

**SOUTH CENTRAL CONNECTICUT REGIONAL WATER AUTHORITY**

OCTOBER 24, 2024

MEETING TRANSCRIPTION

David:

I will call the meeting of the Regional Water Authority for October 24, 2024 to order. It is 12:30. We have board members present. Kevin is on his way stuck in traffic. So we will get started with the first item of business, which is a safety moment, and that is fire prevention great information there. Eliminate clutter, et cetera.

The next item is public comment, and here's where we allow members of the public within our district the opportunity to speak. And we do have a member here, so I'll ask if ... Try to keep it to three minutes if you can. We haven't had too many people, so [inaudible 00:02:24].

Jeff:

Good morning, I am Jeff Baryla, Manager for the Conservation Commission at CMR, and I've heard that the board is looking for the disposition for the 4.99 acres at 56 Squantuck Road. And I'm here to speak on that ... And if there's any questions the board has for me as far as public access. I'm here to answer that for you.

David:

We appreciate that. We have some experience in selling land, of course, but with ... Procedure is. We, as the Authority, are going to consider whether or not to forward that application for the disposal of land to the Representative Policy Board. They meet on the same day as us in the evening. If we do send it to them, next month likely they'll accept it and call a public hearing for the following month. And they meet on this fourth Thursday of the month, except for December. That may roll into December. That's the third Thursday.

Jeff:

Okay.

David:

So, just to keep that in mind as well. So, I would follow up with them. If we vote for it, we'll get it to them over the next few days so that next month they'll decide whether to have a hearing and accept it or not.

Jeff:

Sounds good.

David:

Thank you. Are there other questions while we have Jeff here?

Suzanne:

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So, you currently have trails on the adjoining properties and incorporate those trails through this property?

Jeff:

Yes. I was hoping that the land would be disposed of to the town for that purpose because there are currently skid roads passing through. When the Birmingham utilities own the land they used it for forest management, et cetera. They had skid roads passing through there, so that would be an ideal connection to the other side.

There is one trail on the other side of the brook right now. Currently there is a parking lot that the Boy Scouts built, for the Eagle Scout Projects, built a pavilion and a canoe/kayak launch to access the Housatonic River. That's all public access there. And the one trail goes up and it heads toward Oxford High School. Now, the adjoining property, Rockhouse Sanctuary, that was a trail [inaudible 00:04:36] work the last few years with Joe Lanier, who is in charge of those trails there. We were looking to expand the network, but the one hindrance was that 4.99 acres. We couldn't legally use them.

Those skid roads, build a bridge across the brook further south, bring the public up to what's currently the reservoir. But I understand the town is looking to possibly remove the dam in the future as well, so that would be cross that bridge when we get to it.

Suzanne:

That's terrific.

David:

Any other questions or comments? Do you have his contact info?

Jennifer:

I do not.

David:

When they schedule public hearing perhaps if you wouldn't mind.

Jennifer:

Absolutely.

David:

Not trying to give you work.

David:

Any other questions or comments for Jeff?

Suzanne:

Appreciate you coming.

David:

All right, thank you very much. We're glad you're here and you're welcome to stay for more of the meeting, but we'll move on. And the next item to meet is the Pension and Benefit Committee. So, who will make a motion to recess to the Authority and meet as a Pension benefit. Is there a second? All those in favor signal by saying, "Aye." We are now meeting as a pension and Benefit Committee.

Mario:

So moved.

Suzanne:

Second.

David:

All those in favor signify by saying "aye."

Authority members:

Aye.

[PENSION & BENEFIT COMMITTEE MEETS FROM 12:34 P.M. TO 1:50 P.M.]

David:

All right, thank you. That was a very good and truthful meeting. That was very good. I knew we had more time than we could use and it was a longer time than necessary so that was fine.

Catherine:

Thank you. Appreciate that.

David:

As we'll see in the next items act on items rising from committee, there were no matters. So now we're onto the consent calendar. Before we do that, because I saw an email from one of our members, does that satisfy the concern or is there an item we want to take off of here?

Mario:

I'm okay with leaving the Prospect Dam transfer on the consent. I do want to because I think we need to make that transfer. I'm going to ask for some more info as we go forward because I'm not sure how we got to the point of the cost going up so much.

David:

No, we all had a letter... That went to everybody, right?

Catherine:

Yes. That came.

David:

Last night. Which hopefully explained a lot of it but if it didn't explain enough of it-

Mario:

It provided enough detail. I'm more concerned what will be done in the future projects so that we don't-

David:

Don't have that happen, right.

Mario:

... [inaudible 01:23:44] such a big surprise. This might've been a one-off, which it seems to be because most of the projects tend to run pretty close to what the estimate was. And I just want to understand.

David:

In a strange way, it's almost fortuitous we had that heavy rain on August 18th, otherwise we wouldn't have seen some of the extra work that was needed there and that was highly unusual. All right, well then I will ask if what your pleasure is on the consent calendar.

Mario:

Consent calendar is seconded.

David:

Second. No other items to be... Points of clarification? All those in favor signify by saying aye.

Authority members:

Aye.

David:

Passes unanimous. Let's do committee reports and then take a break.

Catherine:

Okay.

David:

So let's do the reports of the committees. And we had October Finance. Wait, we're in... Yes, it's October.

Mario:

Thank you. Yes, I attended the Finance Committee meeting. It was the [inaudible 01:24:39]. Mr. Flint of Clifton, Larson-Hall and the RWA's external auditor presentation of the results. I think we received the same report, was well received by the committee. Discussed the audit scope reporting results 2023 challenges, financial highlights and required communications to just state that as we know that the RWA received a clean opinion with no incidents of non-compliance. The financial statements of notes encompassed the RWA Wealth Services LLC and the Claire C. Bennett Watershed Fund. Single federal audit was required for fiscal year 2024 with no reported issues and they anticipate that single federal audit will be necessary for fiscal 2025 due to an expected drinking water state revolving fund loans and grants as well as congressional directed spending. And then there was discussion of the quarterly

financial report that Rochelle gave that included the income statement, maintenance test, direct expenses, similar report that we've received. And it was a 47-minute-long meeting, which is, I blame that on Rochelle. It's very long meeting.

David:

Any questions? All right. Nominee committee. You may all be aware that the nominee committee met that night and they made the recommendation for the re-nomination of our member and that vote will be coming up tonight. So good luck.

Suzanne:

Thank you.

David:

She texted me, "Five years, really?" So yes, it is five years.

Suzanne:

It was like, "Good luck the next five years."

David:

So we'll see how that goes tonight.

David:

Yes, exactly. Land Use, Catherine you-

Catherine:

Yes, I did find my way to Lake Salstonstall [inaudible 01:26:27].

David:

The pizza one, right?

Catherine:

Eventually. Yes. It was a beautiful day in a stunning setting. Captain Paul, I'm going to pronounce it Ruggiero, gave the committee an update on the RWA police force. All the new officers were there and were introduced. He talked about a number of improvements. I'm not going to give too much detail because it's a security issue, but technology has been helpful with respect to policing and it is that the increased presence of the police force has been welcomed by the recreation permit holders. And one of the things that's very interesting is that they did assist in finding a lost man whose dog had a chip and they managed to track him down. The dog stayed with him, lost in the forest and they were able to help track him through the dog's GPS on his chip. That was kind of interesting.

This is a personal note. I note that the picnic tables there are showing some wear and at least one of them has a memorial for former RPB members. So I'd like to make sure that we preserve that. But my lawyer liability hat was on there thinking someone's going to get hurt on these picnic tables. So we probably should take a look at making sure that if we're going to have picnic tables on there, they really should be safe.

David:

Sunny's taking a good note there, make sure that-

Catherine:

I know I had my foot on one so it wouldn't tip over, so a little concerned about that. And of course, John Triana did his usual comprehensive discussion. I'm not sure if... There's a lot of information. Is there anything in particular that anybody wants to know? Okay, fantastic. That was my report. Also, it was pizza night.

David:

Yes.

Catherine:

That place is just gorgeous. It really is. If you can find it, you should go.

David:

Any questions? All right, we'll move on to Consumer Affairs. Mario, Monday night. Were you busy? We were there. Busy working, good.

Mario:

Prem gave a report on the hybrid status of the workforce and returning to work, about 65% of the employees are on-site full-time and 35% are hybrid. The customer service representatives are basically three days a week on-site and that's helping with the moving into the new customer service software that we're working on. Everyone else who's hybrid is at least two days a week minimum that they will be in the office.

Liz:

About 50% percent present, was higher than 65. [inaudible 01:29:55].

Mario:

I didn't know the computer was listening.

Sunny:

Big brother.

Mario:

Yes. Definitely. And he cited several of the benefits the employees have noted are the work-life balance, which I think [inaudible 01:30:15] and morale and enhancing the ability to attract and retain top talent. We all saw it after Covid of trying to get people, but especially young members. That's one of the first questions is do I have to come in [inaudible 01:30:29]. Jeff D'Onofrio is working on the issuance test rate application and he had no items that he raised up to him as far as consumer complaints and they approved his invoice and they mentioned United Way donation. The Teacup Auction, I believe is what they're calling it. That is coming up in November. So [inaudible 01:30:55] meet on November 18th I think is the first new teacup auction. If my memory is right, go ahead [inaudible 01:31:03].

Catherine:

Can I ask a question? What was the members' reaction to the report on the staffing where, I forgot the topic of what you call, but whether they at the hybrid, whether they're working remotely, what was their reaction? We've had a reaction in the past.

Mario:

Yes, we have. And I think my sense was that they were happy with the progress to having as many people reporting full time and that the hybrid people are reporting two or three days a week they're in. I didn't sense any concern, which I did sense in previous meetings. Excuse me. There was some concern that I sensed of those employees who have to come in because their job requires them to be on site because of their working in the field. You can't do that remotely. What is the equity between them and those that are working from home? And Graham did a nice job of explaining some flexibility that might be allowed them to shift working hours on a particular day if they have a [inaudible 01:32:31] they need to work on of a personal nature. So, I think it was well-received.

David:

Okay, good. Thank you. That's good to know.

Mario:

I recall you heard the same thing I did previously.

David:

Exactly. Okay. All right. Executive Committee. I attended that with Rochelle and Sunny and the main part of the meeting was that they were given an update on the acquisition Blue Drop and Rochelle gave a great detailed information and Sunny chipped in on that too, I think, or another subject, but mainly because you're the one working the numbers, so you work the numbers on that. There were not significant questions or concerns from them raised. They only had four of their seven members there. I guess some were not able to make it so touch and go about getting attendance there to have the meeting. All right, so that's that. Why don't we take a break till a quarter after, so that'd be 10 minutes, whatever, and then we'll get right into business updates and then the application then. All right? Very good. Thank you.

[BREAK 2:05 P.M. TO 2:15 P.M.]

David:

So I'll call us back together, if we could. And the next item on the agenda is our business updates, and we just start with the RWAY project. I don't know if Larry wants to do a lead into that or Prem do a short version of a [inaudible 00:02:20] okay.

Prem:

Thank you so much. So like David mentioned, today's version is going to be a short version. I'll start off with the good news. So, the first time after a very long time, the state is back on track to green. It was actually amber all the time, so which is good. Very much of a very high level key items to hit on. So, we've been progressing really well on the data migration track, which is really good. We're working

through that. We start off our integration system, test cycle soon, it's good news. So, we are making good progress there.

Obviously in terms of the risk, what we have is leading priorities. We got to work through this, it comes up [inaudible 00:03:17] resources. But that is part of any project. We're monitoring that to make sure that we have resources, kind of a sign of certain tasks. So, there's no surprises there. A couple of things that we need to focus on is obviously, the key essence of the project is the integration system test cycle, too. The plan is to wrap up around the time of Thanksgiving. So that's kind of a key milestone. So, we have four weeks to go, and we want to wrap up and then we have two weeks of defects testing after that.

So, all good news. There's not a lot of surprises for this month, and we are doing one last thing. We are doing what we call as a mock testing. That's going to be starting, that's another thing we have. That'll actually exercise our SAP lockout, like daily go live, what's going to happen, we're going to test on [inaudible 00:04:12] to see how it's going to play out, which is good. So that's it for update and everything else for this one is fairly all okay. So we'll see.

David:

Good. Any questions?

Suzanne:

Capital budget is in yellow.

Prem:

Yes, so progression, as we all know, [inaudible 00:04:18] million is our budget. We have to really manage our change, the grants and the things that come in. So, we are looking at that really closely, and that's why we [inaudible 00:04:18], not because we owe the budget, which in the budget, but we just want to make sure they're tracking it. There's all process set up to look at every change that comes in. Make sure [inaudible 00:04:52].

Suzanne:

[inaudible 00:04:55] If you see budget equals red.

Prem:

Yes. Absolutely

Suzanne:

The budget was 14 million, right? This is [inaudible 00:05:04].

Mario:

It's a significant, yes. It's more like a terracotta, just a regular cherry vent.

Prem:

It's like managing, and I will say this, that it's going to stay low all along the product until we go live. So, you're going to keep monitoring it, right? That's the idea. So I don't think it's going to ever turn into green. It's going to stay like that after we go live. That's the plan.



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David:

Any other questions?

Mario:

Is there a way of just identifying that the schedule, I know, got reset several times, so now we shouldn't have any problem hitting April. I understand why we're April [inaudible 00:05:52] of just identifying that it's a reset target date. You want to kind of-

David:

Well I understand why you have it green, because you're going to hit the new target date.

Mario:

But similar to the capital budget that's in yellow. [inaudible 00:06:10] It grew in the schedule, so I think I'd be more comfortable if it was in yellow myself. But [inaudible 00:06:19] how you want to present it. [inaudible 00:06:26] That's good. Thank you.

David:

That's a helpful update today.

Prem:

Okay, thank you.

David:

All right, board report. Anything, Larry, that you wanted to highlight on that?

Larry:

Yes, I just wanted to mention, first of all, we still don't have, there's an item in the board report about the cyber-attack hitting American Water Works company, and they're of course keeping that very close to the vest and not releasing any other information. So, there's nothing new other than what's in that memo. But Prem and his department are planning some tabletop exercises in 2025 simulating the RWA's portal experience experiencing a cyber-attack. So that will include RWA employees, our external partners, and host providers, many times that we're able to get people from the Department of Homeland security to participate in those, as well as the FBI. We'll do that, but no news there on what happened, but it did not impact the operation, which is good. And then the other item, there was a question raised at the last meeting about how did black pipe contribute to the pipe safe failures, which we provided some additional information about the black pipe, which was predominantly a popular material used in the 1970s and 1980s and it's a family of plastic pipes made of PVC and polyethylene that was discontinued since the nineties.

But when it's in the ground, many times during that period of time, it was installed on the dirt instead of a bed of sand. So as the pipe moved around, if there was an object like a stone or a tree root or something like that, it would rub on that as the rain saturated the ground and caused it to heave and that therefore would cause the pipes to leak. And that is predominantly in our Cheshire area, because it was used in high pressure areas. So hopefully that satisfied the question that came in about that particular item.

David:

Thank you. I think we had another question as well. Suzanne, you had a question?

Suzanne:

I had a question. Hope you're feeling better sometime soon, Larry.

Larry:

Thank you.

Suzanne:

First off, I think someone clarified this. When it said regional supply strategy, I think what that's, just in general, what that's referring to is the opportunity to regionalize and scale your inventory in a way that helps reduce cost. Is that what that means?

Larry:

Well, it is related to an acquisition of Aquarion Water Company, which would give us the opportunity to implement a regional supply strategy to not only get better cost efficiency, but also to perhaps send some of the excess water that we have through interconnections with Aquarion Water Company.

Suzanne:

Thank you. The commercial enterprise update that you provided, is that as a result of my request to take a look at each individual business and understand how they're performing? Is that why you put that in there?

Larry:

It is really just an update that we are continuing to focus on the home safety valve. We are finding that, which we did not know before we bought it, that there's a lot of manual processes that was associated with their doing businesses. So we are looking at how we can successfully transition that, automate some things where we can, as well as having... And one major change is that if a customer didn't make a payment on their safety valve business, Aquarion would discontinue them. We've changed that. So we give the customer a couple of more opportunities to make a payment and continue in the program, so we don't have the leaking of customers that they were experiencing. And we are continuing to have conversations with some plumbing companies, as well as a lab that we actually had our legislation changed this last session to allow us to participate in manufacturing support services.

Suzanne:

So when we next have our consumer committee, if we can talk about all this stuff in more detail, that would be great rather than-

Larry:

Sure.

Suzanne:

So, the other question I had was in the cyber-attack piece, there was some comfort gotten from the fact that our customer warehouse of data is off our systems. And I had two questions. Are we comforted by that because that means our real concern about cyber-attacks are related to SAP and not customer data? Not that we're concerned about customer data, but it's really more about keeping a system away. If the hackers want customer data, they don't want SAP and this helps us because it's preserving the thing that we are most concerned about, which is SAP.

Prem:

Yes. I think it's two faults. One of the main things that happened with this specific account is because it has your portal and the customer SAP in the same place. So, both of them are inside the same firewall, versus in our case, the portal that's sitting outside that actually has its own firewall. SAP is in that separate space, so we had double protection. And the other thing I also realized is that in their case, they actually had sensitive information like social security and all that information that they store. We don't store that. We are PCA compliant. So that's how the protection that we have. But the key concern that we had, even with our old SAP change, now we're putting new systems is because of take-off [inaudible 00:12:52]. We have a take-off. So there's avenues that people can hack in. So now we are addressing that. So that's not a big plus that we have. So it's almost like customer data protection, and also the SAP situation gathering.

Suzanne:

Okay. And then customer data, are you quite comfortable that your outside vendor has the kind of security that you-

Prem:

We literally schooled them on our policies to say, one of the things that they have in terms of their cybersecurity. So, we made sure, we have a vendor called [inaudible 00:13:30]. Those things are in place for us, which is good, but that being said, as we all know, it's a matter of [inaudible 00:13:38] happens. So, we really want to make sure that we are constantly looking at those questions, because that changes every day. But right now, we are much more, I would say, secure [inaudible 00:13:51]. That's a big plus.

David:

Do you have a follow up question?

Suzanne:

I just have a request, assuming that my schedule will allow, I would love to observe or participate in the tabletop.

Prem:

Oh absolutely. I know you asked this last time, we want to make sure.

Suzanne:

We haven't been able to sync up my schedules yet, but this is the one that I'd really love to.

Prem:

Yes, absolutely. I will make sure. Well just for the record, we didn't do this tabletop because of the cyber-attack, this was coincidental. We already have planned this one. We'll make sure that you got it.

Suzanne:

Then the other, on the black plastic pipe failures, I appreciate the explanation, but what does that mean to us? So, because when we look at the data related to the cost associated with repairs, they've gone up, so has membership, but I don't know if the 300 more members is ending up offsetting the expense increases. But, so what does that mean for us?

David:

Go ahead.

Prem:

Just, I want to say that we have to look the historic repair numbers as well. The repairs have gone up, that's where the cost has gone up almost. You could look at one-to-one because our coverage maximums are the same, but because of the number of repairs we had for the same time last year, that's way went up. But that being said, we are still targeting, it's still under budget. We are monitoring that. So, we have 7.3 million for bike safe this year, and we are [inaudible 00:15:31] that number. So we are managing the budget in a way that we are looking at expenses, and an example would be [inaudible 00:15:36] that we use today. They've been working really well as a mentor for many decades now. So we can manage some of the costs and the work that happens, so we can keep our expenses lower. So that's how we manage.

Suzanne:

So, what it means to us is to mitigate this is, we're working to keep expenses lower, and therefore continuing to modestly grow membership.

Prem:

That's right.

Suzanne:

So that the business will grow, and profits will not get swallowed by increased expenses. So, we'll look forward to seeing the effects of it. Okay, great. Then the last question I have on this is...

Well, there you go. Oh, one last question on the maintenance test, I do quite get how this works. So, we were below budget by 2.2 million for our cash receipts that were 10.4, and the primary driver was the timing. But then our current projection for our fiscal 20.5 is 117 coverage with no shortfall. And I was just wondering is that purely because it's timing? Because the two don't seem to square with me.

Rochelle:

So, the first number in the [inaudible 00:16:54] report is just for the particular month. It's not year to date, where our overall maintenance test is here today.

Suzanne:

Okay. Okay, very good. Thank you for that. All right, I'm good. Thank you.

David:

Mario?

Mario:

Follow up on the black pipe. You mentioned Mr. Rooter and managing their costs. Are they doing the water service? It's still our crew. Threw me there by bringing them into the discussion with the black pipe. And because of its brittleness that you've now identified, are you doing a more extensive replacement when you find it as a break, or are you just doing the point repair that you can get away with on the copper, because in general, it should be in good shape unless it's bad soils?

Prem:

So, it's actually depending on every scenario might be a little different. So, depending on how far the run is, sometimes standard, sometimes. So, depending on various factors, a lot of the key things we look at is a good example that happened where we fixed in one place, because the [inaudible 00:18:12] not changing. So if we think that [inaudible 00:18:17], if it runs quite a bit, we tend to go towards changing everything because you all want to hit your coverage maximum anyway and it takes care of our scenario where you don't have to go back again. So, it really depends on scenario. But our idea is that we are trying to minimize the number of times we get out there, because we don't want to keep going out there. And if we can fix and keep the money in the pocket, we will do it, provided if there's an extreme scenario, we have to change the full line [inaudible 00:18:43] too. So, it really depends.

Mario:

And that's the customer side. And then if that's the case on our side, that comes out of our budget, our operating budget. Okay. And then are we still isolated SKATA system outside [inaudible 00:19:11]?

And thank you for the Dirty tank dedication note. Appreciate that. Sorry I wasn't able to make it.

David:

It was very cold. Oh my god. It was shady. It was under the tent. It was freezing cold and windy.

Mario:

Did you expect anything from a dedication to that tent? [inaudible 00:19:43]

David:

And we saw Barbara Dybas. She stopped by. It was nice to see her. Yes. And she stopped by.

Catherine:

I was going to say I'm sorry I missed it too, but now you convinced me that it was good that I was too busy.

Mario:

With that, was anyone there from DPA? [inaudible 00:20:01] They could not attend. The offer was picked?

David:

Yes. I have a question for Rochelle, and I probably should have asked it in the consent calendar, but it's about the budget. We're significantly over in proprietary revenue and we're under in expected expenses regarding that proprietary. Is that from the safety valve, that we're doing much better than we thought?

Rochelle:

So on the revenue it's definitely driven by safety valve, and then on the expenses, we're still overall over, but there's other offsets.

David:

Yes.

Rochelle:

From net [inaudible 00:20:41].

David:

Significant, right, plus 900,000 or something.

Rochelle:

Safety valve was not part of the official budget because it hadn't closed. So yes. Definitely helping.

David:

That's great. All right. Any other questions or comments regarding Larry's report? All right, then the next item is the disposition application regarding the Seymour property, which we heard from Jeff earlier. His comment that he's in favor of it. With that, I don't know if we go to John or we have questions. I guess we'll go right, go to you. [inaudible 00:21:18] Oh, Jamie. Oh, you don't [inaudible 00:21:22]. Yes, because it's an applicant.

Jamie:

Yes. And so am I done or do I need to come back for the finance?

Speaker 2:

No, that'll be it. Okay. We set it up so you wouldn't have to come and go. Thank you. See you tonight.

Jamie:

Bye.

David:

Bye, Jamie.

Mario:

We discussed this last meeting, and I greatly appreciate the information that was provided. I would be more than willing to make a motion to move this forward if we can incorporate the information that was provided subsequent to last month's meeting into the application, so that the members of the RPB have that, whether it be in the form of an amendment that's attached as an appendix or some other method.

Sunny:

What was the explanation of the town requesting purchase?

Mario:

The town had requested and the fact that the dam is owned by [inaudible 00:22:20]. Those were the two basic things.

Catherine:

Seconded.

David:

Is there a discussion?

Mario:

I have a question. So, I read through, and I did not see that an agreement with the town being made related to it staying in open space. Is there anything the town can do other than put it in open space once they purchase it?

Sunny:

I don't know.

John:

Should I stand up?

David:

Yes.

John:

Yes, that would be determined when we get to the purchase and sale agreement, and the deed itself. The written and verbal indications from the town when we had this initial discussion was that it was going towards their open space that they already own all around it. They own the other three side.

So when I asked that question to the Seymour staff and it was Kurt Miller who's a former first selectman there, I said that the reason why I have to know if it's going open space or if it's going development is because it changes our disposition application. If it goes to open space, then we only need a preliminary assessment to go with our application, because we don't expect any change with the land. However, if it's going to go for any development, now we need to do an evaluation or potential impact. His indication was that it was just for open space, so it went the PA route and not the EPI route. And that's where we stated, so our intention is, when we get to the point of a purchase and sale agreement and the deed, that it would have some language in there reiterating that fact.

Suzanne:

And can the iteration require them to follow through with that, or is it just-

David:

Yes. It would say something to the effect that this lane is being conveyed for the purpose of open space. I mean, we put that kind of language into many of our deeds, that we buy open space from a family for... So it would be the same thing just on the opposite end.

Suzanne:

And we would have recourse if they did.

David:

Yes.

Mario:

I was just going to ask that. Do our agreements typically include a reverter clause? So, if they do use it for any other purpose, it reverts back to our ownership?

John:

Well, we could do that, but in this case or the other cases, what it is is a statement in the deed that this is only for open, or for when it comes to us, it's for public water supply protection. And so therefore, the sellers in that case would have the ability to come back at us if we decided to put up a water tank there or a cell phone tower or some other improvement. The same would be true here. So I don't think there'd be any need for a reverter clause here because we don't need it for anything. But we've determined that from our engineers. When we went through the land use plan in 2015 and 16, they determined that it was no longer going to be useful for a future tank site. And that's why it went on to the non-water system land designation and could be sold.

Mario:

But any efforts to do development there will not have an effect on our water supply?

David:

That's correct, yes.

Suzanne:

[inaudible 00:25:47] On the price. So that's my only concern is, I sell it with the idea of it's in open space, but if they develop it, then we have no recourse. And that's my concern.

David:

Yes. I just have one other nuance about this, and this is not in the application, is that the driveway, the road to their Great Hill Reservoir is on our property. When BUI conveyed the property to Seymour, I, at least on all the stuff that I looked at, all the deeds, there was no provisions or carving out the continued right to use that. Now, I think anyone would conclude that it's a prescriptive right anyway. But if we were to sell it to a private individual, that would be a cloud on title, that'd be some title defect there where they would have to codify that, put it into words and on paper.

Mario:



Agreeable to the second, because my interpretation of the disposition application was that it was for the purpose of open space. I would be happy to make the motion include the sale of it for open space, conditionally.

Catherine:

That's very agreeable to the Senator.

Mario:

Okay, so we have an adjusted motion here, but it's still the main motion. I agree with that, should be conditioned on the sale of space. The open space needs restriction.

David:

All right, any further discussion? Sensing you're ready to vote. All those are favor signify by saying aye.

Authority members:

Aye.

David:

Passes unanimous. We will duly note to the RPB this morning or tonight that they have an application. [inaudible 00:27:31] All right, back... We are now on Blue Drop acquisition, and for this, we do need to go into executive session. Looks like it's the same reason going into executive session for finance as well.

Kevin:

I make the motion to go into executive session pursuant to the statutes listed on the agenda, for the reasons listed for both items. And inviting, senior executive and everyone currently present in the meeting.

Suzanne:

I'll second the motion.

David:

Any discussion? Sensing already to vote? All those in favor signify by saying aye.

Authority members:

Aye.

David:

Passes unanimous.

[EXECUTIVE SESSION FROM 2:40 P.M. TO 4:46 P.M.]

David:

We are now out of executive session. Can I have a motion to adjourn?

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Catherine:

Mr. Chairman. I move we amicably adjourn.

David:

Thank you. Is there a second?

Suzanne:

Second.

David:

All those in favor, signify by saying, "Aye."

Authority members:

Aye.