLICY BOARD  
**CONSUMER AFFAIRS COMMITTEE**  
FEBRUARY 27, 2023  
MEETING TRANSCRIPTION

Stephen:

Great. Okay. I'd love to call the February Consumer Affairs Meeting to order. First item on the agenda is our safety moment. Having had open heart surgery, I couldn't emphasize this enough to be aware of these things and take care of yourself. Item two on our agenda is public comment. Do we have anybody from the public, Jennifer?

Jennifer:

No, I don't see any members of the public here.

Stephen:

Okay. Item three is approval of the minutes. Do I have a motion?

Tony:

So moved.

Stephen:

Thank you, Tony. Second?

Naomi:

Second.

Stephen:

Naomi, thank you. Are there any corrections, additions? Omissions that anyone's aware of? Hearing none. All those in favor of approving the minutes. Aye.

Committee:

Aye.

Stephen:

Are there any opposed? Minutes are approved. Our feature presentation today is Nicole Smith who's going to talk about the annual deer hunt and what it produced in this the past year. So Nicole, I'll turn it over to you.

Nicole:

Excellent. All right. I'm going to get started and actually I can hear a little bit of feedback because I can hear my voice. Can you mute yourselves and if you have a question, just unmute yourselves, thank you.

So basically, for those who were also at the LUC meeting, every year I just give a presentation on the deer hunt, how it went, how many deer were harvested, and just some sort of general statistics about

the hunt. The Regional Water Authority has been hosting this hunt for, this is the 14th year, next this year the 2023 hunt will be the 15th year, and I always think it's just a really interesting overview of what's been happening with the hunting program.

So for those of you who don't know, the deer hunt began in 2009 on only one property, which was Lake Gaillard. There's a huge need to control the deer. This hunt was created basically in service of the forestry program. As you guys know, between the loss of habitat and the increasing amount of invasives on our property, the deer are really going after those native species and especially those species that are valuable that will be eventually used as part of the forestry program.

So the hunting program was created because there was this desperate need to control the deer browsing, and the program eventually expanded to four hunting areas starting in 2014. So this is just a general overview of where the deer hunt actually takes place. Our largest and oldest, well, the oldest property for the deer hunt, and as I said before that started in 2009, is Lake Gaillard in North Branford, the hunters have access to 3,233 acres. Our smallest property is in Ansonia and Seymour off of Rimmon Road. That is 154 acres. Bethany is 520 acres and Prospect is 420 acres. So those are sort of mid-sized properties.

Nicole:

As I was saying before, the largest property where we host the deer hunt is Lake Gaillard with 3,233 acres, and that hunt started in 2009. The next property to come online and be part of the hunt was Ansonia Seymour right off of Rimmon Road, and that was 154 acres. It's also our smallest property. Bethany and Prospect are a sort of similar size, and they both came online as part of the hunt in 2015. Bethany has 520 acres available for the hunt, and Prospect has 420 acres. Next slide.

Okay, so this is just I think an interesting slide that I had Josh actually send to me this year. This actually shows that red dotted line is basically they browse line for the deer, and you can see that without any deer management that the native vegetation, it just gets [inaudible 00:08:21] and there's nothing left. So having a deer hunt and reducing the deer density is really important for forest regeneration, and it also helps control erosion and locking up the nutrients that will eventually fuel algal blooms in our reservoirs. So by having them not eat the vegetation, it's obviously just much better for a more robust ecosystem, which is why we are very interested in controlling their populations on our property. Next slide, please.

Okay, so this is just a brief summary overall of the hunt. Early in the spring, I mailed out 330 applications, out of those applications through sort of numerous sorting whether or not people sent in their applications for the lottery and either passed or failed the archery proficiency test or attended the safety meetings that are mandatory at the end of the season, right before the hunt starts end of summer, we had 181 participants overall.

We had 10 days of scouting from the 1st of October to the 10th of October. The hunt lasted 29 days in total, not counting any Sundays. And overall throughout the properties, we'll go through the breakdown a little bit in the next slide, but we had 24 deer harvested, 20 bucks and four does total. We sent out surveys, which were due at the end of January. As always, we had two deer check stations set up in Lake Gaillard and at Bethany, and it's staffed by 53 volunteers basically every day for the hunt, but not during the scouting period. And this year we had no accidents or injuries. Next slide, please.

Rich:

Nicole. Should we ask questions or do you want to wait until you're done with your presentation?

Nicole:

The presentation isn't very long, so if you had a question that was relevant, you should ask it now.

Rich:

So what is the scouting period? What does that mean?

Nicole:

Basically, the scout is the 10-day period before the hunt happens, usually about two weeks before the hunt proper starts. We use it as a way for people to just get in there and set up their tree stand because you kind of need a little bit of silence and quiet for the deer to come towards you so you can hunt them. So because setting up the stands is sort of this noisy activity, we let hunters into the property for 10 days, two weeks before the hunt so that they can set up their stands, they can scout an area.

With Gaillard especially, it's really useful to scout because it's over 3000 acres, so you want some time to walk around to kind of look for deer sign, and the things the hunters are looking for are what they call buck rub on small young saplings, the male deer will rub their antlers, and that's a good indication that deer are around. You'll also see deer browse on the plants. So you're looking for signs that the deer are going to be in the area where you're hunting, and so you want to use that opportunity to walk around, set up the stand before the hunt starts, and that way you're not doing it during the hunt, so you have more of a chance of actually killing a deer.

Rich:

A couple other questions. Do you look for signs that vegetation is in jeopardy before we open it up to a deer hunt? Is there a criteria as to the number of deer or the damage to the vegetation, or is it just we're going to open it up to deer hunting and there's no criteria in terms of vegetation loss?

Nicole:

I think the criteria was established well before I actually started. I think John [inaudible 00:12:15] has more information onto the specifics of why certain properties were chosen. I know with Gaillard, because there are commercial timber opportunities and firewood cutting and all that stuff, that's an important place to have the gear density reduced.

But there are other criteria just in terms of access, parking, areas that weren't close to houses that were part of the selection process of which properties got to be hunted. But yeah, there were specific criteria used to set it up. I just don't know what the specifics for each one were, but it's mostly in Gaillard it was because of the opportunity for forest regeneration.

Rich:

You mentioned archery. Is the hunter is able to use rifles or bone arrows or anything?

Nicole:

No, it's really just archery there. No firearms are allowed on the property.

Rich:

Okay. Maybe I should have known that.

Nicole:

No, no. Why would you know that?

Rich:

Another question which I find only amusing is do we not allow hunting on Sunday because it's a holy day, or?

Nicole:

No, that would be interesting. But no, actually we have other users that are kind of on the property. Even during the hunt. We have a lot of researchers, especially from the agricultural experiment station, that they need to get to their experiments. We have firewood cutters that come and use the property. So in order to allow everyone to have access to the property, we pretty much don't allow hunting on Sundays.

Well, it originally started out, I think, as a rule of Connecticut because there was no hunting allowed on Sundays at all. Connecticut did recently changed that rule to allow hunting on Sundays on private property, which we would fall under. But because we have these multiple uses on the property, we still don't allow hunting on Sundays. Even though hunters have asked for it, we just haven't done it.

Rich:

But you have multiple usage every day, not just Sunday.

Nicole:

Correct.

Rich:

Okay. So Sunday, because we have multiple usages, we exclude it, but we have those same usages on every other day.

Nicole:

We do. I mean, if you think about it though, we try to give hunters and the people who are using the property in a different way, a lot of space, because if you're tramping around in the woods looking for your salamanders or something else, you're going to be making noise and possibly not having deer come to an area where you could be a hunter setting up a tree stand kind of close to that too. So we try to keep everyone having access to all that stuff, but at the same time, giving hunters enough space to be able to successfully harvest the deer.

Rich:

Thank you.

Nicole:

You're welcome.

Stephen:

Nicole, Steve. Yeah, relative to-

Nicole:

Hi Steve.

Stephen:

...I have a few questions, but before that I wanted to ask about the tree stands. Are these freestanding or how do they that, and do they do any damage to the trees that are there?

Nicole:

No, I mean, if they do some damage, it's probably minimal. If I knew I was presenting to you guys, I probably would've put more pictures of the gear that people have to use if you're not familiar with it. But you can Google a tree stand. There's a bunch of different ones. You have ones for single hunters, you have double ones that are a little bit bigger. They're usually about eight to 10 feet up in the air.

There's a ladder, there's a seat. There's all sorts of safety equipment. Like place has to tie off so you're not falling out of the tree stand. We can get in to we required an additional measure of safety because of an incident that happened in last year's hunt. But for the most part, you can use also something called a climber. So there's a stand that you can set up and they're also climbers where you can just sort of move stuff around too, is for hunters who to be a little bit more mobile, who don't want to hunt in the same spot.

Stephen:

And the hunters that we do get, do they want to be in certain places or do we want them distributed according to what we think the populations may be? And are they willing to be in different places?

Nicole:

Well, honestly, deer move around in the forest, so there's no way, unless we're doing some very hardcore tagging and monitoring and tracking, there's really no way to know where the deer are. And because this hunt has been going on for a long time, this is just a little bit of a side note, the deer are smart. During the hunt at certain times when the hunt is happening, you won't see very many deer, but the minute two or three o'clock in the afternoon hits and I have to do something in Gaillard, I see herds of deer just roaming around.

So it's not like you can just always pinpoint where deer are. They move around. Like I said, the only way to really know where deer might be is to be tracking their sign. You can look for game trails. You can look for what they call buck rub on young, smooth trees of usually about three to eight inches. It's sort of the perfect size for bucks to be rubbing their antlers. You can look for deer poop on the ground. You can look for browsing, especially on multiflora rose, but there's no way to really know where the deer are in a very precise manner.

Stephen:

I think what Rich was getting at is how do we know the program is effective and that we need to continue it or scale it back or increase it? Are there things that we do in any specific way to measure the impact of this program?

Nicole:

Yeah, I mean, there are plots that we have that are monitored by the forester and he can talk a little bit more about that. At a certain point they've been kind of looking at it. I know that the people, I guess the forester who had originally set up the plots, they had a different way of monitoring things like stilt grass, so they're still trying to work out what the most effective way is to see the regeneration where deer are excluded. In terms of figuring out how successful the program is. I mean, we definitely have forestry regeneration that's happening, but because we're not tracking the actual deer population through the hunt, there's no way to really know how many deer are out there.

You would have to do a much more, I think, aggressive study to actually monitor the population. I know that in the past, the deer harvest have been a lot more, but at the same time, there are a few factors that have been working to keep the population low. We had a huge kind of snow event in 2011 where a lot of deer died. So the hunters were harvesting a lot of deer before that point. And then whether or not they're just sort of maintaining the population that are already decreased, whether they're killing more deer, it's hard to say unless you were to author a study on the population. But they kill a pretty consistent amount of deer throughout the hunting seasons, it looks like [inaudible 00:19:36].

Stephen:

I noticed that this year, mostly it was males. So you don't need many males. As far as impact on the herd or killing a lot of males may not necessarily do as much as killing more females.

Nicole:

Yes. I mean, as part of the hunt, we have a doe incentive to encourage hunters, encourage hunter to kill more female deer. If you do harvest doe, you are automatically guaranteed entrance into the subsequent years hunt. So if you kill a doe in 2022, you get to automatically bypass the lottery and be part of the hunt in 2023. What I've been hearing, because we do do the surveys, is that the hunters say that they are seeing, depending on the site, they're seeing roughly the same amount of deer. It's just that the deer are farther away and harder to hit with the bow. So again, I think the deer have also just been getting a lot smarter.

Stephen:

Yes, interesting.

Sunny:

Hey, Steve, just to add on one more point, not on the deer itself, we don't have a study yet, but there is a forest regrowth study using drone technology. We are partnering with Yukon and the Department of National Resources. So there is a professor, and I would say a graduate student who is conducting a study for Seymour, and one more area using either multi-spectral imagery and that presentation you'll probably see maybe in the coming months. So on the forest regrowth, we are doing a study combining with Yukon itself.

So that might give you some ideas on how the regrowth is happening among some of these areas actually, but not directly in the population of the deer. That could be something that we could undertake in working with one of these universities.

Stephen:

Representative Policy Board  
Consumer Affairs Committee  
February 27, 2023

No, no. I think drone, that's a great use for drones to cover that area, and especially terrain. It's hard to navigate and get an idea of what's happening there. Oh, that's great.

Rich:

The deer are getting smarter. Maybe they know on Sunday they can relax.

Nicole:

Well, like I said, it's anecdotal data in not data. But I have to tell you, as part of my job, we have manual rain gauges, precipitation gauges. So I empty them if it snows or they're just out for the winter, so I have to empty them when it rains, so there's not ice. I drive into Gaillard and they're just like 5, 6, 7, 8, 9 deer everywhere, just kind of hanging out. And I've had hunters say, "Oh, we were out there for six hours and we didn't see one deer." I've seen deer every time I've been out and they're not bothered by me. It's like they know when the hunt is over. It's almost uncanny actually.

Prem:

Nicole, this is Prem here, right, very quick question.

Nicole:

Hi Prem.

Rich:

Isn't there also rules that we have in terms of the hunting itself from a stand perspective, that you actually use your bow and arrow when you're above the stand, like at tree level, at the eyesight eye level, you cannot actually hunt, right? So there are certain safety precautions, right?

Nicole:

So we're pretty limited, I mean, the state has different rules and I know you can do a lot of things, but because of safety, our rules I think are a little bit more strict in terms of what kind of tool you can use to harvest the deer. So hunting from a tree stand is mandatory, and so you have to be able to shoot accurately about 60 feet away. You shouldn't take a shot if a deer is past that point because it's not ethical, and you might not make a shot that will kill the deer quickly or humanely. So you have to be able to hit a deer and they have to come within that range. As a hunter, you're not supposed to take a shot that you can't ethically harvest an animal humanely and quickly too. So that's a big part of it.

Prem:

Thank you. Yes, that's good. Yeah.

Naomi:

And Nicole, before we move on, could you just tell me, where this says total days scouting and total days hunting, those figures that you have, I'm just trying to understand.

Nicole:

Yes, sure. So because we have 181 participants and each participant will spend a certain amount of time scouting or hunting. As part of the program, we have to submit a report to the Department of Public Health every year at the end, because that's who gives us the permit to allow us to have this deer hunt on the property. So they want numbers in terms of activity and how many people are doing what on the property.

So the report basically asks how many hours did hunters roughly spend in the forest? How many hours did hunters roughly spend scouting and looking for sites to hunt? How many hours did hunters spend on the property? So all of this is sort of put together and it's an Excel sheet, even though you guys are seeing the kind of cleaned up version. This is data that I give to the Department of Public Health for the program so that they can keep track of it. But there's no way to know on average, each hunter kind of self-reports on the survey how many days they spent out there. And so we try to just use that data and extrapolate how many days the hunter is spent kind of scouting over the 10-day period.

Naomi:

Okay.

Nicole:

Yes.

Naomi:

Thank you.

Nicole:

Oh yeah, you're welcome. Okay, so any other questions?

Okay, so I'll just go over the slide really quickly, as Naomi said. So again, we had 179 hunters participant, I think two ended up kind of dropping out. Out of those people we had 160 of those folks return their surveys. As Naomi brought up, there was 323 days spent scouting among those hunters and the total number of days the hunter spent. Some people were out there who were retired, who hunted for 20 days. Some people were only out there for two. But overall there was 1051 days and the hunter spent a total of 5,784 hours hunting. Jennifer, next slide please.

Okay, so like I said, last year was great. We didn't have any safety incidents. Basically because during the 2021 hunt, we had a hunter accidentally fall out of his tree stand, and while he was okay and was able to recover eventually we wanted to make sure that the hunters were being as safe as possible. So we actually mandated that hunters buy a new piece of safety equipment to use with everything that was already mandated. So this piece of equipment is what they call an automatic hands-free emergency descent device.

There are few on the market that you can buy. I just put this particular one in here so that you can see what it looks like. So if you fall out of a tree stand for whatever reason, instead of having to lower yourself down manually, all you would have to do is press a button and this would lower you to the ground because when you're out there in a tree stand, it's not just suspension trauma that you have to worry about. Falling 10 feet out of anything might be a very serious injury. So we want to make sure people are being really safe out there. And it was really interesting because when we actually instituted this, a lot of hunters didn't even know this device existed. And so it was really nice to bring this to their



attention, and so they used it and we'll probably continue this going forward during the hunt. Okay, next slide.

Okay, so this is just the breakdown. We talked about how many deer were harvested. Usually most of the deer come from North Branford. We had a total of 17 deer harvested there. Most of them were bucks, but we did get three doe. Prospect, we had five deer harvested there. Bethany two deer and Ansonia/Seymour zero. But we usually only get one or two deer that are harvested from that site because we only have eight hunters on that property. Next slide please.

Okay. Actually, I can't see my chart over this little thing anymore, but basically this is just if you wanted to take a closer look at this, I just put those numbers in chart form going back from the 2009 hunt. The total number of deer harvested on the property as part of the program since 2009. Next slide, please, Jennifer. Okay. And these next slides are basically just the deer harvested by site on each property as they came to be part of the hunt, but we don't have to review the whole thing.

The one thing that I found interesting is something that Steve and I were just going back and forth about is just the number of deer and how the number harvested has decreased over years, especially since the high point of 2010. It looked like that big snow event and that really hard winter in 2011 and 2012 really knocked back the population. So whether or not either the deer have moved on or when we don't know how many deer there or if we are just sort of maintaining a population that's already been decreased. Unless we did a more aggressive study to get a sense of the deer population on the property, we don't really know. All we know is that the numbers have sort of decreased as the years have gone on. Okay, next slide on. Same thing with Ansonia Seymour. Next slide, Bethany as well. Next slide. Next slide. As well as prospect. Next slide.

Okay. And so what I found interesting is that the number of DOE overall have been decreased in terms of the number of deer that have been harvested. I think that was the biggest change, especially at Gaillard. That's why the numbers had reduced so drastically. Why that's happening, we don't know. An interesting data point is that Connecticut, DEEP also does a report annually to see how many deer have been harvested. During the 2021 hunt, so this was the year before last year. They also noticed an 18% decrease in the year in the number of deer harvested all across the state. So how that tracks with the decrease that we're seeing on our hunting properties would be very interesting. It would be interesting to sort of resolve that to see where our piece sort of fits into that larger picture of the decrease in deer harvest across Connecticut as a whole. Next slide please.

And this we come to the end. These are just sort of the final thoughts of the hunt. As I said, this is the 14th year of the hunt. This the 2023 hunt will be the 15th year. What we've seen overall from hunters is just fewer sightings of deer, especially in areas like Bethany. Of the deer that were observed a lot of deer are harder to hit because they are now out more out of range, so they might just be much more cautious during the hunting season.

We've also noticed in areas that there's been an increase in invasive species, especially things like barberry and multiflora rose, which might make it harder for hunters to get to places where deer might be. So that's something that's an interesting little data point. And as we talked about just now, we see the decrease in overall numbers of the deer hunt in harvest, especially in areas of North Branford where the number of doe harvested has decreased substantially.

So obviously our forestry department and Connecticut DEEP, they have established research plots, which we talked about, and so we're sort of figuring out how they want to measure those plots going forward, will probably give us more useful data in terms of what the D browsing and how frequently they're browsing. I talk to you guys about the annual Department of Public Health report, hence the

reason the survey and for the numbers that we submit to them every year at the end of the hunt. Overall, the hunters seem very happy with the program in the sense that they get this opportunity to hunt on land that's limited to the number of people that are there. Most of them really love being out in the forest, even if they don't hit a deer. And that's pretty much it. They really are happy to be out there.

Stephen:

Nicole, this is Steve.

Nicole:

Yeah, hi Steve. I can hear you.

Stephen:

According to the RWA experience here, it's just been the last two years, it's been a dramatic decrease in the number of doe. Otherwise, the bucks numbers have been the same and probably overall would've been the same except for that. Any other thoughts on why that might've occurred?

Nicole:

No, I mean, I think it's really interesting that the number of doe harvested has sort of fallen off. It could be that hunter's really just love shooting bucks. What was interesting is that this year while the number of deer harvested overall was reduced the number of bucks that were large and I we're talking like what they call eight pointers. I don't know how familiar you are with hunting terms, like eight pointers, 10 pointers, 12 pointers. Somebody shot a 12 pointer think, was it in Gaillard. Yeah, it was very nice. I think one of the pictures is of that 12 pointer, but they're harvesting larger bucks. So I don't know what that means in terms of the population for the deer, but yes, so of the deer that they're harvesting, they're choosing larger bucks.

Stephen:

Okay.

Rich:

One other question, Nicole. Deer observed fewer deer in the range of hunters, and you may have said this and I apologize.

Nicole:

No, that's fine.

Sunny:

Do we limit the hunters to just certain areas where we're concerned about the vegetation or are they free to set up these stands anywhere?

Nicole:

On the properties where the hunt is allowed? The hunt boundaries... I flag the hunt boundaries. And so I mean within those boundaries, they're free to set up their stands anywhere within the boundary.

Sunny:

So the idea that the deer are staying away from the hunter locations is just coincidental. It's not-

Nicole:

It maybe, we don't know in order. I can say that with increased activity, deer will try to avoid people, especially during the hunt, but you would need more an actual study to see what the population is actually doing. I'm not comfortable making any sort of definitive statements about what the deer population is doing because it would take scientists to look at that.

Rich:

Got it. Thank you.

Stephen:

Any other questions for Nicole? Thank you for the presentation and interesting. We very much appreciate it.

Nicole:

No, thank you, your questions were really good.

Stephen:

Great.

Tony:

Good job.

Stephen:

Thank you, Nicole.

Stephen:

Item five on our agenda is a discussion regarding the OCA's rate for service. Jennifer, do we have something that shows any summary of the past experience rates or Jeff, do you want to speak to that?

Jeff:

Sure. It's pretty simple

Stephen:

[inaudible 00:35:37] pretty simple. Yes, and how long since the last increase?

Jeff:

Yes. So from 2008, I was appointed effective June of 2008. And from 2008 to January of 2018, my rate was \$225. In January of 2018, the Consumer Affairs Committee recommended rate increase to \$250,

Representative Policy Board  
Consumer Affairs Committee  
February 27, 2023

and the RPB approved that in connection with extension of my contract February of 2018. So for the last five years, the rate's been \$250.

The way that I do my rates, it's pretty simple. I have a commercial rate that I charge all my non-municipal clients, and then I have a municipal rate. So the commercial rate is \$425 an hour, and the municipal rate in 2023 is \$275 an hour. So what I've always done is treat the water authority as if it were a municipality and provided that discounted quality rate. And that's what I'm asking for. It's not a significant impact. If I looked at the last 10 years, I average about 150 hours a year worth of billable work for the water authority. So a \$25 an hour rate increase equates to \$3,750. It'll still be under budget. I've had the same budget for 15 years.

Stephen:

And that's been \$50,000. Right, Jeff?

Jeff:

Yeah, we've never hit it.

Stephen:

And we've never hit it either.

Jeff:

No. No.

Stephen:

Okay. I guess there's two things here. One, does everybody agree or would like to comment on the fact that an increase is due?

Tony:

I'd like to-

Jeff:

If you want me to drop off, I can drop off.

Stephen:

Sure. Yeah, that'd be great. Jeff, if you could for a minute.

Jeff:

Come back in like five minutes?

Stephen:

Five minutes. Great.

Tony:

Steve, I'd like to comment.

Stephen:

Go ahead.

Tony:

This is Tony, and I think everybody knows I'm a great supporter of Jeff. I think he's an amazing lawyer. I don't know anybody smarter than him. Anybody more detailed and organized and conscientious, from my point of view, just can't say enough good things about him. I think he's done a miraculous job for us over the years, and I would recommend, frankly, that we go to \$300 an hour. It's another... I mean, we're talking asking for \$275, and if we give him \$300 an hour, we're talking about \$7,500 more a year, and he still won't go over the \$50,000 thousand dollars. He'll, he'll keep the hours. He's not looking at gouge us. I think we should really show our support and say, "Hey, listen, you know, want \$275, we think you're worth \$300." And I would put that in the form of a motion if needed, and certainly make that recommendation to the RPB.

Stephen:

No, I'm glad you said that because I think we've seen over the years, there has never been a time when he has not produced other than an excellent review or presentation of any of the documents he's had to review. And \$25 is pretty minimal really, in terms of what someone of that caliber makes. And I know him from a lot of other venues and work that he does, and he's top notch. So I couldn't agree with you more. How does everybody else feel about that. Larry?

Larry:

I just wanted to comment, since this goes into the management budget, that's ultimately approved by the Authority, that certainly from a managerial standpoint, we would certainly support that increase because he does provide tremendous value add to management as well, giving us his perspective on how we're thinking about things or how we're approaching different issues. So that's another piece of benefit that the authority receives from OCA in addition to the wonderful work that he does for the RPB in reviewing their applications and discussing issues.

Stephen:

Oh, thanks Larry. I appreciate that. And this is a reduced rate for municipalities too.

Larry:

And he's very conservative, obviously with his hours and the way he allots time.

Stephen:

He has not ever abused the time to do any of the work.

Rich:

Steve, I would just listen. I think he's great and thorough and well reasoned. But if I was dealing with my personal bank account and somebody said, my rates just went up to this, I'd say, "okay, I like your work. You're going to continue to provide value. That's what you're asking for." I wouldn't necessarily throw

on a tip, we're going to get the same service. And the positive feedback is there. I'm just voicing the other side to say we have to also be responsible for where we spend our money. Yes. Is it a minimal amount? His increase is, and then an additional 25 an hour would amount to that too. But I don't think he's going to provide less of service if we meet his request of \$275 an hour.

Stephen:

No, I don't think so either, Rich, I see your point. But I think he definitely is worth it, has produced that quality in the past, and we're not talking about a lot of money. I just think that it would be a way to say we appreciate you. And in terms of other things that we spend money on and the amounts, I don't think this is unreasonable to up it a little bit.

Tony:

Let me add just one thing. If Jeff was a different personality, he could run his bill up to \$75,000 by claiming more hours and we wouldn't know the difference and we would probably approve it based on just his quality of work. So I think frankly, Rich, we got ourselves a bargain here. And I think this really shows our gratefulness frankly for his hard work. But I get your point. I mean, why give somebody more than they're asking? But in this case, I think he's a remarkable attorney and could be gouging us and we wouldn't even know it. And I just think we ought to reward that.

Stephen:

Mark, any thoughts?

Mark:

You want my opinion? You want to ask my opinion?

Stephen:

Yes. Never mind.

Mark:

I kind of agree with Rich, but-

Stephen:

We're going to [inaudible 00:43:31].

Mark:

Let me tell you something-

Stephen:

... but we want to ask you anyway.

Mark:

That presentation that he made it. The RPB was sensational, as far as I'm concerned. It went far beyond what he really had to do, but he explained it well. He is a great attorney. Whether we should give him a

tip or not, I don't know about that's something... he's asked for what he does and you expect him to do the job he does and this is what he wants to get paid for it. Hey, listen, it's up to you guys what you want to do. But he is, I have to admit that of all the OCAs that I've heard from before, he does make the best presentations. He's thorough. He knows exactly what he wants to do, and he makes it anybody can understand it. That's [inaudible 00:44:29].

Tony:

Did anybody read his evaluation of the rape case from last week? Like eight or nine? Single line? I mean, this is a dissertation and I just think he goes above and beyond.

Stephen:

Well, we can vote on it. Naomi, any thoughts?

Naomi:

I know, I just came off mute. I happen to agree. I really think he does go beyond the call of duty. Even when we were going through some of those difficult questions and things like that, he really took the time to explain everything, I think, to me in layman's terms. And that to me is very, very important on anything that you present. So I feel that, not sure about the tip, but I feel that he hasn't really had any type of increase in years so I think the extra \$25 wouldn't hurt. But that's just me.

Rich:

Let me be clear, Steve, that I don't question and I've worked with Jeff in another project. I don't question him for a moment. I just felt as a member of this committee that I wanted to at least put up the opposing point just to have this discussion. That's all.

Stephen:

Yeah, no question. It's a good point, Rich. I'm, I'm not arguing with that. I'm not sure what to do. We have to [inaudible 00:46:04].

Tony:

I'd like to take a vote, Steve. I would make a motion that we recommend to the RPB a \$300 an hour new rate, which increases our exposure from what we're currently paying by about \$7,500 a year in total, that's if he uses it all. And I would hope we can go along with that.

Rich:

So it's \$50 an hour increase-

Tony:

Correct.

Rich:

\$25 he asked for and another \$25. And how many hours does he so?

Stephen:

It's a decrease-

Tony:

It says 150.

Rich:

Okay.

Tony:

So you're talking about \$7,500 if he uses it all. He's never gone above the \$50,000 budget that we allocate for him.

Stephen:

Nor has he asked for other outside consultants very often either.

Mark:

I changed my mind [inaudible 00:47:19].

Stephen:

Good, Mark. Thank you. Okay, so are you making the motion, Tony, that we grant an increase and that increase to \$300 an hour?

Tony:

I do.

Stephen:

Okay. So all those in favor?

Rich:

Get a second?

Tony:

Yes, you got to get a second, Steve. You have to get a second.

Rich:

I'll second that, Steve.

Stephen:

Thank you. And all those in favor?

Committee:



Aye.

Stephen:

Opposed? Any abstentions? So that motion carries.

Tony:

I think that's a good move everybody. Thank you

Stephen:

Thank you everybody. Good discussion.

Jennifer:

Are you ready for Jeff to return?

Stephen:

Yes.

Jennifer:

Here he comes.

Stephen:

Jeff, I think that you'll like what we came up with. Not only do we have approved the increase, but we've improved the increase to \$300 an hour for you and your firm. We really appreciate the work that you have done and I know will continue to do for us.

Jeff:

Well, that's very generous. I appreciate it. I mean, I'm sensitive to the fact that the Authority is not a stock corporation and is like I said, more like a municipality than anything else. And I'll do my best to minimize the impact of that rate increase, but I do appreciate it.

Stephen:

We know you've done that in the past and we know that that will be in the future. Thank you. Thank you for that.

Rich:

Thanks, Jeff.

Jeff:

Thank you.

Stephen:

Item six on the report is your report, Jeff?

Jeff:

The only thing that the OCA was first in over the last month was the issuance test rate application. We don't have any pending consumer complaints. I will say that late last week I received, and I know the authority probably received must have received it as well from the Department of Public Health, the updated plan. And Rochelle, on behalf of the authority and on behalf of the OCA, had submitted comments with respect to the DWSRF plan for the lead and copper rule program. And Larry, I don't know whether you saw those comments over the weekend or not. I read them last night and they basically are taking into consideration comments they received from the EPA of a technical sort. But with respect to my comments about broadening the eligibility and Rochelle's comments, they basically said, thanks for your comments but we already have an extremely fair and generous and equitable program in place.

Rochelle:

I will say I did see that and I read it. I think our plan is going to be, we're going to resubmit testimony.

Jeff:

Let me know because I'd like to kind of bootstrap after reading all their comments in response to everyone else's comments. I kind of got the feeling like anything financial was just dismissed out of hand. So I'd like to submit additional testimony as well.

Rochelle:

I think that'd be great.

Jeff:

But other than that, and I saw that, like I said over the weekend, it's obviously a significant concern. It's interesting because I think people are starting smaller water utilities, particularly in one of the municipalities that I represent, are starting to become aware of the potential impact, not only of the inventory process, but the actual implementation process. And it's a big deal. And I think it's not something that has been well publicized so far. But other than that, no consumer issues right now, which is good.

Tony:

Great news on that.

Stephen:

I don't know if anyone saw on in the New Haven register, it was an article from the woman who was CEO of Connecticut Water about water rates and the importance of maintaining the system and having an adequate supply for customers.

Jeff:

Right.

Representative Policy Board  
Consumer Affairs Committee  
February 27, 2023

Stephen:

Okay. Thanks Jeff. We'll move on to item seven on the agenda approval of the OCA invoice for January, which is \$2,195. Do I have a motion?

Tony:

So moved.

Stephen:

Thanks, Tony. Second?

Naomi:

Second.

Stephen:

Second, Naomi. Thank you. All those in favor of approving the amount?

Committee:

Aye.

Stephen:

Any opposed? Invoice is approved. Is there any new business? Anyone have anything they'd like to bring up? Our next regular meeting will be Monday, March 20th. And unless there's anything else, I'll entertain a motion to adjourn.

Rich:

I'll make a motion to adjourn.

Stephen:

Thank you, Rich. Second?

Naomi:

Second.

Tony:

Second.

Stephen:

Thanks Tony. Since nobody wants to leave, you're having such a good time. All those in favor?

Aye.

Committee:

Aye.