

South Central Connecticut Regional Water Authority  
Representative Policy Board  
**Joint Committee on Enabling Legislation**  
Minutes of the November 30, 2023 Special Meeting

The special meeting of the South Central Connecticut Regional Water Authority (“RWA” or “Authority) Representative Policy Board (“RPB”) Joint Committee on Enabling Legislation (“Committee”) took place on Thursday, November 30, 2023 at 90 Sargent Drive, New Haven, Connecticut, and via remote access.

Present: **Committee** – Messrs. Curseaden, Havrda, Levine (remote), Marino (remote), Rescigno (remote), and Slocum  
**RPB** - Mr. Harvey (RPB Chair)(remote)  
**Authority** – Messrs. Borowy, Curseaden, and Ricozzi (remote)  
**Management** – Mss. Kowalski and Blevins, and Messrs. Bingaman and Lakshminarayanan  
**Murtha Cullina** – Atty. McDermott (remote) and Atty. Herrera-Soto (remote)  
**Office of Consumer Affairs** (“OCA”) – Atty. Jeffrey Donofrio  
**Staff** – Mrs. Slubowski

Mr. Harvey called the meeting to order at 5:00 p.m. He reminded members that the Safety Moment was previously distributed and should be reviewed.

On motion made by Mr. Havrda, and seconded by Mr. Slocum, the Committee voted unanimously to appoint Mr. Levine as Chair.

Chair Levine acknowledged Mr. Bingaman, the RWA’s President and Chief Executive Officer, and Mr. Bingaman, introduced Ms. Blevins, the RWA’s Government & Community Affairs Manager who provided a timeline of dates and deadlines. She stated that in order for changes to the RWA’s Enabling Legislation to be considered, they would need to be submitted to the legislative committee no later than mid-January.

Mr. Bingaman reviewed proposed changes with Committee members. He stated that the following suggestions are technical corrections to update punctuation, spelling, other technical modifications, and there is one critical time sensitive modification related to interest on past due balances:

1. Section 2, page 3 to clarify explicitly RWA authorization to conduct its non-core business outside of Connecticut.
2. Correcting typographical error in Section 4 page 6 (word “timber”)
3. Allowing the interest rate to be applied to past due bills after the 28<sup>th</sup> day, which is a critical as this will allow the RWA to conform to the standard configuration of the new CIS system. He also stated that the new manner of calculating interest would have a favorable impact on interest charges.
4. Combining and moving paragraphs in Section 18 and fixing a grammatical error.
5. Comporting section 19 to section 18, to exclude vacancies when calculating the total weighted votes of the RPB membership needed to approve various items.
6. Spelling correction in Section 22 page 31.
7. Word correction in Special Act 03-12 page 40.

He stated the following proposed amendments would require further discussion:

1. The option for the Authority to meet at least quarterly, consistent with the RPB requirement currently in the Enabling Legislation.

2. Increasing the Authority board to seven (7) members, providing certain exclusions to appointment, and with no less than five (5) members required to be residents of the district. Mr. Bingaman provided examples of potential exclusions. Requiring four (4) members of Authority to establish a quorum rather than the current three (3), which is appropriate for seven (7) members. (Section 9 page 8)
3. Raising the current \$2 million threshold to \$4 million for RPB approval of capital projects as well as increasing the non-core \$1 million threshold to \$2 million in Section 19.
4. Raising the question if the word “improvements” should be further clarified and the concern regarding referencing only the water system
5. Increasing the threshold for RPB approval of a project would also need to be increased in Section 30.

Mr. Bingaman also reported that a prior RPB member had raised a question regarding Section 22. This verbiage is being reviewed for potential modification.

Discussion ensued regarding the proposed modifications and the associated rationale. The discussion primarily related to the proposals regarding Authority board membership, allowing up to two out of district members, and potential exclusions as well as increasing the threshold of RPB approvals related to capital projects and non-core business.

Chair Levine acknowledged Atty. Donofrio, Office of Consumer Affairs, who provided his input on two of the proposed changes related to the increase in the threshold for RPB approvals related to non-core businesses and his perspective on the proposed exclusions to Authority board membership. While he stated his concerns relative to these particular proposals as presented, he also suggested alternatives to be considered. For example, he suggested a factor incorporated that would allow the RPB to approve increases to the non-core business threshold at a future time as well as a potential alternative to certain of the proposed Authority board exclusions.

Atty. Donofrio stated his support for the remaining suggested changes.

Ms. Blevins reported that she consulted with the RWA’s lobbying firm and they believed the proposed modifications that were shared, were not controversial. However, she stated that if the enabling legislation is open for changes this year, it should not be revised again for a few years. She also highlighted that the changes will be required to go through the committee and must be approved by the full committee in order for the bill to move forward. When the changes are finalized, district representatives will be contacted for feedback.

Committee members discussed changing the language related to RPB and Authority compensation currently in the enabling legislation.

After discussion, it was determined that Ms. Blevins would contact the lobbying firm to discuss the proposed adjustments to compensation.

After discussion, it was determined that RPB Committees will review the proposed changes with management at their December meetings.

The next meeting of the Committee will take place on Wednesday, December 20, 2023 at 5:00 p.m.

At 6:13 p.m., on motion made by Mr. Rescigno, and seconded by Mr. Harvey, the Committee voted unanimously to adjourn.

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Mark Levine, Chair