

REPRESENTATIVE POLICY BOARD
CONSUMER AFFAIRS COMMITTEE
AUGUST 21, 2023
MEETING TRANSCRIPTION

Mark:

First, I will call the meeting to order and want to let everybody know that this meeting's being recorded. And the safety moment is about bicycle safety, which is right this time of year. There are a lot of bicycles out there, so always wear a helmet. You can read it yourself. It sounds good to me. And be careful of bicycles. Next the minutes, right?

Jennifer:

Yes.

Mark:

The minutes.

Stephen:

If there's no public-

Jennifer:

There are no public members.

Mark:

Is there any public comment before I do the minutes? Anybody out there from the public?

Jennifer:

No.

Mark:

There's a lot of people at this meeting, Bob. Okay, here we go. So we can't do the minutes right?

Mark:

Okay. You got a vote, Bob?

Bob:

I could.

Mark:

All right, go ahead. Can I get a motion to approve the minutes?

Representative Policy Board
Consumer Affairs Committee
August 21, 2023

Stephen:
So moved.

Mark:
Seconded?

Bob:
I'll second it.

Mark:
All those in favor of approving the minutes as written.

Committee:
Aye.

Mark:
Aye. Okay. Now the next thing on the agenda is, we did the minutes, the comments, now the RWAY CIS program update for the Consumer Affairs. Ready to go?

Prem:
Thank you, Mark. You want to take it away? You want me to take it away, Mark?

Mark:
You can take it away, boss.

Prem:
Thank you. And thank you everybody for getting together today. Today we are going to look at our RWAY CIS program. Since this is our first meeting after we had kicked after meetings, I'll do a little bit of an update on what has happened so far. The product had been well underway, so we'll talk about that a little bit. I also would like to introduce our head of PMO, who is here. Ramesh, are you here?

Ramesh:
Yes, Prem. Good afternoon everyone.

Prem:
Ramesh is actually our head of PMO, who's helping our CIS program. His focus is CIS, so he's here to answer any detailed questions if we have as we go through the updates. So with that, let's go to the next slide. Next one please. Okay, this may be a little familiar for our RPB members, because if you remember way back in the AMI program, we used to use a similar format. It's our famous, what we call as a four quadrant approach. It is like a plan on a page. Basically talks about our accomplishments, what we've done so far, and then obviously we go a little bit on our decision risks and issues that we have found so far in the program. That's on the right-hand top corner that you see.

And then current activities and next steps as we have laid out. It covers the big picture of everything that's going on in the program. And then as I go through some of these highlights, please feel free to stop and ask any questions that you may have. We also want to touch upon in terms of our program, overall program health. So as you could see, we kicked off the project. So what you see on the top, just to orchestrate the slide, what you see on the top is basically our schedule, very high level schedule. So we kicked off the project in 13th of February this year. This is actually the last fiscal year, calendar year this year as per the plan. And as you can see on the timelines, we are actually going live with the project on Labor Day. You can see the top corner of this slide, the timeline slide I'm talking about, it says September the third. That's when we are going live. This is September 2024, not this September. Next September. The product is not that quick.

So we actually have a whole year to finish up the project, so we are going through the faces there. We do have what we call as a post-production support. So after we go live, we have a time of three months where we look at how we are performing, and our partners and integrators will be with us until we resolve any issues that we may find. So basically, this is an improvement. I don't know, some of our members here may remember from the past experience, we actually are making sure that we have that post-production support, so we cover in terms of go live support and everything we need. And right as you see here on the accomplishment side, we had kicked off the product successfully.

And as you can see the timelines that we have, we actually had set up a good governance model to make sure that we are looking at not only the project as a technical project, but making sure that we have communication set up. We have a good decision process flow. So for example, any decision that requires the sponsors, which is myself and Rochelle, to be part of the discussion, we make sure that we are incorporating some of those key decisions, and we are part of the program to help the team.

That has been an ongoing thing for the program overall. We also have a completed analysis phase, as we say. So that's basically understanding all the requirements we had asked in the scope. So the team did a good job along with our partner. They have been doing really well in coming together and making sure they understand our requirement and the whole analysis phase. That's been complete as of June 30th. We actually, as a matter of fact, one accomplishment that the team had also put forward, there is something called data migration. Some of you may be aware, there's a process called extract, transform, load. So basically you extract the data from the old system, you transform the data based on the new system, and you put it in the new system.

There are six of those extraction that happens during the course of the project to make sure there's good data. The first one was complete as part of the analysis phase. They had an accuracy of 89%. That is really, really good, because typically in the industry you see around 70, 75% accuracy for the first extraction, and the whole transformation of the data load. So that's a very good benchmark for us, 89% is pretty good.

As we refine the data as we keep loading and do all the stuff, the team will actually complete that as part of our go live. That is what I was talking about the six phases of the extraction, transform and load. So that's the great news right there, very good, what we call as early indicators of a good project, so the team has been doing a good job there. OCM is another area where we have been focusing on, as I mentioned, communication plan, training plan, a lot of good improvement and cross-functional team collaboration happening between the core team and the extended project team. The project that's been going pretty well. On the technology side, very high level, the new system, it's called UMAX. Apologies for some of these jargons. I'm trying to set the stage so we can understand. UMAX is a solution we are trying to implement here with RWAY.

So the team had completed the installation of that specific solution in our platform, so they can start putting some code and the things we need to do on the project. That's a very high level. And then now, one of the things that Larry had actually requested us to do as part of the project, is really getting the team to give us some inputs on how are we doing, what can we improve? So we have implemented a survey technique in the whole program where we constantly get feedback from the team, and then we improve upon anything that we need to do. So that has been put in place, and we've already implemented our first level of suggestion that came in from the team. So we are really going to monitoring that success. So those are some very high level. I know it's a catch-up of all the things that's been going on in the project, but a very high level on that we've been doing a good job so far.

On the decision risk and issues, that's the right hand side top corner that you see there. A couple things the team has been working on, we have been making some decisions as we go, which is best practices and industry practice. So as you can see there, we do not have any key issues at this time. I mean, again, we are in the early stages of the project, so we still have to go through a whole different phase of the project yet, but right now I think we are doing okay. The team had made some good progress on key decisions in terms of the setting of the system, we are monitoring some of the risks that we are seeing. Basically, as you can imagine for the size of this project, we have to make sure that we are looking at all the functional workload that comes in, in terms of configuration. So the team is doing a good job there. So that's been ongoing.

On the bottom left side of the slide, you see the current activities. Not to go through a lot of things. One thing I would mention is, we have kicked off the design phase as we call it. So once you complete the analysis of what you need, then you set up the system for its design. So the team is actually working through that right now as current activities. That phase is going to be completed on October 1st. The team is really focused on making sure we have a good design for the new CIS system. Last but not least on this side, on the corner right side, as you see, that's the next steps. We'll be going through various levels of design. As you can see, there's technology design, there's functional design.

We want to make sure there's integration while we talk to different applications. For example, payment gateways and bill print vendors, et cetera. So we are making sure the integration is really good. Those will be part of the design phases in the project. But overall, I think the team is coming together really well. It's been a very cohesive team. So far, we've been managing all the risk as they come in and it's been pretty good success so far on the project.

A couple things on the financial side, as you can see, we have our overall capital budget. We have a fiscal 24 budget as well. We have been on schedule and on budget so far as we're working through the project. And we do believe that we will try to accommodate and make sure, in any of the CID requirements coming in terms of scope, we will make sure that we're looking at the scope and really delivering the project as it is. So that's a very high level. I know I said a lot in a quick fashion. I'll take a pause to see if there are any questions on the whole so far what's been going on in the project.

Naomi:

Prem, this is Naomi. With the UMAX installation, is that going to be part of our cloud in that area?

Prem:

That's right. Yes, it's actually a cloud-based solution, Naomi. So that's one thing we want to make sure that we implement something that is, if you remember, there's been a lot of customization in our current system, so we want to make sure that we have a cloud-based solution. This way we can get all

the updates we need. So there's no customization, we're going pretty standard. It's a cloud solution, that's right.

Naomi:

Okay. Thank you.

Stephen:

Prem, this is Steve.

Prem:

Hey, Steve.

Stephen:

You mentioned lessons learned. Are there documents from the last project or people still on the staff, and are those lessons learned still relevant, because this is a different system?

Prem:

Yes, that's a great question, Steve. As a matter of fact, even before we launched the project, we took all the lessons learned from, some of the members are still there. I still have a couple members who are part of the original implementation. So they've shared a lot of feedback, and we actually documented from the last basically implementation. So we took all of that before we started doing the whole requirement space, so we baked in, we corrected the things that we thought it was going to be good for us for this program. We actually baked in the whole program lessons learned, also some of the key takeaways from the last project. So we did that. I think the team did a good job on that.

Stephen:

Do you think it'll save some time on this project or just maybe mistakes, or I don't know if you'd call them that, but change the way you might approach something?

Prem:

Yes, I think the biggest thing, Steve, on this project is really the change management, because technology, these guys have done this whole CIS couple times already. They have in Boston Water, Tallahassee Water also has the same solution. So we have learned what they've done from other people as well. But the key thing that we realized on this one is the change management. So that's why a full focus on making sure there's training done properly. We have introduced certain steps and controls within the program to monitor how are we progressing.

Those were some of the key lessons that we learned from the last one. And then the thing I may have mentioned in the past where data is in the heart of the system, so we have to have clean data. So we are trying to make sure we have put more of these steps to make sure that we have clean data in the new system. As we say, garbage in is garbage out, so we don't want to put any garbage in, so we have to make sure that it's clean data. All of that has been really helping us. And those were some of the key lessons we took. And the PMO was another one too. We have a focused PMO now.

Stephen:

Would you say this because this is a different technology and system that there's more being done by the company you got it from than the actual staff in terms of having to structure it or make it work for your application?

Prem:

Yes, I think one of the biggest thing that when we looked, if you remember, we had 13 different proposals that came in, and we started to take away the ones that are very customized and put a lot of work on our staff. So again, with the help of everybody here, I know we also did a couple of these proposal reviews and the whole approval that came through, we really went very detailed. And I would say 98% of the solution stand out of the box. So there is not really a lot of customization. We are following the best industry practice. But that being said, there are very typical business scenarios that we do here, like lean process is a good one where we do lean process here, but that doesn't apply for every water utility out there. That's the way that we do our business here.

So there are some exceptions that we consciously look at. Like me and Rochelle are constantly tag teaming on looking at every one of those specific processes, but we challenge the team to make sure that it's best practice so we don't end up doing, again, customization and issues. So long story short, 98% of the solution is out of the box and that's why we selected this solution, to be honest. So let's work for our team, but again, we want to make sure we get the best out of the solution, so we are really keeping them on the toes to deliver what we want.

Stephen:

So the focus is more on training in this application than doing it? Okay.

Prem:

That's right, yes.

Stephen:

Would you say you can run the system with less people?

Prem:

I'm sorry, can you repeat the question?

Stephen:

Would you say you could run this application or this particular technology with less people than with SAP?

Prem:

Yes, I think the way I think about this implementation, there is a lot of new solution and the ways that customers are asking for. If you look at the current solution, when we implemented SAP, there was no different channels of customer communicating with us. So we send a bill, we have a contact center, but right now we're deploying a portal. There's future growth for commercial. So their scope had increased also to the extent that what we had asked for them to implement. So it's not really about the point of

less people, but more efficient. So we have asked and challenged them on process improvements and efficiencies, so we don't have to have manual steps in the program. People are doing the stuff manually. But that being said, I would say there's a lot of new functionality, and you could imagine from 12, 13 years ago to now, there's a lot more with the new technology space.

So we are getting all the functionality that we have asked for, but again, we are not increasing any resources, we are using the same resources. You're getting more for less. So basically, we are not putting more resources or hiring more people after the go live. That being said, we are in the initial phase of the project through the whole nine yards, and make sure we implement the solution. One of the stages in change management is to really look at how are things changing for our people so they not only learn it, but also be able to do the work, because that's going to be a big change for them. That's what we are getting focused on. There will be some efficiencies, but those efficiencies are not customizable to the extent that we can eliminate people, if you will, you see. But you're not increasing people. You have to underscore that. That's a big deal. You see a lot of implementation where they'll add more people after the go live. We are not trying to do that.

Stephen:

Thank you.

Prem:

Yes.

Mark:

Any other questions?

Jeff:

Mr. Chairman, may I ask a question?

Mark:

Sure.

Jeff:

Prem, as you recall, during the application process and at that public hearing, we talked a lot about change management, and how that was a concern when the legacy system was replaced with SAP 14 years ago and how consultants that the OCA conferred with both the application back in '09 and the application for the present project, emphasized the need for change management. Can you give us an update in terms of the change management endeavor and how you think that's going?

Prem:

Yes, that's a great question, Jeff. As a matter of fact, we can go to the next slide that talks about the whole change management. Maybe I expected this question to come. I wanted to use this as a tool so I can explain. One of the biggest things that we did for this project is really having a focus on change management. So our approach was really narrowed down to the point of this what I call as the five pillars. There are various phases in here. As you look at the top line where it basically talks about the phases of the project, we embedded the change with those phases of the project in terms of how we

can approach in making sure that the people are adapting, et cetera. One thing that we started talking about was the stakeholder analysis and engagement.

So between myself and Rochelle and the leadership team, we are constantly looking at what does that look like in terms of change management, and the various pieces are the steps or the tasks that are assigned to it. That's been ongoing, and really we being the change agent to really tell our people what is coming, what's changing. A lot of work happened there. And then the next two pieces you see is basically the readiness and the alignment. We also wanted to focus on that the organization is ready for this kind of a change. So we have been meeting as the core team and extended project team, to talk to them about what is coming. If the team is asking for a certain functionality, how does that change their roles in the job? So to that level, preparing the organization so the team is actually ready to execute the plan.

On the alignment side, as I mentioned earlier, the processes, roles and policies, for example, we are looking at how do we do things today? How are we going to do things tomorrow? So the whole process, meter to cash process is being looked at in detail. As an example, there are 496 sub processes that are being looked at how do we operate today? At that level, the team is really understanding what's the best practice, how is my role changing? So a lot of focus on that, and we have a whole change management team that we had set up. So Kim, who is not here today, she's our change management lead who is focused on how we really emphasize. We hired a customer care trainer wiki, who's also not here, really making sure that she's taking all of the change and converting that to a training manual, training procedures, and really embedding that as part of the training.

So we invested a lot of those resources in this process, which I think were a little bit of a drawback to, Jeff, your point from the past. So we are really emphasizing on that. Communication, Kevin Watts, he is ingrained, he's our communication director. He's working on different levels of communications, not only the inside organization. What you're going to see is, as we progress in the project, we will reach out to all our members here to help us communicating the change coming to our end customers. That's also part of the change management plan.

And again, obviously the overall training plan, we have a train the trainer model. We have identified SMEs who will be training and really supporting the program, not only just for customer care, but field services for example, different parts of the organization. So this time, Jeff, I think they're approaching a little differently. And I'll be honest, personally I also spoken to Boston Water, Tallahassee Water to ask them, what did you guys do? What should we do? So we are embedding those things as well. I feel a lot better. I'm not sure, I was not there for the first one, the prior one, but I feel a lot better of what are the things we are trying to put in place. And I feel like we are much more prepared than last time, but more to come as we go. And hopefully, it's a long winded answer, but all of the good work had been gone into Jeff as well.

Jeff:

Look, I think the only way to do it, based on the research that I did and the consultants that I hired both times, is just treat it as a work in progress. It's not like, "Okay, we're done." I think it's just a lot of learning and a lot of stress management, because change is difficult, and depending upon how folks handle changes in technology, it can be a very stressful undertaking and people lose focus. And these projects are difficult. If you read it well, what Webster Bank is going through right now, they transitioned their system over a weekend in July, and it's just the amount of stress that the people have, whether it's in the branches or the customer service folks, and there's a small amount of failure that comes with these projects, but being able to adapt and manage everyone in a way that minimizes stress and

increases productivity with an eye on the long-term and the benefits that come from it, I think is a big part of it. So I appreciate the update. Thank you.

Prem:

Yes, thank you, Jeff.

Naomi:

Prem, I have a question. I know we're supposed to go live in September of next year. My question to you is, will there be a trial run or something prior to, or are we just going to go live that day and everything goes into effect? I'm only asking that question, because we did that with Epic when we switched over to Epic, and it was like a nightmare on Elm Street sort of thing. I'm just wondering, are we going to-

Prem:

Literally. No, let me use the question a little bit this way. That's a great question. Now, what we are trying to do is, we are making sure, a couple of things we have to do, we have to make sure that our books are closed. So me and Rochelle constantly talk about it, so we don't end up having open items when you're actually going with this big system project. So a lot of problems comes right there when people don't recognize that. And it could apply for work orders that are out there, so making sure that we have proper closure. So we are making sure, and there's something called a go live cut over task or activities. So we are making sure all of these tasks are part of that cut over. That's one thing, to make sure that we don't have a challenge.

In terms of the billing, for example, what we are trying to also tell the team is, you're going to do some parallel runs. So we are going to run our existing SAP system, and also we are going to run our new system to compare apples to apples to see if we are actually getting the same amount of money out coming in, the same amount of bills going out. So there's a whole list of KPIs we are tracking. So we'll be running that in parallel to make sure that the system is doing what it's supposed to do. That's another thing we're doing. And another big thing that I've realized, I've done this half a dozen times at least in my past life. So when I think about it, we also are planning for a good goal cut over plan. In the sense you're going to have people on the floor helping our people to make sure that if they have a question, they're addressing it right away so they're not waiting and sitting around and having issues.

So there are some things we are doing. So the cut over itself, unfortunately, it's not like you cut over and then you have a situation where you have a problem and then you tend to resolve it afterwards. We have been proactively doing this planning where you're not going to just cut over and then figure out the issue, rather you're running a parallel, you're also doing this support system as we go live. That is quite a bit of reduced agony. I would not promise that there will not be any issues, because we got to still see the whole thing. But what I can promise is that the team is going to have the full support, and we are reducing the impact if there's any. And then one of the things I mentioned earlier is the data. That's the heart of the system, so garbage in, garbage out.

So we are going to do six of these runs, typically some industries, some people only do three or four. Six is like, and then we've got [inaudible] person for the first time, so that's going to be helping a lot. So we won't have any data issues, so when you turn on the system, you're going to see the system running as it is and we'll follow these steps. Those are some controls we have created in place, Naomi. So I'm feeling more confident, but if there is any change, if there's any challenge, I'm going to come and talk to you folks about it, but so far it's good.

Rochelle:

The only thing, Naomi, I would add is, there will be go, no-go, that there will be a checklist and there'll be a go, no-go, decision actually at various stages, including the very last stage to really go through what defects are there, are we all comfortable going forward? Are we not comfortable going forward? I just wanted to mention that.

Prem:

Well, that's a great point.

Naomi:

So when would that space be then roughly?

Prem:

So the go, no-go checklist, Naomi, just to add on top of it, we typically have that as a initial step of the cut over process. What that means is, let's say we go in, we have a whole list of items, how many issues do we have, any critical issues? If there's a critical issue, then you're not going live. So we have to resolve it before we even make a decision to go live. Then we look at the number of bills, because we have a mock run. We call something as a mock cut over where you actually run the bills to see how many got produced today for the same cycle with the existing system, with the new system. So there are so many of those checks that we do, and we have to be absolutely comfortable that all of those things are taken up, and then we actually turn over the system and start the conversion.

That's a great point, Rochelle. So the go, no-go is a critical checkpoint for us, including the chain management training too, because we want to make sure everybody's trained, they understand the system. So all of that are part of the go, no-go checklist. That happens typically a couple weeks before, because of the fact that if we find an issue or whatever, like a showstopper we call it, then we will not go live. We will make sure that's addressed and then we have another go, no-go call out for the meeting. That's the pattern that we follow. But that's all part of the game. It's the same thing, we have it in the different phases of the project.

Mark:

It's a little different this time around, because if I remember correctly, we wanted changes in the program, and they work for a long time to make those changes. And knowing computer programs, you have to adapt to that program, not they adapt to you. And so, I think we're doing the stock program, so I don't think you're going to have that problem, but that was a huge problem the last time. Anybody have any other questions? Okay, seeing none. Hey, great presentation, Prem.

Prem:

Thank you. Thank you, Mark. Appreciate it. Thank you everybody for the support.

Naomi:

Thank you, Prem.

Mark:

Your team sounds like you're doing a great job.

Tony:

Thank you.

Prem:

Thank you.

Tony:

Great job.

Mark:

The report of the OCA.

Jeff:

Okay. I currently have a consumer complaint that came to my attention a couple of weeks ago. There's a gentleman who bought a property in New Haven at a foreclosure, and the foreclosure occurred back in 2020. And at the time that he bought the property, the service had been shut off. I got contacted by the customer a couple of weeks ago. I set up a Teams meeting with the Authority last week with the customer, and we had Prem. Oh, not Prem, I'm sorry. Sunny, Dana, Tiffany, and Louise were on with me and the customer. And really what it comes down to is, there's a past due balance that the customer inherited, and acknowledges that he inherited when he acquired the property at the foreclosure sale.

But the customer had a tenant in the property, and rather than working with the water Authority to get the water turned back on, the customer took matters into his own hands, turned the water on, the Authority turned it off, turned the water on, the Authority turned it off, turned the water on, and then poured concrete into the valve. So the customer, you could either categorize him as very passionate or very belligerent, and threatening all kinds of litigation. When I initially communicated with the customer, he was given my name in an email from the Water Authority. I think Tiffany gave him my name. I explained my role to him, and told him to try to focus on factual information, rather than threats.

He felt like the water Authority wasn't treating him fairly. He felt like he needed to make a decision to protect the tenant, because he wasn't getting anywhere with the water Authority. But we were on the phone or on the Teams call with this customer on Friday afternoon for over an hour, and came up with a potential framework for resolving it, which involves the customer paying the past due balance. Maybe the Authority waives the tampering charge, and he removes the concrete from the curb box. The Authority inspects it, and if it's copacetic, everybody goes their merry way. But the customer's very agitated and very threatening towards the Authority. Feels like, "Hey, Yes, I tampered with it, but I had no choice, because I didn't get any satisfaction from the Authority." I mean, the whole thing is very sketchy to be honest with you, because the timeline just doesn't fit.

I mean, he acquired the property by foreclosure and he knew there was a balance, but he said the service was on. Okay, so if the service was on and you knew there was a past due balance, and then the service was shut, you knew you turned it back on, you knew it got shut off again, you knew you turned it back on and that you filled the box with concrete. So from a consumer advocacy perspective, I'm trying

to get this resolved, but I don't like the fact that the curb box was filled with concrete. And he confessed that he did it. So this wasn't one of those, "Gee, I don't know who did that. It's just a coincidence feels." He confessed that he did it. He claims he did it to protect the tenant.

But quite frankly, somebody buys a piece of property for \$35,000 at a foreclosure sale and puts a tenant in there, they have legal obligations to the tenant. Water Authority's not a party to the lease. So I think the water Authority was within its rights to shut this service off. I think that there was tampering. I think that there was probably theft of service, but at this point, I talked to Prem a little while... I'm sorry. I talked to Sonny. I'm looking at Prem and I'm thinking about Sonny. I talked to Sonny a little while ago, and we talked about a scenario along the lines of what I described, which is the customer pays the past due balance.

Tony:

Which is how much Jeff?

Jeff:

When you take the tampering charge out, it's a couple thousand dollars.

Tony:

Okay.

Jeff:

He did make a partial payment after he acquired the property. He did pay a couple thousand dollars at that time. But like I said, the customer's talking about the water Authority doing this to other people. He owns a bunch of properties. He identified some other properties that he owns where he's been a good paying customer and hasn't had any issue with the Authority. But really, what it comes down to on this one is, he tampered with the box and he doesn't deny that, but he claims it was necessary to provide the tenant with water. He said there's a family in there, he could not have them with water. And that really is a landlord tenant issue, more than it is a water Authority customer issue. But I think we have a path to resolution, and Louise is going to communicate that to the customer, and we'll see whether the customer accepts that or not. That's the only consideration.

Mark:

Well, it's a very interesting case.

Tony:

Glad you're on it, Jeff.

Jeff:

He's very angry. He sent me a dozen emails within about an hour of when I responded to him, most of them just threatening, not giving me any factual information. And I reached out to him by phone and said, "Listen, I'm your advocate, but in order for me to be an advocate, I need factual information." And the water Authority gave me a nice chronology that goes back to 2018. And we worked through some concerns during that call. I thought it was a productive dialogue with the customer, but he vacillated between anger and coherent dialogue. But I think, like I said, we've got a path to resolution. I really

would like to get this resolved, because my concern is whenever you have a customer that's very angry, he's very articulate, he's an intelligent guy, but I just don't want there to be a lot of misinformation that causes other customers to call and question whether they have the same issue.

Because when he initially communicated with me, he did not disclose to me that service had been turned off multiple times and he manually turned it on and then filled the box with concrete. That's important information that probably distinguishes him from most customers.

Mark:

Exactly.

Stephen:

Jeff, what's the problem with keeping the water on, were they not paying the bill?

Jeff:

No, they'd been shut for nonpayment since 2018. And again, he said when he acquired the property, he knew there was a back balance. So it's incumbent when somebody buys a piece of property through... Look, I see these all the time. Somebody gets a deal at a foreclosure sale, and rather than going and paying, they see what they can get away with. He told us he paid \$35,000 for this property at a foreclosure. Obviously if you're buying, it's a single family property, but buying a piece of property with a tenant for \$35,000 in this day and age, if it's habitable, is quite a deal.

Mark:

You got that right.

Stephen:

So he didn't want to pay the... He was obligated for the balance, right?

Jeff:

He was, and he says that he wants to pay it. Of course, nothing has stopped him from paying it.

Stephen:

Yes.

Naomi:

Jeff, what is the cost that we're looking at if we decide to do this, the water company?

Jeff:

Well, if the unmetered active service fee and the tampering service fee get waived, the water Authority would get payment of about \$2,000 from the customer. As long as that line has... It gets a little bit more complicated, because we're pretty sure this is an 1898 service line. So as long as he hasn't damaged the line and the line is safe and operational, which he's adamant it is, and he can remove the concrete without damaging the valve, then there shouldn't be any additional cost to the Authority.

Stephen:

Jeff, who's obligated for the water going forward, is it the tenant or him?

Jeff:

It's him. The meter's in his name, or the LLC that bought the property's name.

Tony:

I am curious about something. How does he turn the water back on?

Jeff:

He opens the box and turns the valve.

Naomi:

It's that easy?

Mark:

He's got to have one of those tools. It's a special tool, right?

Larry:

I understand he called his plumber. His plumber turned it back on from what I understand.

Jeff:

That's right. He's got contractors for his properties and he called his plumber to take care of it for him.

Tony:

Oh, okay.

Mark:

It's got a key. It's a key. All right, like a key. But anyways, you got a good one there.

Jeff:

Yes, I mean obviously, it's a big concern when somebody fills a curb box with cement. It really messes up the Authority's ability to access that service. And I also get concerned about the tenant. The tenant doesn't know that their service could be shut off at any point in time. So if there really is a family in there, that's a concern as well.

Mark:

Well, you got a good one there, Jeff.

Jeff:

Yes, we'll get it resolved. We'll take care of it.

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Mark:

Okay, next order of business is the approval of the OCA invoice. Can I have a motion to accept the-

Stephen:

Mark, this is Steve. I have a couple of questions for Jeff first.

Mark:

Okay.

Stephen:

Okay?

Mark:

You want to bring it under new businesses to deal with this stuff?

Stephen:

I could, Yes.

Mark:

Right, why don't you wait for new business?

Stephen:

Okay.

Mark:

Approval of the OCA invoice for July.

Tony:

So moved.

Mark:

Okay, a second?

Stephen:

I'll second.

Naomi:

I'll second it.

Mark:

Okay.

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Stephen:

I'll second it.

Mark:

All those in favor?

Committee:

Aye.

Mark:

Aye. Opposed? You're going to get paid again. Okay, volunteers to attend the Authority meeting, August 24th, Steve Mongillo. Is that okay?

Stephen:

Thursday. Yes.

Mark:

And September 28th, Anthony Rescigno? Is that okay?

Tony:

I'm on, yes.

Mark:

Okay. All right, new business. Steve, did you want to ask Jeff some questions?

Stephen:

Yes, I had a couple of questions for Jeff.

Jeff:

Sure.

Stephen:

Jeff, not related to that incident. I was looking ahead at the agenda for the RPB meeting on Thursday, and there's an item on there, possible discussion of a revote. What is that about? Do you know anything?

Jeff:

Yes. My understanding is that after the RPB meeting last month and the vote on the Derby Wellfield Project, it was determined that there, instead of 51 affirmative votes, there were 50. And the issue that was presented is how to treat the vacant Brantford position that became vacant when Mario Ricozzi went over to the Five Member Authority as well as the inaudible votes or non-recorded votes of, I think

it was three RPB members who were connected via Microsoft Teams, but whose votes were not reflected in the tally.

So the question was posed to Murtha as the authorities counsel, and also Jennifer checked with me. My thought was that if the question is whether or not the RPB should revote based on the technical issues with respect to those members participating via Teams, my recommendation was to have the RPB determine whether it wants to revote. So the first question that's on that agenda is exactly that. I don't think it's for me or for the Authority to tell the RPB whether they should revote or not. I think it's up to the RPB to make that decision for itself.

Stephen:

Of course. Yes. I mean, the regulations as they were set up were very comprehensive and very good at the time, not anticipating the electronic world. So there may be other issues that need to get updated as well with regard to voting on these projects.

Jeff:

Yes. I mean, one of the questions Mark called me last week about this, one of the things that we were talking about is whether we should do something along the lines of requiring to the extent feasible and reasonably possible that members be present in person for the vote so that we don't have those kinds of technical difficulties, or have some alternative means of whether it's recessing and calling the members to have them provide us with their vote, whatever. But it's a very unusual situation.

If somebody's absent, then that's not an abstention, it's just they're absent and they're not voting either way. But this was a scenario where we could see the people. We asked, if you went back and listened to the recording, "Joe Oslander, Joe, are you there? Joe Oslander, Joe? Brian? Brian, are you there?" So we had people that were in attendance at the meeting, but their votes couldn't be recorded because of poor connections. So the fairest way that I could think to deal with it is just to let the RPB decide for itself how it wants to deal with it. And if it wants to revote, fine. If it doesn't want to revote, fine.

Mark:

Is it in our Bylaws or statutes that says once you vote on something, you can revote on it. Do you have something you can point to that says you can do that?

Jeff:

Well, it doesn't say you can't.

Naomi:

Right.

Mark:

But it doesn't say you can.

Jeff:

There's no prohibition on it, so it's an open issue.

Mark:

Is it a simple majority, or is it two thirds majority to revote an issue?

Jeff:

No, no, it's silent on this scenario. I don't think that the Rules of Practice or the Bylaws contemplate this scenario.

Stephen:

Right, it's impossible.

Jeff:

Yes. So I mean, like I said, this isn't a question of item 6B is the only item on the agenda. That's not the case. There's two items on the agenda. One is first to decide whether you want to revote. If you say yes, then you go to 6B and you revote. If you say no, then you don't reach 6B. So it's merely an RPB decision about how you want to handle the unusual circumstances where you had three members present whose votes weren't counted.

Stephen:

Okay. Yes. Okay. I got to think about that. There's a lot of factors there that you brought in, but there's no guidance in our current rules and regulations.

Jeff:

No, I mean there's no guidance for a lot of things. And really, when you're looking at bylaws, when you're looking at rules of practice, of course you first look for guidance. But in the absence of guidance, you say we're a self-regulating body. It's not like if you do something that the regulations are silent on, PURE is not going to reverse you. They don't have jurisdiction.

Mark:

But it specifically says that it's a majority of the RPB members, and it didn't make the majority. And don't you think the easiest solution here would be to represent it?

Jeff:

Well, again, I think the easiest solution is to let the RPB decide what it wants to do, because there were three members that were present and whose votes were not counted. That's all. I mean, if they weren't there, it's a non-discussion, but you guys vote however you want to vote. I mean, I just think the fairest way to do it is throw it back on the RPB's lap and say, "Okay, you were all, or those that were present understand what happened. Do you think it justifies or revote or not?"

Stephen:

You can make an argument either way. I mean, their obligation is to be available.

Jeff:

I get it. I just think it's the RPB's decision. It's not my decision.

Mark:

They also could have called those people too. They could have.

Jeff:

Yes. Well, you guys, it's on the agenda. You guys will have your discussion and vote how you'll vote.

Stephen:

Okay. Thank you.

Mark:

Thank you very much, Jeff. You got more questions?

Stephen:

Yes, I have one more question. It's a little different. With regard to the Target Two decision, because in the past, the public hearings weren't in executive session. So when this came up for a vote, there was an opportunity to discuss it to some extent. Now, what can we discuss here? I mean, in terms of what happened during that session, you can't go in-

Jeff:

You could deliberate in part in executive session. Certainly your vote has to be in public. But if you wanted to deliberate in executive session, because your discussion was going to include confidential and proprietary information, you could conduct part of the deliberation in executive session.

Stephen:

Yes. No, I'm not suggesting that. I'm just saying, what can you discuss in public? Nothing that was in executive session, correct?

Jeff:

Correct.

Stephen:

Can you ask a general question about financing, or would that be considered additional material?

Jeff:

I mean, if you were going to say, I mean, I think financing, we know that the growth fund is the vehicle, that's in the application. So I don't think that's confidential or proprietary information. I think the Authority has been very clear in the budgeting process and in the application process, how it finances these acquisitions.

Stephen:

Okay, thanks.

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Jeff:

Sure.

Mark:

Okay, thank you, Jeff.

Jeff:

Sure.

Mark:

Any other new business that come before us? Look at all the people that came to our meeting today.

Tony:

That's because you're the chair.

Mark:

Okay, next regular meeting is Monday, September 18th, 2023 at 5:30 PM. Do I have a motion to adjourn?

Tony:

So moved.

Mark:

Second?

Stephen:

I'll second it.

Mark:

Okay. Tony and Steve, thank you very much. And everybody, the meeting is adjourned. Thank you very much.