

Representative Policy Board
South Central Connecticut Regional Water District
90 Sargent Drive, New Haven, Connecticut
or
Via Remote Access**

AGENDA

Regular Meeting of Thursday, October 26, 2023 at 6:30 p.m.

- I Safety Moment
- II Public Comment: The time limit granted to each speaker shall be three (3) minutes. Residents and customers may address the Board.
- III Approval of Minutes – September 28, 2023 meeting
- IV Communications
 - A. Ten-Year Model Presentation dates – *ALL RPB members are invited to attend:*
 - a. November 13, 2023 – Finance Committee
 - b. November 20, 2023 – Consumer Affairs Committee
 - B. RPB Quarterly Dashboard Report
- V Items for Consideration and Action
 - A. Nominating Committee's recommendation regarding the appointment of Authority member for the term beginning January 1, 2024
 - B. Final Decisions – Dispositions of Beech Street and Poms Lane in North Branford, Connecticut
 - C. Third Quarter 2023 Representative Policy Board Compensation
- VI Reports
 - A. Finance Committee
 - B. Land Use Committee
 - C. Consumer Affairs Committee
 - D. Nominating Committee
 - E. Executive Committee
 - F. Authority/Management
- VII Adjourn

<p>**Members of the public may attend the meeting in person or via conference call. For information on attending the meeting and to view meeting documents, please visit https://tinyurl.com/mu6vxn53. For questions, contact the board office at 203-401-2515 or by email at jslubowski@rwater.com.</p>
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REPRESENTATIVE POLICY BOARD

South Central Connecticut Regional Water Authority
90 SARGENT DRIVE, NEW HAVEN, CONNECTICUT

THURSDAY, OCTOBER 26, 2023 AT 6:30 P.M.

REMOTE MEETING INSTRUCTIONS

Call in (*audio only*)

[+1 469-965-2517,,385081865#](tel:+14699652517385081865) United States, Dallas

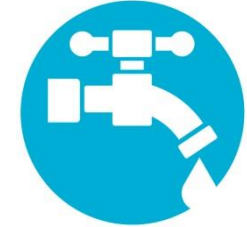
Phone Conference ID: 385 081 865#

Members of the public may join the meeting in person at address above or by conference call. To view meeting documents please visit <https://tinyurl.com/mu6vxn53>. For questions on attending the meeting, contact the board office at 203-401-2515 or by email at jslubowski@rwater.com.

SAFETY MOMENT

FALL SAFETY

Tap Into
Safety



Regional Water Authority

Autumn is a beautiful season; but equally dangerous. We all appreciate the beauty around us during the autumn season from the colorful leaves to the pumpkin-spiced fragrances, it is undeniably splendid. However, it is a season that can be fraught with danger as the chances of falling are heightened. Fallen leaves obscure slip risks on the ground. Wet leaves create slippery, dangerous surfaces without grip that make slipping and falling more likely.

MINIMIZE THE RISK BY:

1. Watching your step – Be mindful of what could be underneath a leaf pile
2. Cleaning up fallen leaves – Regularly rake up fallen leaves to avoid slipping
3. Driving with awareness – Slow down and allow extra distance between you and the car in front
4. Being visible – Wear reflective clothing when working outdoors in diminishing daylight



Service – Teamwork – Accountability – Respect – Safety

9/11

Safety is a core company value at the Regional Water Authority .
It is our goal to reduce workplace injuries to zero.

 Regional Water Authority

**Representative Policy Board
South Central Connecticut Regional Water District**

Minutes of September 28, 2023 Meeting

A regular meeting of the Representative Policy Board (“RPB”) of the South Central Connecticut Regional Water District took place on Thursday, September 28, 2023, at North Branford Town Hall, 909 Foxon Road, North Branford, Connecticut and via remote access. Chair Harvey presided.

PRESENT

RPB

Ansonia	Thomas P. Clifford III (remote)
Bethany	Brian Eitzer (remote)
Cheshire	Timothy Slocum (remote)
Guilford	Charles Havrda
Hamden	Stephen Mongillo (remote)
Killingworth	Jamie Mowat Young
Madison	Joseph A. Oslander
Milford	Richard Smith (remote)
New Haven	Naomi Campbell (remote)
North Branford	Peter DeSantis
North Haven	Anthony Rescigno (remote)
Orange	Jasper J. Jaser (remote)
Prospect	Robert E. Harvey, Jr.
Seymour	Michael H. Horbal (remote)
West Haven	T. Gregory Malloy
Woodbridge	Mark Levine (remote)
Governor’s Rep	Vincent M. Marino

Regional Water Authority

David Borowy
Kevin Curseaden (remote)
Catherine LaMarr
Mario Ricozzi
Suzanne Sack (remote)

Management

Larry L. Bingaman
Rochelle Kowalski
Elizabeth Calo (remote)
Jim Hill
Sunny Lakshminarayanan
Premjith Lakshman Singh (remote)

Counsel

Bruce McDermott, Murtha Cullina

Absent

Beacon Falls	Peter Betkoski
Branford	Vacant
Derby	Frank Pepe
East Haven	Michelle Verderame

Office of Consumer Affairs

Jeffrey M. Donofrio

Staff

Jennifer Slubowski

Call to Order

Chair Harvey called the meeting to order at 6:30 p.m.

Safety Moment

Chair Harvey reviewed the Safety Moment distributed to members.

Public Comment

Chair Harvey offered the opportunity for members of the public to comment. There were no members of the public present at the meeting.

Minutes

On motion made by Mr. Malloy, seconded by Mr. Havrda, the RPB approved the minutes of its August 24, 2023 meeting as distributed, with 73 total weighted votes cast in the affirmative.

Ansonia (3)	Aye	Guilford (4)	Aye	No. Haven (5)	Aye
Beacon Falls (0)	Absent	Hamden (10)	Aye	Orange (3)	Absent
Bethany (5)	Aye	Killingworth (2)	Aye	Prospect (1)	Aye
Branford (6)	Vacant	Madison (6)	Aye	Seymour (1)	Aye
Cheshire (4)	Aye	Milford (10)	Absent	West Haven (8)	Aye
Derby (2)	Absent	New Haven (13)	Aye	Woodbridge (3)	Aye
East Haven (6)	Absent	No. Branford (8)	Aye	Gov. Rep. (1)	Absent

Communications

Chair Harvey stated that members received the draft Criteria from the Nominating Committee for Authority member.

Reports

Finance Committee – In Mr. Marino’s absence, the Finance Committee had nothing to report.

Land Use Committee – Mr. Malloy, of the Land Use Committee, reported that the Committee met earlier in the month to receive an update on the RWA Police. The update took place in executive session. The Committee also received monthly land and invasive species updates.

The next meeting is on October 11, 2023 at 4:30 p.m. at Lake Saltonstall in Branford. The Committee will hold its annual pizza dinner. All RPB members are invited to attend.

Consumer Affairs Committee – Mr. Levine, Chair of the Consumer Affairs Committee, reported that the Committee met earlier in the month and received an update from management on the Lead and Copper Rule Revisions.

Authority/Management – Mr. Borowy, Chair of the Authority reported on the Authority Meeting earlier in the day. He stated that the Authority met as the Audit-Risk Committee.

Ms. LaMarr, Chair of the Audit-Risk Committee, reported on the Committee meeting earlier in the day. She stated that the Committee met with the RWA’s auditor CliftonLarsonAllen to review the results of the fiscal 2023 audit.

At 6:36 p.m., Messrs. Marino and Smith entered the meeting.

Mr. Borowy also stated that at the meeting earlier in the day, the Authority also met as the Commercial Business Committee and received an update on RWA’s commercial business.

Mr. Bingaman, the RWA’s President and CEO, reviewed revenues, operating and maintenance expenses for the month ended August 31, 2023 and stated the projected maintenance test for FY 2024 is 114%, with no shortfall. He reported that August billings were lower than expected due to weather. However, due to higher interest rates RWA’s investment earnings are higher, PILOT is favorable to budget, and the timing of the Drinking Water State Revolving Fund financing is also favorable. Due to lower water revenues, RWA is taking steps to defer certain expenses.

At 6:40 p.m., Messrs. Curseaden and Jaser entered the meeting.

Mr. Bingaman also reported that as of September 18, 2023 reservoir levels were at 89%, compared to the long-term average of 71%.

He highlighted that the spoke on behalf of the RWA at a ribbon cutting ceremony earlier in the month at Southern Connecticut State University's (SCSU) new school of business. He, Mr. Borowy, members of the Leadership Team, and other community leaders were present including the Governor, President of Gateway Community College and SCSU. He stated that the RWA and the Claire C. Bennitt Watershed Fund were contributors and have a room named after them. The event was a good opportunity for the RWA to contribute to the community.

RPB members acknowledged the RWA's positive community involvement and discussed profits related to RWA's for-profit ventures.

Chair Harvey acknowledged Atty. Donofrio, who had nothing to report.

At 6:44 p.m., on motion made by Mr. Malloy, seconded by Mr. Havrda, and unanimously adopted with 87 total weighted votes cast in the affirmative, the meeting adjourned.

Ansonia (3)	Aye	Guilford (4)	Aye	No. Haven (5)	Aye
Beacon Falls (0)	Absent	Hamden (10)	Aye	Orange (3)	Aye
Bethany (5)	Aye	Killingworth (2)	Aye	Prospect (1)	Aye
Branford (6)	Vacant	Madison (6)	Aye	Seymour (1)	Aye
Cheshire (4)	Aye	Milford (10)	Aye	West Haven (8)	Aye
Derby (2)	Absent	New Haven (13)	Aye	Woodbridge (3)	Aye
East Haven (6)	Absent	No. Branford (8)	Aye	Gov. Rep. (1)	Aye

Respectfully submitted,

Jamie Mowat Young, Secretary

Representative Policy Board
Dashboard Metric - 1Q FY24 - Revised Metrics

Metrics	Quarter ended 8/31/22 (1Q FY 2023)	Quarter ended 5/31/23 (4Q FY 2023)	Quarter ended 8/31/23 (1Q FY 2024)
Financial Metrics			
<i>Coverage</i>	Budget: 1.14 w/o draw	Budget: 1.14 w/o draw	Budget: 1.14 w/o draw
	Projected: 1.16 w/o draw	Projected: 1.41 w/o draw	Projected: 1.14 w/o draw
<i>Draw Requirement</i>	Budget: \$0 million	Budget: \$0 million	Budget: \$0 million
	Projected: \$0 million	Projected: \$0 million	Projected: \$0 million
<i>Capital Expenditures to Budget (Note 1)</i>	Budget: \$7.246 million	Budget: \$41.320 million	Budget: \$52.520 million
	Result: \$5.616 million/10.3% of total fiscal year budget	Result: \$41.233 million/99.8% of total fiscal year budget	Result: \$8.032 million/15.3% of total fiscal year budget
<i>Aged Account Receivables - Total Water (Note 2)</i>	Feb 2020: \$6,659,551	Feb 2020: \$6,659,551	Feb 2020: \$6,659,551
	Aug. 2022 : \$8,951,804 (+34.4%)	May. 2023 : \$7,517,465 (+12.9%)	Aug 2023 : \$7,137,670 (+7.2%)
<i>Aged Account Receivables - Residential (Note 2)</i>	Feb 2020: \$5,833,160	Feb 2020: \$5,833,160	Feb 2020: \$5,833,160
	Aug. 2022 : \$8,449,516 (+44.9%)	May. 2023 : \$7,067,920 (+21.2%)	August 2023 : \$6,755,012 (+15.8%)
<i>Pension Market Values (Note 3)</i>	Aug. Mkt Value: \$66,527,775	May 2023 Mkt. Value: \$66,989,908	Aug 2023 Mkt. Value: \$68,995,451
	June 2022 Mkt. Value: \$63,189,971	March 2023 Mkt. Value: \$65,549,028	June 2023 Mkt. Value: \$68,894,215
	June Return: Negative 10.6% Cal	May Return: .15% Fiscal	June Return: 8.85% Cal
	Actuarial Return Assumption: 6.75%	Actuarial Return Assumption: 6.75%	Actuarial Return Assumption: 6.75%

Representative Policy Board

Dashboard Metric - 1Q FY24 - Revised Metrics

Metrics	Quarter ended 8/31/22 (1Q FY 2023)	Quarter ended 5/31/23 (4Q FY 2023)	Quarter ended 8/31/23 (1Q FY 2024)
System Metrics			
<i>Average Daily Production (Draft) to Prior Year</i>	Prior Year: 53.416 MGD	Prior Year: 43.329 MGD	Prior Year: 55.730 MGD
	Result: 55.730 MGD	Result: 43.680 MGD	Result: 49.111 MGD
<i>Disinfection By-products</i>	Target: 100%	Target: 100%	Target: 100%
	Result: 100%*	Result: 100%*	Result: 100%*
	* As of June 30, 2022, updated	* As of March 31, 2023, updated	* As of June 30, 2023, updated
<i>Net Unaccounted For Water</i>	Target: 10.0%	Target: 10.0%	Target: 10.0%
<i>(annualized)</i>	Result: 13.85% for the annualized	Result: 11.58% for the annualized	Result: 11.65% for the annualized
	period of June 2021 to May 2022	period of March 2022 to February 2023	period of June 2022 to May 2023
<i>Service Disruptions (Note 4): Due to Main Breaks</i>			
<i>Number of Disruptions</i>	Result: 11	Result: 5	Result: 4
<i>Number of Customers Impacted</i>	Result: 217	Result: 62	Result: 78
<i>Avg. Period Customers are w/o Water</i>	Target: 6	Target: 6	Target: 6
	Result: 3.9	Result: 2.1	Result: 3.44

RepresentativePolicyBoard

South Central Connecticut Regional Water District

90 Sargent Drive, New Haven, Connecticut 06511-5966 / 203-401-2515

<http://www.rwater.com>

To: Members of the Representative Policy Board

From: Thomas P. Clifford III, Chairperson
Nominating Committee for Authority Member

Date: October 13, 2023

Re: Nominating Committee Recommendation for Regional Water Authority Member

At its meeting on October 3, 2023, the Nominating Committee ("Committee") voted unanimously to recommend Mario Ricozzi for reappointment to the Five Member Authority ("Authority") of the South Central Connecticut Regional Water District ("RWA"), commencing on January 1, 2024 and serving until January 1, 2029. A copy of his resume is attached.

The Committee adopted the selection guidelines at its meeting on October 3, 2023, which it submitted for comment to the Representative Policy Board on September 11, 2023.

Mr. Ricozzi is currently the Manager of Design for the Greater New Haven Water Pollution Control Authority, and has served as a member of the Authority since July 1, 2023. In addition, he serves as Chair of the Authority's Environmental, Health & Safety Committee.

Prior to his appointment to the Authority, Mr. Ricozzi served on the RPB for 13 years as the Branford Representative and acted as Chair of the RPB for four (4) years. In addition, Mr. Ricozzi also held the following positions while on the RPB: Finance Committee Chair, Executive Committee Chair, Bylaws and Rules Review Committee Chair, and Acting Chair of Consumer Affairs Committee.

After careful consideration and discussion, the Committee agreed that Mr. Ricozzi's leadership style, engineering background, public, private and professional not-for-profit, utility, and board governance experience have contributed to the Five Member Authority and the RWA.

Very truly yours,



Thomas P. Clifford III
Chair, RPB Nominating Committee

cc: David Borowy, Authority Chair
Larry Bingaman, President and CEO
Mario Ricozzi, Authority member

Attachment

REPRESENTATIVE POLICY BOARD

OCTOBER 26, 2023

PROPOSED RESOLUTION

(Nominating Committee's recommendation for Authority member beginning January 1, 2024)

RESOLVED, that Mario Ricozzi be, and hereby is, reappointed as a member of the South Central Connecticut Regional Water Authority, effective January 1, 2024, with his term to extend until January 1, 2029 and until his successor is appointed as has qualified.

Representative Policy Board
South Central Connecticut Regional Water District

Application for the disposition of 17.22 acres	:	
located west of Beech Street in North Branford	:	October 26, 2023
that is part of Land Unit NB 4	:	

Findings of Fact, Conclusions of Law and
Final Decision of the Representative Policy Board

A. The Applicant's Request

On June 23, 2023, the South Central Connecticut Regional Water Authority ("RWA" or "Applicant"), through its Five-Member Authority, submitted an application to the Representative Policy Board ("RPB") for approval of the disposition of 17.22 acres of unimproved Class III land located west of Beech Street in North Branford, Connecticut, that is part of Land Unit NB 4 ("Application" or "Subject Land"), for conservation use, and conforming to any and all approvals that may be granted by the regulatory agencies of the Town of North Branford. The purchase price shall not be less than \$276,000, as established by two independent appraisers.

In 2011, the RPB approved the disposition of three parcels, including Beech Street, for a high minimum price. The purpose of the Application is to reduce the minimum purchase price to reflect the current real estate market with the intent to sell it to the North Branford Land Conservation Trust ("NBLCT") for conservation purposes. The Subject Land is non-water system land and is not needed for water supply purposes.

The disposition of the Subject Land would meet the following objectives:

1. To generate income to further protect the RWA's public water supply by allowing the RWA to purchase additional water supply watershed land or conservation easements within the RWA's public water supply watersheds; and
2. To benefit the RWA's ratepayers by minimizing future water rate increases attributed to future borrowing needed to complete the purchase of additional water supply watershed land or conservation easements; and
3. To protect any outstanding natural areas and preserve important ecological functions.

B. Participants

In addition to the RWA, the district's Office of Consumer Affairs ("OCA") also participated in this proceeding. The OCA is authorized by Section 15 of Special Act No. 77-98, as amended ("Special Act"), to act as the advocate for consumer interests in all matters that may affect water customers in the district.

C. Statutory Standard

Pursuant to the legislation cited in paragraph A above, the RWA is required to obtain approval of a majority of the weighted votes of all of the members of the RPB, excluding vacancies, to sell or otherwise transfer a parcel of real property of twenty acres or less, except in certain circumstances not relevant to this application. Section 18(c) of the Special Act stipulates that the RPB shall not approve such a sale unless it determines, following a public hearing, that the proposed action: (1) conforms to the established standards and policies of the RWA, (2) is not likely to affect the environment adversely, particularly with respect to the purity and adequacy of both present and future water supply, and (3) is in the public interest, giving due consideration, among other factors, to the financial impact of the proposed action on the customers of the RWA and on the municipality in which the real property is located.

D. Notice and Procedures

On March 14, 2020, Governor Lamont issued Executive Order 7B concerning Protection of Public Health and Safety During COVID-19 Pandemic and Response – Further Suspension or Modification of Statutes. In accordance with Executive Order 7B, as amended, the RPB was permitted hold the hearing on the Subject Land by conference call, videoconference, or other technology remotely provided and various procedural requirements were met.

On July 27, 2023, the RPB voted unanimously to accept the Application as complete and called a public hearing for Thursday, September 28, 2023 at 7:00 p.m., at North Branford Town Hall Chambers, 909 Foxon Road, North Branford, and via remote access. The RPB designated Charles Havrda (Guilford) to serve as Presiding Member at the public hearing.

As required by Section 10 of the Special Act, the RPB published in the Connecticut Post and the New Haven Register the date, time and place of the public hearing to be held by the RPB to consider the Application. The date of publication was August 25, 2023. A copy of the notice was also filed in the Office of the Clerk of each city and town within the district, with the Office of the Secretary of the State of Connecticut, and on the RWA's website.

As required by Section 18(f) of the Special Act, the RPB submitted the Application, with attached Preliminary Assessment, to various state and local agencies for comment and review.

E. Public Hearing

At the public hearing on September 28, 2023, the Applicant provided sworn testimony from RWA employee, John Triana, the RWA's Real Estate Manager, who provided a presentation of the proposed disposition. Mr. Triana highlighted various aspects of the Application including relevant provisions of the RWA's Special Act 77-98, as amended, background, disposition objectives, preliminary assessment, alternatives, minimum sale price, location, and RWA's policies enumerated in the 2007 initiative, "*The Land We Need for the Water We Use*."

Members of the RPB asked questions of the Applicant with respect to price reduction, third parcel status, drainage, trails, and the NBLCT.

The OCA found the proposed transaction described in the Application to be consistent with the Land Use Plan and in the public's interest. The OCA recommended approval of the Application, as noted in his memorandum dated September 21, 2023.

Six (6) members of the public attended the public hearing. Mr. Sargent, President of the NBLCT, stated his interest in preserving the parcel based on support received from town and state representatives and citizens. He commented that the purchase would provide revenue for the RWA's program, *The Land We Need for the Water We Use*, and will also preserve and provide open space for wildlife and recreation.

F. Analysis

After considering all of the evidence presented, the RPB believes that the proposed disposition of the Subject Land is in accordance with the RWA's Land Use Plan, would financially benefit the RWA, is in accordance with established standards and policies of the RWA, is not likely to affect the environment adversely and is in the public interest. Further, the RWA stated it that the Subject Land is not required for water supply purposes. Finally, the proposed disposition satisfies the legal requirements of Section 18(c) of the Special Act.

G. Conclusion

We, therefore, conclude that the Application for approval of the disposition of 17.22 acres of unimproved Class III land located west of Beech Street in North Branford, Connecticut that is part of Land Unit NB 4 be approved. Separately stated Findings of Fact and Conclusions of Law are attached hereto as Exhibit A.

Exhibit A
Representative Policy Board
South Central Connecticut Regional Water District

Application for the disposition of 17.22 acres	:	
located west of Beech Street in North Branford	:	October 26, 2023
that is part of Land Unit NB 4	:	

Findings of Fact

1. The RWA, through its five-member Authority, submitted an application on June 23, 2023 to the RPB for approval of the disposition of 17.22 acres of unimproved Class III land located west of Beech Street in North Branford, Connecticut that is part of Land Unit NB 4 (“Application” or “Subject Land”).
2. The Subject Land was approved for disposition in 2011 with a high minimum price that could not be supported by the real estate market from then to the present day. The Application’s minimum price reflects the market as of 2021 when the most recent appraisals were completed.
3. The Subject Land is Class III land, will have no adverse impact on the public water supply, and is not on a watershed or aquifer of an existing or potential future public water supply source.
4. The Subject Land will be sold for conservation use, affording protection of its environmental benefits and will benefit the RWA’s nearby Class I and II lands by preventing development of abutting property.
5. Revenue from the sale is anticipated to be not less than \$276,000.
6. Net proceeds of the sale will be used to finance the RWA’s long-range plan to acquire and protect watershed property, thereby ensuring the protection of the public water supply.
7. The Town of North Branford and the State of Connecticut, by law, have priority rights to purchase the Subject Land, with the Town’s right taking precedence.
8. The proposed action is consistent with the RWA policies enumerated in the 2007 initiative “*The Land We Need for the Water We Use,*” with the RWA’s initiative of generating funds to preserve watershed land. It is also consistent with the 2016 Land Use Plan.
9. The OCA recommended approval of the Application.

Conclusions of Law

1. The RWA's application, dated Jun 23, 2023, for approval of the disposition of 17.22 acres of unimproved Class III land located west of Beech Street in North Branford, Connecticut that is part of Land Unit NB 4 ("Application"), was filed pursuant to the statutory authority set forth in Section 18 of the Special Act.
2. Notice of the public hearing to consider the Application and to allow interested persons, including water users and property owners within the district to be heard was properly made pursuant to Section 10 of the Special Act.
3. The Application, with attached Preliminary Assessment, was submitted to state and local agencies for comment and review and made available for public inspection pursuant to Section 18(e) of the Special Act.
4. The public hearing took place on September 28, 2023, at North Branford Town Hall Chambers, 909 Foxon Road, North Branford, and via remote access, in accordance with Section 10 of the Special Act, and in accordance with Governor Ned Lamont's Executive Order 7B, dated March 14, 2020, as amended.
5. Based upon the above Findings of Fact, the RPB concludes that the RWA's Application for approval of the disposition of 17.22 acres of unimproved Class III land west of Beech Street in North Branford, Connecticut that is part of Land Unit NB 4, meets all requirements for approval.

REPRESENTATIVE POLICY BOARD

OCTOBER 26, 2023

PROPOSED RESOLUTION

(Authority's Application for the disposition of 17.22 acres located west of Beech Street in North Branford that is part of Land Unit NB 4)

RESOLVED, that the proposed Findings of Fact, Conclusions of Law and Final Decision of the Representative Policy Board, with respect to the South Central Connecticut Regional Water Authority's Application for the disposition of 17.22 acres located west of Beech Street in North Branford that is part of Land Unit NB 4, a copy of which is attached to these minutes, be and hereby is approved in the form submitted to the meeting.

Representative Policy Board
South Central Connecticut Regional Water District

Application for the disposition of 19.462 acres	:	
located north of Poms Lane in North Branford	:	October 26, 2023
that is part of Land Unit NB 4	:	

Findings of Fact, Conclusions of Law and
Final Decision of the Representative Policy Board

A. The Applicant's Request

On June 23, 2023, the South Central Connecticut Regional Water Authority ("RWA" or "Applicant"), through its Five-Member Authority, submitted an application to the Representative Policy Board ("RPB") for approval of the disposition of 19.462 acres of unimproved Class III land located north of Poms Lane in North Branford, Connecticut, that is part of Land Unit NB 4 ("Application" or "Subject Land"), for conservation use and conforming to any and all approvals that may be granted by the regulatory agencies of the Town of North Branford. The purchase price shall not be less than \$317,000, as established by two independent appraisers.

In 2011, the RPB approved the disposition of three parcels, including Poms Lane, for a high minimum price. The purpose of the Application is to reduce the minimum purchase price to reflect the current real estate market with the intent to sell it to the North Branford Land Conservation Trust ("NBLCT") for conservation purposes. The Subject Land is non-water system land and is not needed for water supply purposes.

The disposition of the Subject Land would meet the following objectives:

1. To generate income to further protect the RWA's public water supply by allowing the RWA to purchase additional water supply watershed land or conservation easements within the RWA's public water supply watersheds; and
2. To benefit the RWA's ratepayers by minimizing future water rate increases attributed to future borrowing needed to complete the purchase of additional water supply watershed land or conservation easements; and
3. To protect any outstanding natural areas and preserve important ecological functions.

B. Participants

In addition to the RWA, the district's Office of Consumer Affairs ("OCA") also participated in this proceeding. The OCA is authorized by Section 15 of Special Act No. 77-98, as amended ("Special Act"), to act as the advocate for consumer interests in all matters that may affect water customers in the district.

C. Statutory Standard

Pursuant to the legislation cited in paragraph A above, the RWA is required to obtain approval of a majority of the weighted votes of all of the members of the RPB, excluding vacancies, to sell or otherwise transfer a parcel of real property of twenty acres or less, except in certain circumstances not relevant to this application. Section 18(c) of the Special Act stipulates that the RPB shall not approve such a sale unless it determines, following a public hearing, that the proposed action: (1) conforms to the established standards and policies of the RWA, (2) is not likely to affect the environment adversely, particularly with respect to the purity and adequacy of both present and future water supply, and (3) is in the public interest, giving due consideration, among other factors, to the financial impact of the proposed action on the customers of the RWA and on the municipality in which the real property is located.

D. Notice and Procedures

On March 14, 2020, Governor Lamont issued Executive Order 7B concerning Protection of Public Health and Safety During COVID-19 Pandemic and Response – Further Suspension or Modification of Statutes. In accordance with Executive Order 7B, as amended, the RPB was permitted hold the hearing on the Subject Land by conference call, videoconference, or other technology remotely provided and various procedural requirements were met.

On July 27, 2023, the RPB voted unanimously to accept the Application as complete and called a public hearing for Thursday, September 28, 2023 at 7:00 p.m., at North Branford Town Hall Chambers, 909 Foxon Road, North Branford, and via remote access. The RPB designated Charles Havrda (Guilford) to serve as Presiding Member at the public hearing.

As required by Section 10 of the Special Act, the RPB published in the Connecticut Post and the New Haven Register the date, time and place of the public hearing to be held by the RPB to consider the Application. The date of publication was August 25, 2023. A copy of the notice was also filed in the Office of the Clerk of each city and town within the district, with the Office of the Secretary of the State of Connecticut, and on the RWA's website.

As required by Section 18(f) of the Special Act, the RPB submitted the Application, with attached Preliminary Assessment, to various state and local agencies for comment and review.

E. Public Hearing

At the public hearing on September 28, 2023, the Applicant provided sworn testimony from RWA employee, John Triana, the RWA's Real Estate Manager, who provided a presentation of the proposed disposition. Mr. Triana highlighted various aspects of the Application including relevant provisions of the RWA's Special Act 77-98, as amended, background, disposition objectives, preliminary assessment, alternatives, minimum sale price, location, and RWA's policies enumerated in the 2007 initiative, "*The Land We Need for the Water We Use.*"

Members of the RPB asked questions of the Applicant with respect to restrictions, zoning, NBCLT succession considerations.

The OCA found the proposed transaction described in the Application to be consistent with the Land Use Plan and in the public's interest. The OCA recommended approval of the Application, as noted in his memorandum dated September 21, 2023.

Six (6) members of the public attended the public hearing. Mr. Sargent, President of the NBLCT, stated that both the Beech Street and Poms Lane dispositions are similar and reverted to his comments stated at the Beech Street public hearing regarding the NBLCT's interest in preserving the parcel based on support from town and state representatives and citizens. The purchase of the Subject Land would provide revenue for the RWA's program, *The Land We Need for the Water We Use*, and will also preserve and provide open space for wildlife and recreation.

F. Analysis

After considering all of the evidence presented, the RPB believes that the proposed disposition of the Subject Land is in accordance with the RWA's Land Use Plan, would financially benefit the RWA, is in accordance with established standards and policies of the RWA, is not likely to affect the environment adversely and is in the public interest. Further, the RWA stated that the Subject Land is not required for water supply purposes. Finally, the proposed disposition satisfies the legal requirements of Section 18(c) of the Special Act.

G. Conclusion

We, therefore, conclude that the Application for approval of the disposition of 19.462 acres of unimproved Class III land located north of Poms Lane in North Branford, Connecticut that is part of Land Unit NB 4 be approved. Separately stated Findings of Fact and Conclusions of Law are attached hereto as Exhibit A.

Exhibit A
Representative Policy Board
South Central Connecticut Regional Water District

Application for the disposition of 19.462 acres	:	
located north of Poms Lane in North Branford	:	October 26, 2023
that is part of Land Unit NB 4	:	

Findings of Fact

1. The RWA, through its five-member Authority, submitted an application on June 23, 2023 to the RPB for approval of the disposition of 19.462 acres of unimproved Class III land located north of Poms Lane in North Branford, Connecticut that is part of Land Unit NB 4 (“Application” or “Subject Land”).
2. The Subject Land was approved for disposition in 2011 with a high minimum price that could not be supported by the real estate market from then to the present day. The Application’s minimum price reflects the market as of 2021 when the most recent appraisals were completed.
3. The Subject Land is Class III land will have no adverse impact on the public water supply, and is not on a watershed or aquifer of an existing or potential future public water supply source.
4. The Subject Land will be sold for conservation use, affording protection of its environmental benefits and will benefit the RWA’s nearby Class I and II land by preventing development of abutting property.
5. Revenue from the sale is anticipated to be not less than \$317,000.
6. Net proceeds of the sale will be used to finance the RWA’s long-range plan to acquire and protect watershed property, thereby ensuring the protection of the public water supply.
7. The Town of North Branford and the State of Connecticut, by law, have priority rights to purchase the Subject Land, with the Town’s right taking precedence.
8. The proposed action is consistent with the RWA policies enumerated in the 2007 initiative “*The Land We Need for the Water We Use,*” with the RWA’s initiative of generating funds to preserve watershed land. It is also consistent with the 2016 Land Use Plan.
9. The OCA recommended approval of the Application.

Conclusions of Law

1. The RWA's application, dated June 23, 2023, for approval of the disposition of 19.462 acres of unimproved Class III land located north of Pumps Lane in North Branford, Connecticut that is part of Land Unit NB 4 ("Application"), was filed pursuant to the statutory authority set forth in Section 18 of the Special Act.
2. Notice of the public hearing to consider the Application and to allow interested persons, including water users and property owners within the district to be heard was properly made pursuant to Section 10 of the Special Act.
3. The Application, with attached Preliminary Assessment, was submitted to state and local agencies for comment and review and made available for public inspection pursuant to Section 18(e) of the Special Act.
4. The public hearing took place on September 28, 2023, at North Branford Town Hall Chambers, 909 Foxon Road, North Branford, and via remote access, in accordance with Section 10 of the Special Act, and in accordance with Governor Ned Lamont's Executive Order 7B, dated March 14, 2020, as amended.
5. Based upon the above Findings of Fact, the RPB concludes that the RWA's Application for approval of the disposition of 19.462 acres of unimproved Class III land north of Pumps Lane in North Branford, Connecticut that is part of Land Unit NB 4, meets all requirements for approval.

REPRESENTATIVE POLICY BOARD

OCTOBER 26, 2023

PROPOSED RESOLUTION

(Authority's Application for the disposition of 19.462 acres located north of Poms Lane in North Branford that is part of Land Unit NB 4)

RESOLVED, that the proposed Findings of Fact, Conclusions of Law and Final Decision of the Representative Policy Board, with respect to the South Central Connecticut Regional Water Authority's Application for the disposition of 19.462 acres located north of Poms Lane in North Branford that is part of Land Unit NB 4, a copy of which is attached to these minutes, be and hereby is approved in the form submitted to the meeting.

Month	July										August										September								
Dates	12	13	13	17	24	27			9	14	21	22	23	24				6	11	11	13	18	25	28	28				
T. P. CLIFFORD III			X			XX			X	X			X	XX						X					XX				
P. BETKOSKI	X					XX			X												X								
B. EITZER	X					XX			X				X	XX											XX				
T. SLOCUM			X			XX				X			X							X					XX				
F. PEPE				X																									
M. VERDERAME																			X	X									
C. HAVRDA	X		X			XX			X	X	X		X	XX						X	X	X			XX				
S. A. MONGILLO				X		XX			X		X		XX									X			XX				
JAMIE MOWAT YOUNG						XX					X			XX							X				XX				
J. A. OSLANDER						XX								XX							X				XX				
R. SMITH				X		XX																			XX				
N. CAMPBELL				X		XX			X		X			XX						X		X			XX				
PETER DESANTIS	X								X					XX							X				XX				
A. P. RESCIGNO				X		XX					X			XX								X		X	XX				
J. J. JASER		X	X			XX				X				XX						X					XX				
R. HARVEY	X			X	X	XX			X	X	X	X		XX						X	X	X	X		XX				
M. HORBAL						XX			X		X			XX							X				XX				
T. G. MALLOY	X					XX			X					XX				X			X				XX				
M. LEVINE	X			X		XX			X		X			XX							X	X			XX				
V. M. MARINO						XX								XX						X					XX				
PURPOSE	L	A	F	C	A	R			L	F	C	A	N	R				A	A	F	L	C	A	RW	R				
Key: F=Finance, C=Consumer, E=Executive, L=Land Use, R=RPB, A=Ad Hoc, N=Nominating, RW=Authority, T=Town																													