

Meeting Minutes
Eastern WUCC Meeting #15
Southeastern Connecticut Council of Governments – 5 Connecticut Avenue, Norwich, CT
August 9th, 2017 1:00 p.m.

The Eastern Water Utility Coordinating Committee (WUCC) met on August 9th, at 1:00 p.m. The meeting was held at the Southeastern Connecticut Council of Governments offices at 5 Connecticut Avenue, Norwich, CT. Prior notice of the meeting was posted on the DPH website, Eastern WUCC webpage: <http://www.ct.gov/dph/wucc/>

The following WUCC member representatives were in attendance (listed in alphabetical order of affiliation):

WUCC Member Representative	Affiliation
Kenneth Skov	Aquarion Water Company
Cindy Gaudino	Connecticut Water Company
Brad Kargl	East Lyme Water and Sewer
Rick Stevens	Groton Utilities
Raymond Valentini	Groton Utilities
Jonathan Avery	Jewett City Water Company
Eric Sanderson	Northeastern Connecticut Council of Governments
Mark Decker	Norwich Public Utilities
Samuel Alexander	Southeastern Connecticut Council of Governments
Jim Butler	Southeastern Connecticut Council of Governments
Ed Monahan	Southeastern Connecticut Water Authority
Bob Congdon	Town of Preston
Rob Simmons	Town of Stonington
Neftali Soto	Waterford Utility Commission
Jim Hooper	Windham Water Works

The following non-WUCC member representatives were in attendance (listed in alphabetical order of affiliation):

Non-WUCC Member Representative	Affiliation
Eric McPhee	CT DPH
Justin Milardo	CT DPH
Melissa Czarnowski	CT DEEP
Scott Bighinatti	Milone and MacBroom, Inc.

A copy of the meeting agenda is attached. A copy of the presentations (including Connecticut State Water Plan presentation) given at the meeting will be available for download from the Eastern WUCC webpage.

The following actions took place:

1. Welcome & Roll Call

The meeting was called to order at 1:07 PM by Tri-chairs Mark Decker (Norwich Public Utilities), Bob Congdon (Town of Preston), and John Avery (Jewett City Water Company). All in attendance stated their names and affiliations.

2. Approval of July Meeting Minutes

Mr. Avery asked for comments and changes to the July Meeting minutes. There were none. Mr. Congdon made a motion to accept the July Meeting as presented. Ed Monahan (Southeastern Connecticut Water Authority (SCWA)) seconded the motion. The motion carried with two abstentions (Mr. Monahan and Rick Stevens (Groton Utilities)).

Scott Bighinatti (Milone & MacBroom) began a PowerPoint presentation and reviewed the progress of the WUCC to-date, as well as the items that would be addressed at the meeting.

3. Formal Correspondence

Samuel Alexander (Southeastern Connecticut Council of Governments (SCCOG)) described the formal correspondence sent and received by the Eastern WUCC.

- Mr. Alexander stated that the Integrated Report Planning Elements document was finalized and copies were sent to all WUCC members on July 26th, along with a data request for responses to discussion prompts for Integrated Report modules #4-7.
- Mr. Alexander stated that responses to Integrated Report discussion prompts were received from seven WUCC members.
- Mr. Alexander stated that all three WUCCS received a letter from the Connecticut Department of Public Health (CT DPH) dated August 8th, regarding guidance for response to questions raised by Margaret Miner, Executive Director, Rivers Alliance.
 - Eric McPhee (CT DPH) explained that Ms. Miner had sent correspondence to the Central WUCC and had raised parallel questions at Eastern and Western WUCC meetings. Mr. McPhee stated that the intent of the letter was to guide the Central WUCC's response to Ms. Miner's questions and to give guidance to response to any future correspondence to the Eastern and Western WUCCs.
 - Mr. Decker asked if the letter was sent to Ms. Miner.
 - Mr. McPhee explained that it was not—the Central WUCC would respond using the letter as guidance. Mr. McPhee also explained that the Western WUCC considered posting the letter publicly, but ultimately decided it would not be appropriate since the e-mail correspondence from Ms. Miner is not published and the letter would lack context.
 - Mr. Congdon asked if there was any needed action by the Eastern WUCC or if the issue would only be handled by the Central WUCC.
 - Mr. McPhee explained that the e-mail correspondence was only sent to the Central WUCC and that it was assumed the Central WUCC would handle the response.
 - Mr. Avery explained that some questions in the response concern the manner in which the WUCCs operate and clarified that there are certain differences between the three WUCCS in regards to establishing and changing Exclusive Service Area (ESA) boundaries.

- Mr. Bighinatti stated that the work plans of the three WUCCs are essentially the same because they are statute- and regulation-driven, whereas the bylaws are different in a number of areas. Mr. Bighinatti suggested that he may help the WUCC type a letter that references the CT DPH memo.
- Jim Butler (SCCOG) voiced his concern over responding to correspondence that was never sent to the Eastern WUCC. Mr. Butler explained that Ms. Miner raised questions at the July meeting, and that they were answered then.
- Mr. Bighinatti suggested that the WUCC could update the ESA Frequently Asked Questions document to incorporate responses to the new questions.
- Mr. Butler suggested that the WUCC update Frequently Asked Questions document, then send a letter referencing it if any correspondence is received.
- Mr. Bighinatti noted that he recalled that the original correspondence was sent to the Western WUCC in May, but could not immediately recall if it was also forwarded to the Eastern WUCC. He stated he would check his records and report back to the Chairs.

4. Public Comment Period

Mr. Avery asked if there were any comments from the public. There were none.

5. ESA Modifications Discussion/Update

Mr. Bighinatti explained that Josh Cansler of SCWA had discussed potential ESA modifications with the Montville WPCA and Norwich Public Utilities. Mr. Bighinatti asked if Mr. Decker had anything to add.

- Mr. Decker stated that he had spoken with Mr. Cansler and Brian Lynch of the Montville WPCA and that the parties had come to some initial consensus regarding how ESA modifications may be handled in the Town of Montville. Mr. Decker added that he had also had conversations with the Town of Franklin. In all cases the basis for the desired ESA modifications in Franklin and Montville was to better represent the actual areas served in those towns. Letters describing the requested changes will be sent for consideration by the various boards/authorities.
- Mr. Monahan concurred that discussions were ongoing but any agreement would likely need to be approved by the respective boards.
- Mr. Bighinatti thanked the parties for the updates and noted that this would continue to be a regular agenda item to keep the WUCC posted.

6. Presentation by DPH on Revised Water Supply Planning Guidance Related to Public Act 17-211

Mr. Bighinatti explained that this agenda item was postponed and proposed that it be placed on the September agenda. Mr. McPhee concurred that CT DPH was planning to have the presentation in September.

Mr. Bighinatti explained that Connecticut Water Works Association (CWWA) will host a *Water Security Workshop* on September 6th, 8:30-11:30 AM, Hartford, CT. Mr. Bighinatti explained that the workshop will include an overview of the impacts of Public Act 17-211.

7. Integrated Report Topics

Mr. Bighinatti continued the PowerPoint presentation, discussing the schedule for Integrated Report topics. Mr. Bighinatti explained that the WUCC is still requesting information from members, by email, in advance of each meeting. Mr. Bighinatti stated that modules #4-7 would

be discussed at the current meeting and modules #8-10 will be discussed at the September meeting.

Source-water Protection

Mr. Bighinatti discussed module #4, Source Water Protection. Mr. Bighinatti explained the different ways in which utilities and smaller public water systems protect groundwater supplies (stratified drift and bedrock wells) and surface-water supplies in Connecticut.

Mr. Bighinatti asked Rick Stevens (Groton Utilities) about the Drinking Water Quality Management Plan effort in 2008 and to share some lessons learned.

- In regards to reservoir protection, Mr. Stevens explained that the Town of Groton, the City of Groton, Groton Utilities, and the Towns of Ledyard and Preston had worked with CT DPH to develop a Drinking Water Quality Management Plan (<http://www.dwgmp.com>) for Groton Utilities reservoirs. Mr. Stevens explained that results of the plan ultimately included changes in zoning in the Groton and Ledyard, and led to improved relations between the municipalities and the utility.

Mr. Bighinatti asked the Tri-chairs if they would like for him to discuss module responses received prior to holding a general discussion, or vice versa. It was discussed and decided that Mr. Bighinatti would overview each topic, discuss the responses received from WUCC members, then the WUCC would have a general conversation.

Mr. Bighinatti reviewed responses to module #4 discussion prompts from Aquarion Water Company, Connecticut Water Company, Jewett City Water Company, North Willington Village Condominium Association, Norwich Public Utilities, SCWA, and Windham Water Works, and discussed module #4 with WUCC members.

- In regards to surveillance, Ken Skov (Aquarion Water Company) explained that Aquarion Water Company has only recently started to use drones to monitor land around reservoirs, primarily for security purposes.
 - Mr. McPhee stated that water utilities are allowed to enter private properties within their watershed to check for pollution.
 - Mr. Bighinatti suggested that many smaller utilities do not seem to know that they have that right and suggested that additional outreach may be necessary.
 - Mr. McPhee explained that the CT DPH will be presenting a training course at the Metropolitan District Commission (MDC) Training Center in Hartford, on September 19th, which will explain *what to look for* as a utility when conducting inspections for potential pollution on properties in a watershed. Utilities were encouraged to attend this training.
- In regards to recommendations, Cindy Gaudino (Connecticut Water Company) explained that many utilities feel that the State's Affordable Housing Appeals Procedure ("§8-30g") should be amended to give consideration to source-water protection. Ms. Gaudino stated that the law, as written, allows higher-density development in watershed areas that may be zoned for lower-density.

- In regards to source-water protection resources, Jim Hooper (Windham Water Works) stated that the Green Valley Water Advisory Committee had helped in doing water quality testing and species testing.
 - Mr. Bighinatti added that there are a number of environmental organizations that can act as resources for source-water protection.

- Rob Simmons (Town of Stonington First Selectman) asked about the involvement of Westerly Water Department, explaining that the company serves the village of Pawcatuck in Stonington.
 - Mr. Bighinatti explained that Westerly Water Department is a WUCC member but that the WUCC has not received responses to discussion prompts from Westerly Water Department. Mr. Bighinatti added that Westerly Water Department is in an interesting position because their sources are regulated by the State of Rhode Island.
 - Mr. Bighinatti also explained that previous correspondence from Westerly Water Department during the former Southeastern WUCC process indicated that their opinion was that the permitting burden is especially high in Connecticut, which may reduce willingness to locate new sources in the State (of which there are none currently active).
 - Mr. Neftali Soto (Waterford Utility Commission), who was formerly an employee of Westerly Water Department, concurred with this assessment.

- In regards to land development within watershed areas, Ms. Gaudino explained that local politics can present an issue in that town leaders are often pushing economic development goals that use water or are in watershed areas. Ms. Gaudino added that detractors of these projects often try to pull the water utility onto their side of the issue.
 - Mr. Avery echoed the comment, stating that economic development is especially important in Jewett City since many industries have left.

- In regards to land acquisition, Mr. McPhee stated that Rhode Island uses a model in which utilities are able to assess a surcharge that is placed into a land-acquisition fund. Mr. McPhee asked generally for the WUCC's feeling on this model and if it could be possible in Connecticut. Mr. McPhee clarified that the money is pooled into a state-wide fund and that utilities individually apply to use the funds.
 - Mr. Decker explained that he believes additional State costs applied to Norwich Public Utilities' bills would not be viewed favorably by the rate payers.
 - Mr. Avery explained that Jewett City Water Company (JCWC) owns about 97% of the land around its reservoir and a large part of the land around its wells. Mr. Avery explained that JCWC's economic model allowed the company to acquire the land. Mr. Avery added that the Aquifer Protection Area program helps too in protecting their groundwater supplies.
 - Mr. Decker stated that JCWC's model is effective because it is a company using its own money, rather than pooled money at the State-level.
 - Mr. Hooper stated that such a program or rate model would be beneficial to Windham Water Works, especially since their source-water area is so large.
 - Mr. Bighinatti asked Mr. McPhee about the tools and guidance available to municipal public utilities, through CT DPH, for rate setting.
 - Mr. McPhee explained that CT DPH is able to give technical assistance, discuss full-cost pricing, sustainability, and cost appreciation, so that water utilities can advocate for rate increases and explain the benefits of a surcharge to town leadership.

- It was generally agreed that such a surcharge may be permissible if authorized by the legislature, but only if the money was collected by, retained by, and used by the billing utility. This would be more palatable than customer money being used for source water protection “on the far side of the state”.

Joint Use, Management, or Ownership of Facilities; Shared Resources

Mr. Bighinatti discussed module #5, Joint Use, Management, or Ownership of Facilities; Shared Resources. Mr. Bighinatti explained the different ways in which utilities and municipalities provide assistance to one another and share resources.

Mr. Bighinatti reviewed responses to module #5 discussion prompts from Aquarion Water Company, Connecticut Water Company, Jewett City Water Company, North Willington Village Condominium Association, Norwich Public Utilities, SCWA, and Windham Water Works, and discussed module #5 with WUCC members.

- In regards to shared purchasing, Mr. Hooper stated that the Town of Windham had partnered with a number of neighbor towns, using the Intertown Capital Equipment Purchase Incentive Program through the State Office of Policy and Management (OPM). Mr. Hooper explained that a challenge to using this program is that certain types of equipment is often in high-demand during the warmer months.
- In regards to mutual-support agreements, Mr. Avery explained that JCWC has informal agreements with neighboring utilities and that good relationships with other utilities has been key to their success. Mr. Avery added that utilities should get involved and form strong relationships at various meetings, stating that the WUCC is a great platform for facilitation.
- In regards to mutual-support agreements, Mr. Decker stated that the Connecticut Water Agency Response Network (CtWARN) is very beneficial to smaller utilities. Mr. Decker also stated that Atlantic States Rural Water and Wastewater Association is an excellent resource to members, especially smaller community systems, and that they provide expertise and equipment for little or no cost beyond the cost of membership. Mr. Decker suggested that the WUCC identify similar resources for the full range of water utility types and sizes in the Eastern region in the Integrated Report.

Fire Protection

Mr. Bighinatti discussed module #6, Fire Protection. Mr. Bighinatti explained the different ways in which utilities provide fire protection.

Mr. Bighinatti reviewed responses to module #6 discussion prompts from Aquarion Water Company, Connecticut Water Company, Jewett City Water Company, Norwich Public Utilities, SCWA, and Windham Water Works, and discussed module #6 with WUCC members.

- In regards to payment for fire hydrant development, Mr. Butler asked why a town would be responsible for development of fire protection in an existing system, as opposed to rate payers.

- Mr. Congdon explained that the Town of Preston extended a water main to an area of town with brackish water and that the Town paid to place hydrants every 500 feet because the Town desired fire protection in that area.
 - Mr. Butler asked why the costs of fire protection would not be assessed to lots benefiting from a main extension.
 - Mr. Bighinatti explained that many water main extensions that pass through rural areas do not consider the future provision of water to undeveloped land because many people in town would like to see those areas remain rural. Therefore, and particularly for private utilities extending water mains, assessments of adjacent land are not used. Mr. Bighinatti explained that in some instances projects would not get approved (for instance, at a Town Meeting) if a main extension included fire protection and drinking water provision for rural areas along the route.
 - Mr. Bighinatti added that SCWA, for instance, does not have the storage capacity to provide fire protection, which would require significant upgrades.
 - Mr. Monahan explained that SCWA customers are sensitive to increased costs, especially since a number of the towns in which SCWA serves also have WPCAs that provide water with improvements partially funded through taxes. In those cases, customers without fire protection are essentially paying, through property taxes, for fire protection in areas served by the WPCA.
 - Mr. Butler explained that if a municipality is paying for fire protection, as opposed to rate payers, then all tax payers are paying for the system. Mr. Butler clarified that he believes the recipients of the benefit should pay.
 - Mr. Avery explained that the Town of Griswold pays for JCWC's hydrants but that JCWC maintains them. Mr. Avery explained that a developer wishing to extend a main must get permission from the Town for fire protection. Mr. Avery added that the fire department in Griswold needs to be versatile since most of the town does not have fire hydrants.
 - Mr. Butler asked about the payment for water used in fighting a fire. It was explained that the water utility absorbs the cost and reports the water used as non-revenue water.
- In regards to coordination and planning, Mr. Simmons asked to what extent water utilities, municipalities, and fire departments have agreements, memorandums of understanding, or liability insurance.
 - Mr. Butler pointed out that most fire companies in southeastern Connecticut are independent from the municipality, and many are largely volunteer-run. Mr. Butler stated that he suspects there are few formal agreements.
 - Mr. Avery explained that, since JCWC owns its hydrants, the company's insurer acts as an arbitrator if there is any sort of accident involving a contractor, the municipality, or the fire department.
 - Mr. Decker explained that Norwich Public Utilities does not charge the city for the use of its hydrants. Mr. Decker added that occasionally volunteer fire departments cause damage to fire hydrants due to the level of training. Mr. Decker also stated that it is important to communicate with fire departments about drill scheduling since significant drills can mimic large main breaks.
 - Mr. Hooper explained that Windham Fire Department calls after using hydrants so that Windham Water Works can inspect the hydrants.

Water Conservation, Drought Planning, High Volume Users, and Increasing Peaking Ratios

Mr. Bighinatti discussed module #7, Water Conservation, Drought Planning, High Volume Users, and Increasing Peaking Ratios. Mr. Bighinatti explained the different ways in which utilities conserve water and plan for droughts.

Mr. Bighinatti reviewed responses to module #7 discussion prompts from Aquarion Water Company, Connecticut Water Company, North Willington Village, Norwich Public Utilities, SCWA, and Windham Water Works, and discussed module #7 with WUCC members.

- In regards to drought planning, Mr. Stevens stated that Groton Utilities has developed a Reservoir Drought Operation Plan, in addition to its required Reservoir Operation Plan. Mr. Stevens explained that Groton Utilities was able to pump water from one reservoir into another when water levels were low. Mr. Stevens clarified that Groton Utilities has multiple adjacent reservoirs feeding into one main reservoir.
 - Mr. Decker stated that Norwich Public Utilities' reservoirs are dispersed, making this type of solution not feasible in Norwich.
- In regards to Connecticut Department of Energy and Environmental Protection (CT DEEP) Streamflow Regulations, Mr. Decker stated that he is unsure of the impact that the Streamflow Regulations will have on their available water supply and that modeling will be needed to determine the effects at different drought triggers. Mr. Decker added that customers do not always take drought advisories seriously.
- In regards to storage, Mr. Avery stated that JCWC is considering an extra storage facility to make it easier to deal with drought triggers. Mr. Avery explained that it is costly to pump water from its low-lying wells to supplement the reservoir supply during a drought, and that it could be more cost-effective to pump water into a storage facility for use or transfer during a drought.
- In regards to conservation, Mr. Skov stated that customers rarely react to requests for voluntary water conservation but have seen better response when mandatory actions are instituted. Mr. Skov also explained that in some areas of the state, water conservation is especially important because reservoirs with small watersheds fill at a much slower rate, and that these reservoirs tend to be in populated areas.
- Mr. Butler asked if the WUCC would be following up with non-responsive members to gain answers to discussion prompts.
 - Mr. Bighinatti explained that letters have been sent to all utilities and that members would have secondary opportunities to respond as the Integrated Report is being drafted.
 - Mr. Butler suggested that the Tri-chairs could reach out to larger utilities that have not responded.
 - Mr. Stevens reported that Groton Utilities would be submitting its responses soon.
 - Mr. McPhee explained that CT DPH would be conducting interviews with smaller systems in order to get responses to questions.

8. Other Business

Mr. Bighinatti presented a sample agenda for the September 13th meeting and asked for potential additions, noting that the discussion of Public Act 17-211 is included on the draft agenda. There were no other additions to the agenda at this time.

Mr. Soto stated that an organization called the Environmental Working Group recently released a report that included misleading information about pollutants in drinking water, which was carried by a number of news stations. There was discussion about the Environmental Working Group's report and the negative impact that misleading data could have on public perception of drinking water.

- Mr. McPhee suggested that utilities fielding calls from customers regarding that report should direct them to CT DPH's (860) 509-7333 number.

Mr. Butler made a motion to adjourn the meeting. Mr. Avery seconded the motion. The meeting was adjourned at 3:12 PM

Respectfully submitted,

Samuel Alexander (Southeastern Connecticut Council of Governments)
Recording Secretary