

Meeting Minutes
Eastern WUCC Meeting #11
Northeastern Connecticut Council of Governments – 125 Putnam Pike, Killingly, CT
April 12th, 2017 1:00 p.m.

The Eastern Water Utility Coordinating Committee (WUCC) met on April 12th, at 1:00 p.m. The meeting was held at the Northeastern Connecticut Council of Governments offices at 125 Putnam Pike, Killingly, 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
Keith Nadeau	Connecticut Water Company
Rick Stevens	Groton Utilities
Ray Valentini	Groton Utilities
Brendan Avery	Jewett City Water Company
Jonathan Avery	Jewett City Water Company
Chris Clark	Mohegan Tribal Utility Authority
Eric Sanderson	Northeastern Connecticut Council of Governments
Mark Decker	Norwich Public Utilities
Samuel Alexander	Southeastern Connecticut Council of Governments
Josh Cansler	Southeastern Connecticut Water Authority
Mike Cherry	Town of Ledyard WPCA
Ed Lynch	Town of Ledyard WPCA
Jerry Beausoleil	Town of Putnam
Paul Deveny	Windham Water Works

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

Non-WUCC Member Representative	Affiliation
Lori Mathieu	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 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 1:04PM by Tri-chair Mark Decker (Norwich Public Utilities).

All in attendance stated their names and affiliations.

2. Approval of January Minutes

Mr. Decker asked for comments and changes to the March Meeting minutes. There were none.

Mike Cherry (Town of Ledyard WPCA) made a motion to accept the March Meeting minutes as presented. Josh Cansler of Southeastern Connecticut Water Authority (SCWA) seconded the motion. The motion carried with one abstention (John Avery).

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 a notification dated March 8, 2017 regarding the availability of the Preliminary Exclusive Service Area (ESA) document was sent to WUCC members, municipal officials, local health officials, Councils of Governments, interested parties, and consulting state agencies.
- Mr. Alexander stated that a draft Statement of Confirmation was sent to existing and proposed ESA holders in the Eastern WUCC region on March 28th for review and comment.
- Mr. Alexander stated that a letter was received on April 7th from Pat Bernardo of the Town of Putnam/SUEZ, announcing his resignation from his Tri-chair position with the WUCC. Mr. Alexander explained that Mr. Bernardo resigned due to changing work responsibilities.
 - WUCC members expressed a great deal of gratitude for Mr. Bernardo's service and dedication over the last ten months.
 - Jonathan Avery (Jewett City Water Company) asked if there was a requirement for the WUCC to have three chairs.
 - Scott Bighinatti (Milone & MacBroom, Inc.) explained that the WUCC may operate with either co-chairs or tri-chairs per the Bylaws, but that having tri-chairs helps to ensure an official meeting, since there is a requirement that at least two officers be in attendance. Mr. Bighinatti also explained that nominations and votes on a new Tri-chair can be considered at the next meeting, since there is a requirement that election of officers be noticed.
 - The WUCC members expressed preference for a Tri-chair from a northern town. Members also clarified that a specific individual must serve as an officer, not an organization. *Therefore, a WUCC member (utility or town) could not send different representatives to attend separate meetings, with each of those representatives serving as a Tri-chair for that meeting, alone. A Tri-chair would need to be one person.*

4. Public Comment

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

5. Review of Public Comments on Preliminary ESA Document

Mr. Bighinatti began a PowerPoint presentation and explained the process to-date for establishing ESAs in the Eastern WUCC and other WUCCs, and explained the process moving forward.

Mr. Bighinatti reviewed a state-wide map of ESAs and preliminary ESAs established to-date.

- Mr. Cherry asked if there would be an interactive map at the parcel level alongside the static state-wide map that could better serve for land use planning purposes.
 - Mr. Bighinatti explained that the state-wide map was informational and that town-level mapping is statutorily restricted to 1:50,000 scale for the purpose of the ESA document. Mr. Bighinatti explained that ESRI Shapefiles will be posted to the Connecticut Department of Public Health (CT DPH) website in June and that ESA holders will have the opportunity to provide more accurate data to CT DPH. Mr. Bighinatti continued, explaining that adjacent ESA holders could better define their boundaries using parcels or other data, which would assist town-level planning.
- Mr. Avery asked about unassigned areas in northwestern Connecticut, in the Western WUCC.
 - Mr. Bighinatti explained that certain communities in the Western WUCC expressed concerns over having ESA boundaries established in low-density portions of their towns, requesting many areas to remain unassigned.

Mr. Bighinatti reviewed public comments received for the Preliminary ESA document.

- Mr. Bighinatti explained that the Connecticut Department of Energy and Environmental Protection (CT DEEP) encourages the WUCC to keep ESA designations of CT DEEP lands as-is in the final document. Mr. Bighinatti stated that, currently, the Eastern WUCC has left CT DEEP land unassigned in its northern towns and has noted on the maps for its southern towns that previously established ESAs may not be enforceable on CT DEEP lands.
 - Mr. Avery asked if CT DEEP lands were being treated the same across the three WUCC regions.
 - Mr. Bighinatti explained that they were treated the same in terms of the language noting that ESAs may not be enforceable on CT DEEP lands, but that the northern towns in the Eastern WUCC were unique in that all CT DEEP lands were left unassigned in mapping.
- Mr. Bighinatti stated that Aquarion Water Company submitted comments identifying an error with the ESA map for the Town of Stonington.
- Mr. Bighinatti stated that CT DPH submitted a comment stating that the Preliminary ESA document met the regulatory requirements of RSCA 25-33h-1(d)(B).
- Mr. Bighinatti stated that minor corrections were received from SCCOG.

- Mr. Cherry mentioned that, in respect to comments received from Aquarion Water Company, there may be additional updates needed to ESA maps in the region's southern towns. For example, the Ledyard map has an area where labels appear to be obscured. Mr. Bighinatti made a note to correct the map.
- Mr. Avery commented on the use of colors in the town-level ESA maps, stating that ESA holders are clearly delineated.

6. Consider and Approve Statement of Confirmation to be Submitted to ESA Holders for Signature

Mr. Bighinatti continued the PowerPoint presentation, reviewing the draft Statement of Confirmation for ESA holders.

Mr. Bighinatti stated that there were several potential modifications that may be made to the first page of the draft Statement of Confirmation, based off of suggestions from the Western WUCC. Mr. Bighinatti continued, stating that the Western WUCC chose to place the Statement of Confirmation on letterhead; corrected two typos, replacing "with" with "within", in Section 2 of the document; clarified that the referenced, official ESA maps were physical maps contained within the ESA document and not shapefiles; and moved a reference to RSCA 25-33h-1(k)(2) to the beginning of Section 2, from the end of Section 2.

- It was generally agreed that the changes made by the Western WUCC were applicable to the Eastern WUCC.

Mr. Cherry expressed concern with third paragraph of the Statement of Confirmation, which beings, "*Whereas, the Eastern Connecticut WUCC has reviewed...*" Mr. Cherry explained that the presented language could cause confusion, making it seem that there would be no future ESA-boundary conflicts.

- Mr. Bighinatti explained that the same language was used in initial Statements of Confirmation by the former Southeast WUCC, in which ESAs were not yet established, at the time, and was carried forward.
- There was additional discussion about ESA conflict resolution, the meaning of the third paragraph of the Statement of Confirmation, and potential modifications to the paragraph to reduce confusion and allow for future ESA boundary modification. It was agreed that the WUCC would modify the third paragraph to read: "*Whereas, the Eastern Connecticut WUCC has reviewed the declared ESA boundaries and confirms that they have been developed and accepted through a process established by the WUCC; and*".

Mr. Bighinatti explained that the Western WUCC chose to add additional space for writing map reference numbers on page two of the Statement of Confirmation. Mr. Bighinatti explained that in the Western WUCC also asked that the ESA document include detailed tables in the Map Index (Appendix C, page C-3 of the Preliminary ESA document) relating map numbers to ESA holders and, vice versa.

Mr. Bighinatti stated that the Eastern WUCC is asking ESA holders to return signed Statements of Confirmation by June 2nd, and that DPH has requested hardcopies.

- Mr. Cansler asked when the Statements of Confirmation would be sent.
 - Mr. Bighinatti stated that they would be sent this week.

- Mr. Decker asked if any adjustments made to ESA boundaries would require new Statements of Confirmation to be signed.
 - Mr. Bighinatti stated that new Statements of Confirmation would need to be made to reflect ESA boundary map changes.
 - Mr. Decker expressed concern, stating that maps created by the former Southeastern WUCC contained errors, referencing an instance where existing service areas protrude into adjacent ESAs.
 - Mr. Bighinatti explained that the existing service areas presented on the ESA boundary maps were informational, and that as long as ESAs in unserved areas do not change, no changes will be needed to the Statements of Confirmation.

- Mr. Bighinatti stated that there are multiple ESA holders that have not been involved in the WUCC process to-date, and that he is hoping to reach them so that they may sign Statements of Confirmation.

Mr. Cherry asked if a motion was needed to confirm the Statement of Confirmation as edited. Mr. Bighinatti presented a sample motion for consideration.

- Mr. Decker asked if the contemplated changes should be referred to all WUCC members and ESA holders.
 - Mr. Cherry suggested that a motion be to “approve the Statement of Confirmation as amended, to be distributed to ESA for signature, with amendments to be confirmed by the Eastern WUCC Chairs”.
 - Mr. Cherry made a motion to approve the Statement of Confirmation as amended, to be distributed to ESA for signature, with amendments to be confirmed by the Eastern WUCC Chairs. The motion was seconded by Rick Stevens. The motion carried unanimously.

7. Integrated Report Topics- Water Conservation

Mr. Bighinatti continued the PowerPoint presentation highlighting the Integrated Report Topics that will be discussed in the coming meetings. Mr. Bighinatti then discussed the topic of Water Conservation, and regional information related to large utilities’ use of demand management, rate structures, public education, and supply management within the Eastern public water supply management area overseen by the Eastern WUCC.

Mr. Bighinatti continued, and discussed water conservation policies included in the State Water Plan: Water conservation education and outreach; adopting water conservation incentives (to be used by utilities); tracking passive conservation savings (state database); support water management (auditing) activities for water providers; exploring incentives for outdoor water conservation measures (e.g. tax-credit program); supporting local water ordinances (drought response); evaluating barriers to green building and infrastructure; strengthening partnerships (between industry groups); considering state-led conservation planning programs.

- Mr. Decker asked about the State Water Plan’s public comment period.
 - Mr. Bighinatti responded that the plan is expected to be completed in May, and asked Lori Mathieu (CT DPH) for further information.

- Ms. Mathieu stated that there is a meeting of the Water Planning Council on April 19th and that the final public workshop for the State Water Plan is on April 20th. Ms. Mathieu also stated that a public forum will be held in May, in New Britain. Ms. Mathieu continued, and stated that a public comment period on the draft State Water Plan, as it is completed, will begin in July and end in September, with the final State Water Plan being due to the State Legislature by January 1st, 2018.
- Mr. Decker asked if the WUCC may provide formal comments to the State Water Plan, particularly in regard to water-conservation policies.
- Mr. Bighinatti stated that the WUCC may want to consider doing this.
- Ms. Mathieu suggested that a representative of the State Water Planning Council should attend a WUCC meeting to brief the WUCC on the State Water Plan and provide for questions and answers.
- Mr. Decker agreed that the idea would be beneficial to both the Integrated Report and the State Water Plan.

Mr. Decker asked for other comments relative to Mr. Bighinatti's presentation. There were none.

8. Other Business

Mr. Bighinatti presented a suggested agenda for the May meeting. Mr. Bighinatti suggested that the working of item #5, which concerned election of a replacement Tri-chair, be changed to allow for a vote.

- Mr. Cherry asked if Mr. Bighinatti anticipated major changes to the Preliminary ESA document.
 - Mr. Bighinatti responded that he did not anticipate major changes.
 - Ms. Mathieu commended the WUCC for their hard work to-date in their process.

Mr. Cherry made a motion to adjourn the meeting. Ken Skov (Aquarion Water Company) seconded the motion. The meeting was adjourned at 2:09PM.

Respectfully submitted,

Samuel Alexander (Southeastern Connecticut Council of Governments)
Recording Secretary