

REPRESENTATIVE POLICY BOARD

JULY 27, 2023

MEETING TRANSCRIPTION

Bob:

Welcome everyone. We'll start the July meeting of the Representative Policy Board of the South Central Connecticut Regional Water District. First off is the safety moment. I hope you've all had a chance to read about hurricanes. I know the weather outside... I think they're doing a tornado watch tonight or something but it pertains to those also. I guess that means... Any public comment will be limited to three minutes, and anyone can address the board. We'll move on to approval of last month's minutes.

Greg:

So moved.

Bob:

Moved by Greg. Seconded by Tom Clifford. Any discussion? All those in favor of the minutes from last month please say, "Aye."

Board:

Aye.

Bob:

Opposed? Any abstentions? Okay. We'll move on to communications. We have a task before us to set up a Nominating Committee for Authority member. Any of those willing to sit on that, please reach out to me, or Jennifer so that we can make appointments.

Jamie:

Is this for the position that was just recently filled?

Bob:

Correct. You also saw the committee appointments. And I believe all the committees have elected chairs. The dashboard update came out. It's in the packet also. The next, I guess, we'll move on to is items for consideration. First one being for the Derby Wellfield.

Mark:

Can you hear me?

Bob:

Yes.

Mark:

Okay. Just want to make sure.

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Bob:

We haven't heard from Brian.

Jennifer:

Brian Eitzer? He's here.

Bob:

Brian, can you hear me?

Tim:

Why don't you go to the next one?

Bob:

I think we'll move on to the next item for consideration, and that would be the Land Use Committee's recommendation regarding completeness. Peter?

Peter:

Yes. Thank you Mr. Chairman. The Representative Policy Board proposed resolution July 27th, 2023. Land Use Committee recommendations to the RPB authority applications for the deposition of 17.22 acres located west of Beach Street in North Branford. That is part of the land unit NB4 and 19.462 acres located north of Poms Lane in North Branford that is part of Land Unit NB4.

Whereas, the South Central Connecticut Water Authority on June 22nd, 2023 filed two applications with the representative policy board for the deposition of 17.22 acres located at West Beach Street in North Branford. And the second one is 19.462 acres located north of Poms Lane in North Branford.

The application... And whereas the Land Use Committee of the Representative Policy Board reviewed the application and recommended that the application be accepted by the RPB as complete. And whereas the Land Use Committee recommended that the public hearing be conducted by presiding members. And whereas the Land Use Committee proposed public hearing states of September 28th, 2023 at 7:00 PM in accordance with special Acts 77-98 as amended in the RPB bylaws and rules of practice.

Now therefore be it resolved that the RPB accepts the Land Use Committee recommendations to consider the authority application, and determined to hold a public hearing to be conducted by the presiding members on September 28th, 2023 at 7:00 PM in accordance with the special act of 77-98 as amended in the RPB Bylaws and Rules of Practice. And further resolved that the chairperson is hereby directed to give notice of said hearing in accordance with section 11 of the Rules of Practice as amended.

Bob:

Do I have a second?

Greg:

I second it.

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Bob:

Thank you Greg. Any discussion? All those in favor please say aye.

Board:

Aye.

Bob:

Any opposed? Any abstentions? Thank you.

Mike:

Mike Horbal abstains from the meeting.

Brian:

Can anyone hear me now? This is Brian.

Bob:

Yes? Yes, Brian.

Brian:

Okay. My headset wasn't working. I had some trouble getting into the meeting, but I'm in now.

Bob:

Okay. I believe for the hearing that's going to be had... Charles Havrda is going to be the presiding member.

So Brian, if you're here with us we'd like to go back and do item A, which is the final decision findings and facts. So, when you're ready...

Brian:

Proposed resolution. 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 approval of the Derby Wellfield Chemical Improvements Project dated April 28th, 2023, which copy attached hereto, be and hereby is approved in the form submitted to the meeting.

Jay:

I'll second it, Mr. Chairman.

Bob:

Jay Jaser is our second. Discussion?

Stephen:

Hey Bob, this is Steve Mongillo.

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Bob:

Yes, Steve.

Stephen:

When we had the hearing, I expressed my concerns on this particular proposal. As presented, I don't think Aquarion was adequately involved in the long-term planning or the cost of doing this. And I have some other concerns about the well supply. It's good now, but if in fact that well goes bad, we've not only lost the investment but the income as well. So I don't plan on voting for this proposal as presented.

Bob:

Okay. Thank you, Steve.

Mark:

Mr. Chairman, Mark Levine.

Bob:

Yes, Mark.

Mark:

You know, we're not a board that's supposed to sit here and just, "Yes," everything that management brings down to us. We're here to decide whether it's good for the company, whether it's good for the customers. On this proposal, I feel that we're serving about a thousand customers, most of them are not ours... If not more than are ours. We lost to them on the bid to get those customers. Instead of selling water to them retail, we're selling water wholesale to them now.

And I think that we really should look into this and decide whether we should do this proposal at this time without more input from Aquarion. Now we heard that there's going to be a new methodology on how to figure out how much Aquarion is going to pay for this. But I think they should have come to us with that in their pocket saying how much Aquarion was going to pay or contribute to this.

And like Steve said, we've had trouble with wells and Derby before, and we're putting all our eggs in one basket. We didn't even hear of any alternative plans. So like I said, we're not just a, "Yes," group to management. We have to do our own thinking, and I don't think this is a good proposal for the entire company. Especially the big cities like New Haven, Hamden, West Haven. So, I mean I think that we should really not vote for this. That's my opinion. Thank you.

Bob:

Thank you, Mark.

Jay:

Chairman, we got a 10-year contract on that one?

Bob:

I believe it was shared at the hearing that the negotiations are in two years?

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Larry:

Correct. They've given us notice that they're planning on extending their contract under the current contract, which I think is a two-year notice.

Jay:

That's what I understood.

Larry:

Yes.

Jay:

Are we subject to any...?

Mark:

I'd like to call the question... A call for a roll call vote.

Jamie:

Jay was speaking.

Bob:

We're in the middle of something, Mark.

Mark:

I'm sorry.

Jay:

Legally, are we subject to anything that'd be negative to us? This was not agreed.

Larry:

Well contractually, we're currently obligated to supply that water.

Jay:

Yes.

Larry:

Contractually. We are the only source of supply for that particular group of customers, which also serves our customers in Derby. So it's not just these 700 or so customers that-

Jay:

Combined together.

Larry:

To both systems. So we're taking care of our customers as well as taking care of a customer that we're contractually obligated to serve who is a large customer of ours on some of the other commercial businesses-

Mark:

Excuse me.

Bob:

Hold on Mark, we're in the middle of something. Can you hear?

Mark:

Who, who's speaking? I don't know who's speaking.

Larry:

Larry right now.

Mark:

He can't talk. This is our hearing. We're the ones that... They've already presented their information. Can I have a ruling on that, Mr. Chairman?

Jamie:

Chairman.

Rich:

Mark, I didn't hear your question because you were muted during half of your comment.

Mark:

My question is court of order. I don't think management or anybody else can speak at this time about this because it's for the RPB to discuss. Management presented their case. Then it would be inappropriate, if not illegal, to present more evidence after they have the hearing. This is the time that the RPB discusses this, and the RPB has to go on the evidence that was given. And the evidence that was given was not substantiate what they want to bring to us.

It's 3.3 million dollars to spend on something that only serves less than a thousand customers. We're selling water to them now at wholesale when we should have been selling it to them retail because they beat us out on a bid. Their contract doesn't come up to 2026, and they say they're going to mediate a new contract with them? Well, we should know how much they're going to pay of the 3.3 million to supply more of their customers than ours. And we should look into other alternatives. But the fact of the matter is nobody should speak on this matter except RPB members.

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Rich:

[inaudible 00:20:09] May I ask a question? If it is not ratified or approved tonight, what would be the next step?

Mark:

Well, if you want me to tell you, they have to present it again. I'm not saying that they don't need to do those improvements. Those improvements have been waiting for a long time. A little while longer won't hurt.

Brian:

This is Brian Eitzer. I'd like to make a comment. At the hearing we listened to the OCA who seemed to be in favor of this project and who does a very thorough analysis. We serve customers. We're required to serve customers if their water failed. I would be very, very worried about people having water failure. And I'm in favor of the project, and I take the recommendation of the OCA very highly. Thank you.

Mark:

I'd like to call the question. Have a roll call vote.

Bob:

Tim has a question for you.

Mark:

Tim who? Tim who?

Tim:

A member of one of the towns you didn't mention that was affected. In your statement in opposition to the motion, you identified three towns. Larger towns. New Haven, West Haven, and a third I don't quite recall. Hamden. Okay. You mentioned them, because? Please explain.

Mark:

I mentioned them because the 3.3 million dollars that we're spending on this to serve less than a thousand customers is affecting them because it doesn't benefit them at all. And they're the largest customers. So, we really...listen, I believe that the repairs have to be done to the well. But the problem is they've been that way for a long time. We can wait a little while longer until we find out what Aquarion is going to contribute to fixing this. We're selling them water at wholesale when we should have been selling them retail, and we should really think about what we're doing here.

Tim:

So as part of the conversation then... Because I don't recall what this is in the testimony... What is the delta between retail and wholesale?

Mark:

I don't know. Whatever the difference is.

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Tim:

Well, we're making some important comments on it.

Mark:

Yeah, the fact of the matter is that we're selling wholesale and not retail.

Tony:

So Mark, this is Tony [inaudible 00:23:55]. You know, you don't want anybody else to speak but the board. But we're looking for answers here.

Mark:

This is not the time for answers. This is the time for our board to decide on the presentation that they made.

Tony:

We should be discussing this. We shouldn't-

Mark:

No. It's our time to discuss the presentation that they made.

Tony:

But questions are coming up.

Mark:

They presented their case.

Tony:

But questions are coming up, and we don't have the answers to them.

Mark:

Well then you vote it down.

Tony:

So you want to go back to the drawing board?

Mark:

Then you vote it down, Tony. If you're not satisfied with the answers they gave you, then you have to vote it down.

Tony:

I'm satisfied with the answers. I'm going to vote yes.

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Mark:

Well that's you. I'm not. Listen, you don't have to agree with me. I'm just saying that if you have a hearing-

Bob:

Mark? Mark?

Mark:

What?

Bob:

I have some other people who would like to talk also.

Mark:

Okay.

Bob:

Jamie?

Jamie:

Thank you. So, just to follow the line of reasoning, I don't think the discussion... The thing that's up for vote right now is wholesale versus retail. I think those points were raised as something to look at going forward, and that may be something that can be discussed going forward.

The issue at hand is whether or not this project regarding this 3.3 million dollar expenditure for the repairs should be done. We have a thousand customers that could be put in harm's way, in addition to the Aquarion customers. And we have a commitment through a contract with Aquarion to provide service to them that we would be breaking if the system broke and we weren't able to supply it.

And from the discussions we've had for the years that I've been here, when a system fails, it's much more costly to do emergency repairs than it is if we do it proactively with everything in place, and with our engineers, and being able to plan for it.

So from my perspective... And I think, Mark, you just said... To answer your issue, I think you did say you believe repairs need to be done, but we can wait awhile. And I don't know what wait awhile is, but if I was one of those thousand customers or if I was Aquarion who we have a contractual agreement with, I would be disinclined to feel like it should wait.

We have scientists on our team and engineers that have recommended that this be done, and we have funding. So I think for the benefit of the water authority, for the benefit of our towns and the money that we expend, I would rather... Even for my little town, I would rather that that money be spent proactively doing it in a constructive way in an environment that we prepared for than in an emergency setting later on. So those are my comments anyway. Thank you.

Mark:

If I can respond to that, can I respond to that Mr. Chairman?

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Bob:

Is there anyone else who wants to have a discussion?

Stephen:

Hey Bob. I just have a couple of comments with regard to what Jamie just presented.

Bob:

Okay.

Stephen:

I don't think anyone's not concerned about this or the customers. But fixing the actual mechanics doesn't mean that supply's going to be there either. I'd like to see some other alternatives explored where we might get more customers out of this or somehow guarantee that investment better. So I don't think it's a lack of concern.

And I think that also there's been plenty of time to look at this and do something about it. So, because it's just... Object to the fact that it's presented as we have to do this because it's last minute and it has to get done. That's not the way this organization should run or consider any of the proposals before it. We're a long-range, 50-year lookout kind of organization.

Tony:

Hey, Steve. This is Tony. I really am sorry to be argumentative, but we got a presentation. The OCA looked at this thing very carefully, made his judgments, and you guys are making a good point. I think the point's been made. I think looking at that contract going forward is necessary. But I, for one, I'm ready. And I don't think this has been a rush job. We've had time, and we've discussed it.

Bob:

Thank you Tony. Anyone else? I guess we're going to call for a vote at this time.

Mark:

But a roll call vote. That was requested.

Bob:

Okay. It's been mentioned that we do a roll call vote. Jennifer, would you name off either the individual or the town?

Jennifer:

Okay. Ansonia?

Tom:

Yes.

Jennifer:

Beacon Falls?

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Peter:

Yes.

Jennifer:

Bethany?

Brian:

Yes.

Jennifer:

Cheshire?

Tim:

Yes.

Jennifer:

Derby's not present. East Haven's not present. Guilford?

Bob:

Here?

Jennifer:

Yes, he's here. Charles?

Charles:

Yes.

Jennifer:

Hamden?

Stephen:

No.

Jennifer:

Killingworth?

Jamie:

Yes.

Jennifer:

Madison?

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Bob:

Is that Joe?

Jennifer:

Joe? Joe Oslander? He's here.

Bob:

Is he muted?

Jennifer:

Joe?

Bob:

Joe Oslander. You there?

Jennifer:

Okay. Milford?

Rich:

Yes.

Jennifer:

New Haven?

Naomi:

Yes.

Jennifer:

North Branford is not here. North Haven?

Tony:

Yes.

Jennifer:

Orange?

Jay:

Yes.

Jennifer:

Prospect?

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Bob:

Yes.

Jennifer:

Seymour? Mike Horbal? Mike?

Bob:

Muted, is he?

Jennifer:

He is muted. Mike, you're muted. West Haven?

Greg:

No.

Jennifer:

Woodbridge?

Mark:

No.

Jennifer:

And Governor's Rep. Vin. Vin Marino? Vin?

Bob:

Is he muted? Yes.

Jennifer:

He is muted. Okay, so let me try this one more time. Joe Oslander? Joe? Mike Horbal?
Would you like me to call him?

Rich:

We heard Mike before.

Bob:

Yeah, we did. They can't unmute. They're not going to chat. We're going to try to hopefully get their attention. If I can interject at this time, we're supposed to have a public hearing at seven. So I guess after we get our tally here, I would like to recess our meeting until after the public hearing.
You also have to get Vincent Marino also.

Jennifer:

Yes.

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Bob:

He's finishing WPCA in Orange. I'll have to consider that an extension.

Rich:

If they're not able to vote, I think they'll have to forego the vote. If they're not here in-

Bob:

Yes, they'll be an abstention.

Rich:

Or a no-vote.

Bob:

Yes. Joe Oslander.

Bob:

I understand what you're saying. I think we're going to close the vote at this time. And I think we'll recess until after the hearing. Give everyone a chance to get organized. And why don't we take five minutes.

[RECESS MEETING AT 7:03 P.M.]

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