

REPRESENTATIVE POLICY BOARD
CONSUMER AFFAIRS COMMITTEE
SEPTEMBER 13, 2023
MEETING TRANSCRIPTION

Mark:

I'd like to call the meeting to order. September is Pedestrian Safety Month. I'm not going to read through these, but just don't text and walk. That's what they're saying, basically. And drivers slow down on busy streets, and watch when the road's wet. We all know how to drive on wet roads now. Okay, next.

Stephen:

Hey, Mark, this is Stephen. I just want to comment on this. I stopped for a school bus the other day, and this teenage girl got off the bus and she had one of those things in her ear, I don't know what she was listening to, but she walked in front of the bus and across the street. And when she got past the bus, she never looked to the left to see if the street was clear. That's like what you teach a first-grader. It's still individual responsibility for this, because people pass school buses all the time. So, if you have kids, be sure you tell them, "Look out for what's going on," for their own safety.

Mark:

Okay. Public comment from residents. Are there any people that would like to speak at our meeting?

Jennifer:

There is nobody from the public present here.

Mark:

I'm going to have to get some people to come. Approval of the minutes. Everybody read the minutes? Can I get a motion?

Stephen:

I'll move the minutes.

Mark:

Thank you.

Tony:

Second.

Mark:

Okay. Duly made and seconded. All in favor of approving the minutes from the last meeting?

Committee:

Aye.

Representative Policy Board
Consumer Affairs Committee
September 18, 2023

Mark:

Okay, we're going to have a presentation about the Lead and Copper Rule update by Sunny and Tom Barger. Okay, thank you. You can start.

Sunny:

Thanks, Mark. I'll just give a small intro and then Tom can actually go over and elaborate on the memo we wrote. We presented the same update to the Authority at the end of August. We also followed it up with the Finance Committee, so we are giving the same update. As you all know, the LCRR has been evolving over the past few years. And the rules and regulations are dynamic, it's an ever evolving climate, and we hear there could be more updates and tweaks and changes coming in the next few months as well.

So, given that we have to submit the preliminary inventory by October 2024, that's the deadline set by the EPA, many utilities are requesting an extension, but the EPA, at this point of time, seems set on the deadlines. So, Regional Water Authority has been on the curve a little ahead of the peers, and we've been working for the last year and a half or more. And based on the memo, you will see a lot of updates pertaining to different areas. With that said, I will have Tom chime in on the updates we've been doing, and any questions you have, please, I would say we would love to take it at this point of time, or even at the end of the presentation. Okay with that, Tom?

Tom:

All right, Sunny, thank you. Hello, everybody, good to see you all.

Mark:

Hi, Tom.

Tom:

I just want to go over a number of the highlights here, as Sunny mentioned. Really, this is just a summary of many of our focal points. As you can appreciate, we have been working on this for 18 to 24 months now, various departments within the organization have a little bit of skin in the game here. So, we're running on a couple of different parallel tangents as we're working toward this October 2024 deadline for the initial inventory, and the two plans that then come from that inventory with the same compliance dates. So, let me just run through some of the areas that we're working on, and then certainly, as Sunny mentioned, we'll take some questions.

First of all, in the area of communications. Well, let me just step back for a second. We're continuing to work with the consultants that we have been contracted with now for four months. CDM Smith is our primary engineering consultant working on all of our compliance initiatives. And then, we're also working with WaterPIO, a nationally respected consultant in the area, specifically of communication. So, we're working with those good people as well. So now, specific to communications, Kevin's group, Kevin Watzkey, is working on a number of, I'll say, initiatives specific to his area of expertise, and those are primarily the development. And we're near completion on the development of a website that's going to be specific to the identification of Lead Service Line components and a lot of the details associated with those service lines.

When we're looking at these primary Lead and Copper Rule Revisions, the development of a service line inventory is first and foremost on the list of expectations from both the Connecticut Department of

Public Health and the US Environmental Protection Agency. So, we're working hard on that and Kevin's doing a lot of work on the website. Part of our figuring out what type of service lines we have out there, is going to really fall on what type of records do we have. A lot of the tap cards that go back into the 1890s, we're utilizing those. We're obviously gathering a lot of information relative to our construction records and all of those types of things.

What we're also going to be doing, is reaching out to the municipalities and seeing what kind of records they may have. But when all of the written records are said and done, we're still going to have some blanks, we're still going to have some unknowns, and we have to figure out how we're going to identify those missing pieces, if you will, where that written data has either been lost or what have you. One of the things that Kevin is working on, is the development of a postcard that we'll make available to folks where we are missing information, whether it's utility side information, private side information. So, that postcard is under final development. That's going to be going out, hopefully, in the next, let's say, October 1st.

And again, the purpose of that, is to go out to the consumer, the consumer's going to be given instructions as to how they can self-identify their own water service line, and then electronically, through a QR code, get that information back to us so we can start to gather additional information. That information will go into this particular website that's under development. CDM Smith will be managing that, primarily. So, that's one of the several steps that we're going to be initiating to gather some of this unknown, missing information. We're going to be focusing, initially, on New Haven and West Haven. I'll get a little bit more as to why that is, but it'll give us an opportunity to work some of the bugs out of this program. So, we're looking forward to getting it going, making whatever corrections are necessary, and then really accelerating that process and that program.

We're meeting with municipal officials in any number of ways. I know Kevin and his staff do meet periodically with municipal leaders and update them on some of the water utility activities. This is certainly a standing agenda item in those conversations. As you're aware, Larry also has independent meetings with his peers, his municipal CEOs. And again, standing agenda item, the Lead and Copper Rule Revision, and we're getting a lot of good feedback in both of those formats. I do meet on a quarterly basis with the eight health departments and health districts. They do have some skin in the game on this, they do have some responsibilities under this LCRR.

I'm making sure that they are aware of that and we're discussing utility activities, and really where they can help us fill in some of this information and get the word out, do some community engagement activities with us in partnership. Besides that, Kevin's doing a lot of work in support of the rest of us, whether Jim Hill is soliciting information from municipal leaders around municipally owned building service lines. If I'm going out and meeting with individuals, if we're going to be doing some field activities, Kevin's group has to support us in terms of the communications that go along with all of that, and you can appreciate, with as many moving parts as we have, there's a lot of conversations and explanations that we owe our consumers, to make sure that they're well advised.

Jennifer, next shot here, next slide. Thank you. Another way that we're going to be communicating with our consumers in the electronic space as we're gathering a lot of this water surface line information, utility side information, private side. So, that section between the main and the curb that the water Authority is responsible for, and that section between curb and house where the meter would be set, that's considered private side, really the responsibility of the homeowner. All of that information will need to be made available to all of our consumers in a map-based feature. That's going to be on our website, it has to be interactive. It must be up and running by the compliance deadline of October 16, 2024.

So, a lot of the information we're gathering in the background here, is going to be depicted on a GIS based mapping system that will be on our website. And again, it must be consumer capable to look up an address, for instance. It has to be very interactive and clear as to what the data that we're showing them, what all of that means. So, that's in the works. That is specifically being done through our GIS group, Jim Gagnon, by his staff, with CDM Smith subsidiary, a group called Trinnex. And that has been a slow collaboration, but it's gaining speed now and it promises to be a nice tool as we move forward.

I know Sunny and Rochelle have been having a lot of meetings regarding funding with the State Health Department, specifically their State Revolving Fund group. I know Rochelle is also looking at other alternatives for financial support as we determine how we're going to pay for this, certainly trying to maximize federal subsidies in both the form of grants and loans, and work on that continues. Our next kickoff, if you will, we're going to be stepping out of the office and getting out into the field, doing some field investigation in the form of vacuum excavation. So, what we've done specifically, again, with a preference toward New Haven and West Haven at this point in time, is we're going to be identifying maybe 500 homes or so, where we need to gather some additional information on service lines.

So, this is really going to be twofold. Not only is it going to provide us with information specific to those 500 service lines, but it's going to start to build some machine learning capabilities within our software programming so we can begin to better understand what the expectations, based on a number of demographics, including dates of construction, where in our system these homes happen to be located, and a number of other pieces of information to help us, at least for these facilities and these sections of our service areas where we have some blanks, where we can expect to find some of the answers. So, it's all part of a machine learning programming that CDM has been using successfully in the state of New Jersey. So, we're looking forward to taking advantage of some of those lessons learned as we move forward.

Really, the last thing that I want to mention here in my intro, is the Accelerator Program. So, a couple of times now I've mentioned our preference toward the City of New Haven, and the City of West Haven. The Accelerator Program is an initiative from the Environmental Protection Agency, where they have selected four states. So, Connecticut, New Jersey, Pennsylvania, and Wisconsin are those four states. And the idea behind this Accelerator Program, is to try to provide some guidance, try to help utilities along the way of compliance, identify some lessons learned, and then take those lessons learned and then apply them, more broadly, to some of the utilities that may be struggling, or may have difficulties in certain areas of compliance.

Within each of those four states, the respective primacy agencies were then given the opportunity to invite 10 utilities to participate in the Accelerator Program, and we were one of those 10 utilities selected by the Connecticut Department of Public Health. So, we're really hoping to work with our primacy agency there in Hartford, and the Environmental Protection Agency, to help clarify some of the issues that are in front of us around compliance, around inventory building, around some of these questions specific to funding, making sure we want to take full advantage of fundings that are available to us. And then, also in the areas of environmental justice, making sure that we're approaching this appropriately from both the federal guidance and opinions on environmental justice, and also those as set by the State of Connecticut, and those that may have precedent within the City of New Haven, as an example.

So, it's a complex topic, we want to make sure that we're addressing it appropriately, fully, into the satisfaction of all. I think that's really all that I wanted to throw out here. There's a ton more in the detail, the devils are in the details here, but I just wanted to give you guys an overview and allow some time for some questions.

Mark:

That sounds great. Does anybody have any questions?

Stephen:

Mark, I do. This is Stephen.

Mark:

Okay.

Stephen:

Tom, just for me to understand this a little better, I have several questions.

Tom:

Sure, Steve.

Stephen:

The customers who've been identified as unknowns, you're talking about their service line?

Tom:

That's correct.

Stephen:

And how are they going to know what they have?

Tom:

There's a couple of ways we're going to go about this, Steve. Part of what Kevin's group and that self-identification postcard he's developing, is based on, and actually, I don't want to say we stole it, but let's say we borrowed some of the better parts of a guided... Almost like a YouTube guided instructional video from NPR. So, we took what they had and it's basically a step by step, Steve, to kind of, "All right, go down in your basement. This is what a water service line looks like. Once you find it, look at this set of details, that set of details. There may be a scratch test involved." Something that's fairly easy to follow, not a lot of detailed or difficult questions. Really, asking them to take a photo of the service line and then upload that. We can gather a lot of information from a photo. A picture's worth a thousand words.

We can take a look at the different fittings, we can take a look at the different colors. We have an idea of when that house was built, we have an idea what we should expect. So, that's one way that we're going to be looking at internal plumbing and getting some of that information back from the consumer. I think at some point down the road, Steve, we're going to be making appointments and going in people's basements to actually put eyes on and do some of our own work, using staff that's readily, through their history of working with the water utility, they know what they're looking at when they're looking at it, so we can gather a lot of information that way. And of course, the vacuum excavation would be restricted to use outdoors, where we're excavating down to the service line and we can put eyes on it, we can determine what we have in front of us once we have a line of sight on it.

Stephen:

Yes, I had a couple of questions in regard to that. I think it's great that you're going to post on the website a visual for customers of what this whole process is, so they have a better idea, because I don't really understand, physically, what's involved. I'd like to see some pictures myself, and maybe other RPB members, so maybe you could do that or a little video or something of them actually replacing one of these lines, and where these parts are. Is the gooseneck always visible in the basement, or is that something that's buried as well?

Tom:

The gooseneck is actually a relatively small connective piece, Steve, that connects the water main with the balance of the water service line. It's on the utility end of the responsibility and it's always buried, so it's out underneath the street.

Stephen:

So, they wouldn't know that.

Tom:

That they wouldn't know.

Stephen:

If Connecticut DPH is considering, even if just the gooseneck is lead replacing it, have they determined what the actual threat is versus the cost of doing that? Do you know?

Tom:

Well, I know that it is the intent of Connecticut Department of Public Health to include goosenecks in the definition of what constitutes a lead service line in Connecticut. So, that is their intent, they have been public with that information. As a utility, and speaking amongst our peers, I think we're not going to wait for that hammer to fall, we're going to assume it's coming and we're just going to act accordingly. Now, I don't know exactly, and Sunny can chime in, certainly, but I don't know how concerned the Health Department is going to be about how much this cost. The gooseneck components are covered by federal funding. It's just, we would have to do due diligence on our end to keep track of how many of these and how many of those, obviously. But they are covered by federal funding.

Sunny:

If I may just add to it, Tom.

Tom:

Yes.

Sunny:

So, you're exactly right. So, the goosenecks are part of the funding. And also, one other caveat to the funding, Steve, is you get the grant and subsidies. There are many, I would say, variables that impact the grants and subsidies, like it has to be in a census tract or block that's below the median household

income. Plus, you have to replace both sides of the customer side and the utility side for you to get the grants and subsidies.

But just going back to the question, they're interested in changing out both sides. They're not that significantly concerned about the cost, even though at this point of time, we have had a great conversation with New London as well last week. They're one of the first, I would say, cities or towns to go ahead with this, and looks like there would be a \$5 million subsidy cap, so for 75% of the funding. So, it also depends on how we face the project. And there could be other grants and subsidies that could be coming down the pike, we are not sure yet, but they're also figuring it out as much as all the utilities are, actually.

Stephen:

Okay, thank you. As far as meetings with municipal officials, I know I saw an email from Lauren Garrett in Hamden, she wanted to be notified in any of these updates. Do you always update the chief elected official? And who else? Is it town engineers?

Tom:

It depends on the town, Steve. I know when our communications group, when Kevin and his staff go out, it is with the chief elected official and whoever that chief elected official would like to include.

Stephen:

Okay, that's great.

Tom:

And I think the same is true, I know with Larry, I would imagine Larry's meeting is directly with the CEO of the municipality. I don't know if other folks go to that meetings, it may be more of a one-on-one.

Sunny:

I think it's David goes to that meeting, Tom. David and Larry go to the meetings, so it's with Lauren for sure. So, she's pretty well appraised of it.

Tom:

And usually when I go, Steve, my meetings with the local health departments, each of the Health Departments has two, if not three, representatives. It's usually the Director of Health, the Director of Environmental Health, and maybe a Sanitarian or two. So, they're usually well-attended meetings. And of course, mine are on a variety of topics, but certainly, the Lead Service Line Replacement Program is a standing agenda item.

Stephen:

Okay.

Sunny:

And just to add to that thought too is, Steve, we send all the draft communications, postcards and letters, before it goes to the customer, we send it to all the towns and municipal heads of, I would say,

Representative Policy Board
Consumer Affairs Committee
September 18, 2023

the government there, mayors and municipal officials, and to the Health Directors for their input before we finalize the postcard and send it out, because they also requested them to be, I would say, reviewed. So, we do follow the protocol as well.

Stephen:

Okay. And if you could include RPB members, that'd be great too. I don't know if you mentioned that.

Sunny:

Along with that, you would see the RPB members too. Typically, we copy all the Health Directors, the respective RPB member when it goes to that town list addressees.

Stephen:

Well, it looks like you folks are doing a great job on this, and I just want to compliment you, because I can appreciate the complexity in this and the scope of it. So, thank you for the update.

Sunny:

Thank you.

Tom:

Thank you, Steve.

Mark:

I'll have to say the same. It sounds like you've got all bases covered and you're going to cover more bases to come. Anybody else have any more questions?

Naomi:

Tom, this is Naomi from New Haven.

Tom:

Hi, Naomi.

Naomi:

I have a question. A lot of the apartments in New Haven are not... They're just their tenants. And a lot of the older houses, they're not... So, when this postcard goes out, are they going to be the ones that are going to be responsible to try to do all this? Or would this go back to the owner of the houses?

Tom:

I think it's going to go, certainly, out to the owner of the houses, because that's who is on our billing records and so forth, that's who we have in our system for contact purposes. I know Kevin has other thoughts in mind as to how to reach beyond the landlords, to make sure that the tenants are also involved and aware.

Naomi:

Correct. Okay.

Sunny:

Naomi, just to add to that too. As part of the EPA Accelerator, and as part of the in-house resources, we also understand New Haven has translation where there is a lot of people with the first language other than English...

Naomi:

Okay.

Sunny:

So, we are also using these postcards and communications to get translated into those respective languages before we send it out.

Naomi:

Okay. So, would the city people, they would probably contact the Iris Association at this point? I'm quite sure they would do that, just so that everything, because we have a lot of languages now.

Tom:

Yes, and I know that we're working with the City of New Haven Health Department to determine what those languages should be. We're using Maritza Bond's guidance on a lot of that.

Naomi:

Okay.

Tom:

And then, we'll do whatever's necessary to make sure that this message gets out to the right folks and everybody is in line with what we're trying to do. Not having a lot of experience doing this, we're trying to piggyback on folks that have a lot more experience than we do, so we're not trying to reinvent the wheel here.

Naomi:

Okay, thank you.

Tom:

You're welcome. Anybody else?

Mark:

I had just one question. What are the other companies like, Connecticut Water and Aquarion? It sounds like we're so far ahead of them, knowing that they're stock companies.

Representative Policy Board
Consumer Affairs Committee
September 18, 2023

Tom:

Yes, to the extent that I know, Mark, many of us are using the same consulting engineering firm. So, I imagine we're all following the same rule book. We all have to comply with the same set of rules, we just may be following slightly different paths on how we get to the finish line. So I think, for instance, Aquarion went out a little bit ahead of us in terms of doing some vacuum excavation, but they had to, because they didn't have nearly as good of written record history as we had.

Mark:

Yes.

Tom:

So, we were able to mine some of our written data to a greater extent than they were, because they simply didn't have it. So, they had to go outside a little bit earlier than we did. So, it's taking a slightly different angle on it, but again, we all have the same deadline in place, and we all have the same requirements we have to meet to get there. So, whatever makes sense for each of us in turn.

Mark:

Thank you very much. Okay, anybody else have anything? Okay, moving on to the next agenda item.

Tom:

Thank you.

Tony:

Thank you, guys. Appreciate it.

Sunny:

Thanks, Tom.

Tom:

Take care.

Mark:

It was a great report. The report for the OCA, is he here?

Jeff:

Yes, I'm here. The only thing of any significance that I'm working on right now, is finalizing my two memoranda to the RPB in advance of next Thursday, September 28th. We have a hearing on two applications filed by the Authority for the proposed disposition of two pieces of unimproved land in North Branford. So, as usual, I'll get my memo out a week before the hearing so everybody has a chance, at the RPB level, to review my thoughts on it. I reported on one consumer matter for a New Haven consumer last month. I have not heard anything, I don't know if Sunny has heard anything from Mr. Oposhenski since that meeting we had, but I certainly have not heard from anyone in the Authority or the consumer.

Representative Policy Board
Consumer Affairs Committee
September 18, 2023

Sunny:

Yes, I think Louise has been talking to the customer and we are going with the way that we had originally suggested. We took out the additional fees that we had actually levied on the customer. We are working with the customer to help him out with the concrete he put on that curb box. So, that is an ongoing process that the issue is still not closed. And I believe there is some kind of a mechanism upon which that, we will be able to work with him to get this resolved without escalating it further. So, I will keep you posted once, I would say, we closed that issue out.

Jeff:

Great, thank you.

Sunny:

Sure.

Jeff:

That's my report.

Mark:

Thank you very much. And now, the approval of the OCA invoice for August 23rd. \$2,739.00. Do we have a motion?

Tony:

I approve.

Mark:

Do we have a second duly motion?

Naomi:

Second.

Mark:

A motion duly made and seconded. All those in favor?

Committee:

Aye.

Mark:

Okay. You're getting paid. Okay, volunteers to attend the Authority meeting for September 28th. Tony?

Tony:

Yes.

Mark:

You're the volunteer.

Tony:

I'm on.

Mark:

Okay, September 28th. Okay. Any new business to come before us?

Stephen:

Hey, Mark, it's Steve. I just have a question for Prem. If I could put it under this next topic. I have both of the pipe safe and the sewer repair program, and there were significant increases in those costs. What were the increases about?

Prem:

So, if you're talking about the economic adjustment, we did see, I think overall, if you have all three programs in play, you would see an increase around \$26 on the overall program. But depending on what you have, if you just have a water and silver, you probably have talking about the annual. So, per month you probably see [inaudible 00:33:13] increase. Or do you have a specific question, Steve?

Stephen:

You're breaking up a little bit, so I'm not sure what you said. But the sewer repair went from five to 865.

Prem:

So, there are a couple of things happening, Steve. The sewer went from five to 865, and the water went to 670. So, basically, what we are trying to do is that, the overall increase for the program, Steve, for the annual, for all three programs, water, sewer, as well as plumbing program, is close to \$26. So, if you have two programs, you'll see the increase for those two programs. So, that was the increase that was done. And again, I just wanted to also mention, we did an actual analysis of the increase, the economic adjustment, as we call it. And basically, when we compared all the prices, we are still the lowest in the state with all the competitors. So, we made sure that we are not increasing prices way higher. And the last time we increased price was almost three years ago, so this is as part of the regular price increase cycle. The next one you'll see is in the next couple of years later, after our CIS goes live.

Stephen:

Yes. It's not just about what the cost is, it's whether that makes sense for the protection you're getting. Over time, what are you putting in versus what you're trying to protect?

Rochelle:

We did increase the cutoff on the expense side.

Prem:

Yes.

Rochelle:

On the coverage.

Prem:

So, basically we increased from a \$5,000 coverage, Steve, to \$6,500 coverage. So, based on the increase in prices, the whole supply chain situation that's been going on, so we looked and analyzed what are the costs for replacement. So, that's part of the actual analysis we did, so our coverage went up from \$5,000 to \$6,500 as well. So, that was the adjustment.

Stephen:

Okay.

Prem:

Yep.

Stephen:

Thank you.

Mark:

Do we still offer the well coverage?

Prem:

Yes, we do, Mark. We do offer well coverage.

Mark:

I haven't seen that come...

Prem:

Yes, we do offer well...

Mark:

I thought you were redoing it or something.

Prem:

Yes, we are actually looking at the overall well program and even the marketing strategy. We are actually going through that, Mark, so based on earlier feedback, we are trying to make the package for the well coverage more lucrative for the customer. So, that's something that you're going to hear down the line, but we still offer the coverage and we have close to 40 or so customers so far. So, not a lot of enrollments yet, but we are looking into that.

Stephen:

I'm online.

Representative Policy Board
Consumer Affairs Committee
September 18, 2023

Mark:

Okay. All right. Thank you very much. And so, any other new business that come before us? Our next regular meeting is Monday, October... My glasses aren't so good. October 16th, 2023 at 5:30PM. Can I have a motion to adjourn?

Stephen:

Moved.

Mark:

Seconded? Has everybody left?

Stephen:

We're still here, Mark.

Mark:

Tony's here. All right. Somebody could second?

Naomi:

I second it.

Mark:

Thank you. Wow, I didn't think we'd get out of here. Thank you very much. Motion made and duly seconded. All those in favor?

Committee:

Aye.