

**Representative Policy Board
Bylaws and Rules Review Committee
South Central Connecticut Regional Water District
Via Remote Access**

**October 7, 2020 at 5:00 p.m.
Meeting Transcription**

ATTENDEES: **Committee Members: M. Ricoszi, D. Borowy, T. Clifford, C. Havrda, S. Mongillo, T. Norris, and S. Sack**

RWA: H. Shah

OCA: J. Donofrio, Esq.

Staff: J. Slubowski

Mario:

How are you, Tom? Good, good. David is still frozen? No, he's unfrozen now. Okay. I think this might be it. I think everyone else you have on the list, Jen, is internal, and you were just trying to let them know we were going to attempt to do all kinds of bad things. Okay. Very good. Welcome, everyone. Our safety moment for today is fire safety awareness. Time to make sure your smoke alarms are ready and throw out those candles and the incense; they're very bad. Get the fake ones that look like real candles, and don't leave your cooking unattended. Cuts on the smoke alarms. That's one good way to test a smoke alarm, I guess, Jen, so thank you very much.

Mario:

It's been a while since we got together because we got together prior to COVID, as I recall, and things have been a little hectic since then. Figured it's time to get back together and try this moving forward. So what I wanted to try and do is focus on the capital project process, especially since Ted has it all locked upstairs, as Suzanne has said, and take a quick look and see what in the whole process can be done to shorten it. Currently, we're about a four-month timeframe in doing that. And four months may be the right time but at least we can investigate that, and also to look at what other requirements we have around that process, and make sure that we... we're able to do it efficiently and effectively, and if we need to change our rules or our by-laws to do it, then at least we can do that.

Mario:

So if we want, we can start the processes for projects over 2 million land transfers and if it already comes up with a \$1 million non-corp. It's pretty much the same process, a little bit different submittals for each, but Ted, would you like to try go through what you go through normally, or what you have been going through, and this way everyone can kind of understand it?

Ted:

Yeah, so Mario, you were right. For a typical project, it's a four-month process. For larger projects like SAP or AMI that was... they go longer because we need require expert testimony by folks that the [inaudible 00:04:50] bring in, but in month one of the process, we submit the application to the

authority, management reviews the application with the authority, and discusses it, and if they're in favor of pushing it forward to the RPB.

Ted:

Then it is rolled the RPB, and typically the finance committee, unless it's a land, then it goes to land use committee. So the next finance committee meeting is held, they determine whether the application is complete or not, unfortunately that meeting is before the following RPB meeting. So at the RPB meeting which is now month two, the RPB will hear the recommendation of the finance committee, whether the application is complete. If it is, and they accept that, then the RPB sets a public hearing date for a month out, that's month three. So public hearing is held out in the third month, and the public hearing is closed. And then, the decision and discussion is held after there is a findings of facts and conclusions of law, that the decision of based on in meeting number four, excuse me, in month number four at the RPB meeting.

Ted:

So that's the four month process that is there. And where could some efficiencies be had? Hetel and I have talked this, we talked about it with Mario. There are efficiencies to be had there but it requires special meetings and once you start that track, I'm not sure it's the best track to go down. For instance, after the authority approved it, let's say the third Thursday in a month, it could go to the finance committee and ask them to hold a special meeting the week after or the next week after in order to get the determination of whether that application is complete.

Ted:

In order to speed things up, then you would have to have a special RPB meeting, so this is where it starts to go copluey, and then ask them to, at that special meeting, ask them to at that special meeting accept the public hearing for whatever the legal time is out there. Whether it's two or, I can't forget exactly whether it's 24 days or-

Mario:

It was 20 days.

Ted:

20 days, right.

Mario:

For the hearing, that is has to be published, and usually, you've got about 4 days to get the... to get it to the paper to get it published. I mean, it's sometimes shorter, but, figure on 4 days.

Ted:

There's a possibility between those two first meetings, in essence, to have a little efficiency, but it gets kind of ugly because you're holding special meetings.

Stephen:

Ted this is Steve Mongillo, I mean, we could do that on an extraordinary basis, if you need it to, right? You're talking about doing this as a matter of procedure, but we don't have to shorten it for every single one.

Ted:

Yeah, what I'm saying is if we wanted to, you're right Steve, is that we don't want to use those special meetings unless it is a matter of urgency and that the [inaudible 00:08:09] legislation has been modified to reflect that. But what we were talking about is if we wanted to take the normal four-month process for a normal project and cut it back, we could do these kind of things. But, like I said, it's gets pretty clunky to do that.

Suzanne:

Can I ask a quick question? Did you consider taking a look at, except for the times where you have to have certain days between certain meetings, because that's amount of times you need to... to have things posted, or whatever. If you had a RPB meeting, and you adjourn, or you recessed the meeting, had the finance meeting, and then reconvened the RPB meeting, all in one night, I don't know if time-wise that's just huge and too consuming. But if you, ostensibly, if we're looking to contract the timeframe, I would think we would have that stuff lined up and ready to go to share with the subcommittee of the finance group, and then the finance group can get back to the RPB in the same evening.

Mario:

Well, Suzanne, that really is not a... that's not a hiccup, or, can't really shorten it unless we did a special meeting of the RPB and finance in the same night, which we could do. But that would require a special meeting. It kind of got skewed a little bit when the authority put their meeting the same night as... the same day as the RPB.

Suzanne:

Mm-hmm (affirmative)

Mario:

Because if you met before finance, and approved it, then finance could review it and... we don't really get it until after you've approved it, and that's part of the delay.

Suzanne:

After the RWA approves it.

Mario:

Correct. And then we get it, and then we have to figure out, "Okay, is it complete?" Whichever committee. And then when they figured out is it complete, then normally it would go a few days later to the full RPB, so there's not really a big gap there. But there is a few weeks between the authority's approval and it getting to the committee.

Charles:

What exactly is driving the need to shorten this time period? I know for exceptional projects, we have procedures we can deal with that, with special meetings or whatever, but, is four months been a problem, Ted?

Ted:

Not in general, because we planned for that around the projects but there are numerous projects in the era of \$2 million that we need to bring to the authority and RPB, they're coming up. We can talk about what... one way we to try to approach that in a little bit. So what we don't want to be doing, Charles, is every single RPB meeting or authority meeting "project, project, project, project, project." So if there was a way... if there was a way that we can shorten it up, then it would make it be... less meetings where we're talking about projects all the time.

Ted:

So one other place where there is a possibility of efficiency, and it gets clunky again, but we're just going to talk about it for a second. Charles and Steve, you might remember that in the old days, so to speak, projects were approved the same night of the public hearing. There would be the findings of fact and the resolution would be ready based on an assumption that the project was going to get approved. I think in wisdom, that was moved to the next meeting, so to give the RPB time to deliberate a little bit on what they've heard and talk about it, if they need to. So I'm not suggesting we go back to that but that was a way we used to have projects approved in three months, but that was quite a few years ago. And I see the wisdom in not doing that.

Ted:

I was wondering, and Mario and I talked about this a little bit, is how much deliberation actually goes on during that month between the board, or even deliberation at that fourth meeting after the public hearing? Typically not that much, at least, in my experience. Not to say that there isn't stuff that happens that I certainly don't know about or discussions, so...

Charles:

Ted, I'm still trying to wrap my head around the need to change this. I mean, you said that we... with projects coming up, we might be faced with meeting after meeting of projects. But speeding it up isn't going to change that. I mean, the projects still have to... Well, I think the projects still should come before the RPB and the finance committee, and whatever other committees need to weigh in. So I don't understand the logic of the fact that we would have a lot of projects, so therefore we have to shorten it. I'm trying to get my head wrapped around that scenario.

Stephen:

I have the same issue with Charles. It's our job to look at projects. We do have other things at the meetings, but I actually wanted to take a step back and ask about the \$2 million rule, and whether that's the only critical thing that should be the determining factor on whether we look at something or not. Just from my own experience at the WPC, we look projects that are much less than that, just so the board's aware of what's getting spent. And I don't know how much... we can have a few projects a year,

how much of the total capital budget are we actually approving, and how much gets spent without the board really knowing? I guess finance looks at some of those things. But we only get those really big projects.

David:

I don't know if you guys can hear me with this signal, but if I could for a moment, I'd like to address both Steven's concerns and Charles's question. I think the... if a [inaudible 00:14:57] the wanting to shorten up the timeframe was because of the great hill tunnel, and that that type of thing may occur again, and that was a serious, serious, potential danger, and a real problem.

Stephen:

And an exception.

Charles:

I mean we have-

David:

It was. It was, but also now we have a \$2 million project that we didn't know was going to be more than \$2 million until after we were already into it, so we wondered if there was a way. So between those two items, and this is not asking that we change... that you folks change the rules every time, we're asking that there be a set of rules that could allow for expedited consideration of the applications. We couldn't get really an expedited consideration great [inaudible 00:15:43] important as that was, we didn't really... couldn't get an expedited situation for the \$2 million that we went over during the concluding stages of the project, so we couldn't really find a way to get those expedited.

David:

We're not saying that this is something that's done every time, and that necessarily we're looking for a way to change all this. We're looking for a way, that maybe there's another category that might be a way to expedite when needed and when maybe declared by the chairman of both boards to be expedited.

Charles:

I think that makes more sense than changing the general approach to projects, because I think there's a value in the boards and the committees looking at projects and everything, but of course, when you have an emergency, that there should be... we should have an ability to expedite things. But doesn't that... that could easily fall into this... I mean, if something's that important, I think the special meetings are appropriate at that point.

Tom:

I agree.

David:

But it isn't even just the special meetings it was the idea that the 20 days, and Mario's correct when he said earlier on it takes 20 days to get it in the paper and you can't come the day it's on the paper, and you can't come the day of the public hearing, so that already, you're at almost a month, and that really does-

Charles:

From four months to one month, I mean, even an expedited project, if it's an extreme emergency it just got to be dealt with. But if it's a project that's requires consideration and decision-making, a month doesn't seem unreasonable to me. Four months, I agree with you, it's a stretch, so 30 days to sort through something-

David:

Well, I would agree with you, but it's not just 30 days for the public hearing, but then it was-

Charles:

No, no, talking about setting up some exceptions. Some procedures for an exception to bring it down from four months to 30 days or less.

Mario:

So David, the enabling legislation was changed, so when there is a declaration of an emergency it becomes a 7 day notice for the public hearing.

David:

Right. So that's the type a thing that needs to get along with your rules.

Mario:

Which did not occur at the time of the Great Hill Tunnel. I don't think that existed, so we've been able to do that and certainly the public... and that really allows the chairman to set the notice, not requiring the full RPB to set the public hearing.

David:

Mario [crosstalk 00:18:40] in your rules of procedure.

Mario:

Yes, Stephen?

Stephen:

I just wanted to say these projects are planned a year in advance. Most of these things are known for a long time to come before us. I think there's plenty of time. I'd also like to see more of a context of some of the specific things out. I guess we do get some information on how it fits into the strategic planning or part of a greater amount spent on a total project as opposed to part of a project. I'd like to see more in terms of context.

Mario:

So one of the things, because Ted and I have met previously. One of the possible ways of looking at it and approaching it, is currently, and correct me if I'm wrong, Ted and Hetal, you take a very distinct project and that comes to us, so it might be a generator at a treatment plant, as opposed to looking at the other projects at that treatment plant, and saying "We're going to do upgrades to salt and sall this year," it's going to include the generator, it's going to include some PLC work, it's going to include some work at a basin. Some of those components may not meet the \$2 million number as individual parts, but obviously when you combined them all, it would meet it or exceed it.

Mario:

So then we would see more of a bigger picture. They get all the parts approved, and if you're floating around \$1.9 million with \$1.9 million with one part or \$1.8 million, it'll be bundled with the others and it'll already be approved to go forward so if does cross the \$2 million limit, that one piece, it doesn't matter because it's already been approved as part of a bigger package and the RPB is fully aware of it. And that could be a multiple year project, too.

Ted:

So we've talked about that. Hetal, and I talked about that as well, and with Mario, and we think that is a really good idea, we brought it to the table. To look at projects in terms of systems, like Mario was talking about, like the salt and sall treatment plant might be a system, but it also might include, we don't need one, but let's just say there was a tag needed for the salt and sall distribution area, that could be included, that might be a smart thing to include within that project because we all want it done and done at the same time. That would be kind of a system project and that's the kind of thing that Stephen is talking about, is that we can bring you a cluster, a bundle of projects that we could seek approval of.

Ted:

They might be done at the same time, they might be done by one contractor, or three contractors, but it's looking at the system so you're seeing what we're seeing in terms of what is needed out there, versus bringing one project to... Saltonstall, another project to Salt Saltonstall, over the course of a year and half. That doesn't seem to make sense to us, so we're looking for a new method, and we're considering some new methodologies to do that. Obviously, we have to have more discussions but it seems to be a reasonable approach.

Ted:

Even if for this meeting wasn't management trying to say "Let's change the process," it was just getting people together to see are there efficiencies we can have? And as we go through the four months that doesn't seem to be a lot unless we do all the special meetings, we have that now in the [inaudible 00:22:48] legislation to do that under emergency. And we will use that, we don't want to use that or special meetings for a typical project because that doesn't make sense. So it was just to see whether we could shorten the time, just to see if we can shorten the time up because it does make a difference in terms of overall planning for us. If we knew that we had an extra month because we got a 3 month approval, that gives us a leadway in terms of getting the projects off the ground.

Ted:

I think it was Stephen that was saying that we do plan these projects out well in advance. We do have an idea, every year we submit to the RPB an idea of where we might be... might bring projects to them in terms of schedule.

Mario:

Does the potential for bundling projects make sense?

Stephen:

It makes sense in terms of understanding where a project fits into the total scheme and actually justifying it. If you know that other things are also planned, either in that price range or exceeding it, or other funds will be spent along with that, that we may not look at, but it's part of the picture. It helps to understand where that fits in, I think. I don't know, maybe some time could be saved if just schedules were looked at in terms of when meetings were held

Charles:

Are the times, the notice times, arbitrary or is that by some regulation or something?

Mario:

I believe the 20 days has some linkage to other legislation, I couldn't cite you where it comes from but I seem to recall-

Charles:

Well, 20 days is a long time. I mean, if there's some reason why those specific number of days were necessary, but if not, I think they seem a little arbitrary to me

Mario:

Well, then you would be going into a special meeting situation anyway, Charles.

Charles:

Well, no because then you could combine it with Steve's suggestion about simply a matter of scheduling. The point that you made that now RWA meetings are the same as our meetings, maybe that's the schedule that we got to look at, so that whether it be finance or consumer affairs or whatever other committee meeting could be spaced out on a monthly basis so that they fall in a time meeting. I don't know and I would have no way to whether or not, if those dates... those numbers of days cannot be change, this is a moot point, so it doesn't matter. But if those are just some numbers that have always been there, a reason why they have to be those numbers, maybe that's something we could look at shortening. I think 30 days minimum is reasonable to look at any project that is not an exception or an emergency and I think we ought to have... management ought to have the ability to deal with exceptions or emergencies as long as we don't end up having too many exceptions or emergencies

Suzanne:

So isn't that the point, though? That if 30 days is acceptable, but right now it's 4 months, am I missing something?

Charles:

No, the only point I was trying to find is, is the 4 months an issue? That's what I... I really haven't heard that it's... that what we're doing now is an issue other than for exceptions and/or emergencies.

Suzanne:

Right, and the- [crosstalk 00:27:04]

Charles:

I personally wouldn't have an issue if we could get it through all the necessary hearings and agreements in 30 days. 30 days seems reasonable to me for both management and two managing boards to hear something and vent it out, but it would take meetings at that point

Mario:

The other thing that it probably would require would be the authority to say "Okay, well, when the authority receive the applications, it also gets sent to the RPB," because right now, we don't even get it until after it's been approved by the authority

Suzanne:

So with the assumption that the RWA will approve it, it automatically goes to the RPB on the same day. Is that what you're saying, Mario?

Mario:

When you get your application, we would also get it. I mean, you could in one evening, Charles, if you really were trying to move a project in 30 days, you really were, you could, kind of combining the different views I heard, you could have the authority meeting at noon, if we already received the application, you could have a special finance meeting at 5, and you could have the RPB meeting to schedule the public hearing right after, that same day.

Charles:

I mean, that might work for the exceptions and the emergencies but I don't think procedurally that just doesn't give people enough time to think and sort through and-

Mario:

Right. Because all we're doing then is scheduling the public hearing, so the other question would be, if the authority approves it and finance says it's complete, do you then allow the chair or the vice chair to schedule the public hearing?

Charles:

Ooh, that might be the answer. I don't know, I can see his point, though, yeah. By the chair, you mean the chair of RPB, or the chair of-

Mario:

RPB. Or vice chair of RPB.

Charles:

Oh, OK.

David:

I would make one other offer, and I would say if it's not of an emergency nature, but management feels that it's important in a timeframe, I would say the RWA, being a five-member body, is easier to have a special meeting, say a week before to give more time so finance might have their regular meeting, and that's not really something that we've talked about, and I can't speak for the chairman or the whole board, but I would say that it's easier to constitute a five-member board together so that we could give you a week's notice, that "hey, we're going to be presenting this" and then you have it reviewed by finance, say, the following Monday, and then your meeting is that Thursday, then you could just call the public hearing if you thought it was complete. And so that could help as well, rather than having a whole one month, as is the current process.

Mario:

Right.

Charles:

You know, in that same vein, which I think many operations are coming to realize, these Zoom meetings, remote, whatever program you want to use, maybe that's the wave of the future? What does it take? It's not that big of a deal anymore. You have special meetings remotely, like this

David:

Yeah, and we've done consensus meetings and then formalized things afterwards and we've had special meetings, and of course, for seven months we've had Zoom meetings, and you're right Charles. In other organizations that I'm part of, this has made things actually more efficient, but you miss the human quality, you miss the chance-

Charles:

Oh, I agree 100%. I'm talking about the way of running meetings going forward, whether these Zoom meetings are going to be more acceptable for different committee workers. I think a lot of organizations are reassessing the way they operate, and maybe this thing of thing will be part of the future. Now I agree with Dave, that I'm missing the personal side of it too, so I would not be in favor of doing it long term permanently, but the special meetings, I think we're all seemed more accustomed than we have been.

Suzanne:

Yeah, I think there's also a public factor that is important, the idea of getting together was to create efficiency, as Ted mentioned, that four months, in this day in age, seems like an extended period of time to try to get something done to keep a project that's underway, continuing, or an emergency project done, or even introduce a new project. But I think what David's suggesting actually makes a lot of sense.

If the RWA could more easily help itself by starting a little sooner and working through it, but we want to preserve what needs to be preserved for public and transparency. We want to preserve whatever the RPB needs to properly consider the process. But we're trying to make that shorter than four months, and Charles, there's nothing coming from the sky that's saying, "You must do this, you must do this." It's not like we're having a bad experience, and it's costing us a lot of money, or it's doing this. It's just, four months... trying to get something, a decision made, taking four months-

Charles:

Oh yeah, it's cumbersome. There's no question about it, yeah. That's why I was asking about the number of the days.

Suzanne:

Right.

Mario:

I'm pretty sure the 20 days is rooted something, and I think it might be in the PURA regulations because once we set the 7 days for the emergency, I believe that was where the 7 days came from, with PURA. Tom, do you recall?

Tom:

I'll tell you what, who would know? Jennifer. I'm serious. She would know precisely where that provision is. I'm presuming the rules of practice, and it might be in the enabling legislation, but Jennifer would know.

Mario:

The 20 and the 7 are in the enabling legislation.

Tom:

Okay.

Mario:

That I know, but I believe the root of those was to mimic PURA, or... yeah.

Tom:

That makes sense.

Charles:

Yeah, but are you saying mimic or required by?

Stephen:

This is Steve, I don't know exactly myself, but I think it came from something that was said by some authority.

David:

I'm going on a limb here, but I think this is true with my experience with [inaudible 00:34:34] government. I think it's the default amount of time, it's the 20 days, unless the governing body, through home rule, says it's going to be shorter. For instance, towns have to have 21 days or 20 days from public hearing, unless their charter says you can do it in less time. Since we're an entity of the state [inaudible 00:34:53] political subdivision of there I believe that that's probably how the 20 days came up, which means that we can change it if we request that or if we have good reason to.

Charles:

But would it require enabling legislation change?

Ted:

Yes, exactly.

Charles:

If we had other things, fine-

David:

And we wouldn't do a test for that.

Mario:

And David, I don't know that you want to shorten that 20-day period, because it is for a public hearing, and you do want to allow the public the opportunity to come in and view the documents, if they want.

David:

And I don't think it's unreasonable for 99% of the cases.

Stephen:

Mario, while we're on the subject of this topic, one of the thoughts I had was, I don't know if we're doing enough to create an awareness on the part of the public about these meetings. We never get public participation, very rarely, minimal. So I think we post these things on website, correct?

Mario:

Right.

Stephen:

I don't know what else. Do we ever notice them in... we don't put it them bills, inserts or anything like that, right?

Mario:

No, because the timing on that wouldn't work, even if we go to monthly, I don't know if it would work for the insert.

Jennifer:

I also requested with the municipalities and the secretary of state as well.

Mario:

Yeah, all the meeting notices go to the [inaudible 00:36:29] town clerk.

Stephen:

I'm thinking mostly about the land use issues where people would have land use issues, where people would have more of a interesting, just a generator project or something... But I don't know. I mean, just judging from the lack of participation, I'm not sure that people know.

Mario:

So Suzanne, did we run around the block?

Suzanne:

Yeah.

Mario:

Right now I think we have, the authority can hold a special meeting, which would shorten the timeframe. The committee, if the committee, whichever committee it is, would receive the application in the same time as the authority, that would give them a chance to look at it before their meeting. So if you held a special meeting a week before finance, they get a chance to look at it so they can have it on their agenda. And then we also talked about the chair or the vice chair of the RPB setting the public hearing so it wouldn't have to go to the full RPB to set.

Suzanne:

Right. Mario, it may make sense for the group, and for us to reconvene with a chart of some sort so the timeline across the top and it says, "In emergencies, blah, blah, blah, blah, blah, blah, blah. Regular process, blah, blah, blah, blah, blah, blah, blah, blah." Option 1, for creating some level of efficiency, option 2. And the group can talk through whatever it is the issues are that end up creating a rub that feels like we're expediting doesn't feel good for this reason, or doesn't feel good for that reason.

Charles:

Your point, Suzanne, I think conceptually, I think four months is too long. I think 30 days, personally, I think 30 days is appropriate. There ought to be some... if it's just mechanical things, or arbitrary dates that are causing this four-month thing, your chart or something, we ought to be able to identify them, and pick and choose which ones are necessary, so. It's a mechanical thing at that point, but I personally think that conceptually, four months is... it's cumbersome I mean...

Suzanne:

Yeah.

Charles:

Yeah, because, we're not gaining anything, we're just creating...

Suzanne:

Right, we're kind of caught in process rather than having a process that produces what we need to produce.

Ted:

I think that's a good idea about having a chart, we'll reconvene, Hetel and I will work on that. We'll do a chart for the standard process, we'll do a chart for the now, the new legislation for an emergency process, and do a chart for what we just talked about, which is... maybe the authority holding a special meeting and then the chair and vice chair or vice chair of the RPB setting the public hearing date, and see how those look. Because that might, that one has the capability of speeding it up maybe a month in total.

Mario:

I think you're six weeks.

Charles:

[crosstalk 00:39:44] changing the number of days, or questioning the number of days, I don't think that's unreasonable.

Mario:

Yeah, I have that as one of the items we'll look at, is where is the 20-day rule come from for the public hearing.

Suzanne:

And even if we can just, by seeing it, say, here's the rub, right here. This is the spot that's the rub. Even if we don't come up with the answers, we can say, we can then think intelligently about, how do we deal with this-

Charles:

[inaudible 00:40:10] identify what the issue is, financiers.

Suzanne:

Say that again? What was that, Charles?

Charles:

Oh I was just... Once we identify what the rub or struggle is, then we can look for answers.

Suzanne:

Right.

Mario:

Okay.

Stephen:

Very good idea, Suzanne.

Charles:

Yes.

Mario:

And Jeff, we haven't heard anything from you. (laughter)

Jeff:

Yeah, a similar conversation in the context of the enabling legislation after the Great Hill project. And my comments then, or my comments now, which are number 1, we don't have a lot of applications. It's not like every month, we're dealing with an application. So if we need to have a special meeting, if we need to expedite the process, we certainly should be able to do that using a combination of the ideas that we've discussed tonight. The only issue with respect to 30 days is, get the application, a lot of times, depending on the nature and scope and size of the project, the OCA, and our members of the RPB will submit into interrogatories and the authority needs time to provide interrogatories. Sometimes, there's been application amendments as a result of interrogatories. So we need to keep that in mind as well, but certainly, it doesn't have to be four months. Certainly, it should be... there's no reason why we can't do everything that needs to be done on an expedited basis, and at least cut that time in half.

Mario:

And I think, Ted, it makes sense to do the bundling, I didn't hear anyone say that that doesn't make sense.

Ted:

So, one thing we talked about, I don't know if you... we really didn't get this far with it, but these could be projects that are 20, or \$25 million. If we brought a, for instance, project, we'll be talking about this for the authority, but, we have a DAF project [inaudible 00:42:36] building a big process under the West River treatment branch, that we want to bring and get going on that. Well, in order to do that project we really need to make some logical improvements so there was a logical improvement project on the books, and if we're going to be having a contractor like that, we can do the coronation system, which is already on the books. So we can bundle those three, but that might be a 15 to \$20 million project to the...

Ted:

But it makes a lot of sense for us to do it that way and have some leeway within the scope of the approval. We may not have everything nailed down, but if we said, here are the three project with enough detail that everybody's satisfied with the detail, and said "Okay, and we're looking for a

maximum spendable amount of \$20 million," whatever the number is, but say some number, right? And then we would come back if we needed to, to provide [inaudible 00:43:28] updates to the RPB on it.

Mario:

Yeah, because you'd be updating on a quarterly basis anyway, the finance committee, and that report can probably be sent to the whole RPB.

Ted:

Yep.

Mario:

Which has the detail.

Charles:

Hetal and I had had some questions.

Ted:

Hetal and I need to flesh this out a little bit more, and wrap this up and package it, and we will do that.

Mario:

Okay. Sounds good. I had another item that came up with my discussions with Ted, and I just get the sense of the other RPB members, is, the limited time that I've been on the RPB, my sense is that, when the projects come in that we want to... we need to replace a segment of pipe, or we need to replace a tank or a pump station to upgrade even a part of the process, those don't seem to get a lot of pushback, the actual mechanics... mechanical improvements to the system to deliver the water. My sense is the pushbacks come from the softer side of the business, the billing side and the IT side of the house. And I just wanted to get a sense of that because those are the ones David and Suzanne, you'd need to, yourselves, think about more. But if I'm the only one out there that thinks that way, then I'm in the minority and that's fine.

Suzanne:

Can you say more about that, Mario? I'm not quite tracking with you.

Mario:

So if it's got a direct link to, from the source, to the tap, whether it's a pump or a piping or a tank, those don't seem to get a lot of pushback. There may be some discussion as to... we're doing a gold-plated type of thing

Suzanne:

And when you say pushback, you mean from the RPB?

Mario:

From the RPB.

Suzanne:

Okay, okay.

Mario:

But certainly the concerns I've heard maybe not even on the record, but the grumbling off the record, or more on the other projects that don't really affect the drop of water coming out of the tap.

Suzanne:

So IT, non-core...

Mario:

Well, non-core IT and the... well even the AMI project, there was definitely pushback on that.

Charles:

But Mario, I don't know if pushback's the right word or... I'm thinking that things... the pipes and pumps and things like that, those are fairly straightforward in that we depend on management to understand the equipment and that type of thing. It doesn't require any... I'm going to say, philosophical thought or decision-making and that type of thing, whereas the other decisions, people have other opinions of different things. I mean, it's hard to have a different opinion of repairing a pipe, I mean, it's got to be repaired. There aren't too many different way to fix a pipe or fix a pump. There are different ways to pursue non-core or something like that. So, I think that's a natural tendency, I don't know if the word pushback is, I just think there's more input.

Mario:

Yeah, it's a bad choice of words. I apologize, Charles.

Suzanne:

I think it's okay, actually. As I reflect on what you're saying, that happens on the RWA level as well, that it, will just keep using their pushback. The RWA pushes back when we come up with pipes, and filters, and this, and that, it gets right through the RWA pretty quickly too. And the RWA has lots more questions when it's big investments for business case or hypothetical returns that are less material and concrete, and/or risk/reward, understood. You have to dig into those to really understand. It's all great in concept, but what's the probability that we'll actually realize this concept that we're talking about.

Suzanne:

What it's telling me, and informing me, is that and I think David would agree with this, as the RWA, when we then... we've done all this diligence and digging and we may have done it in many meetings, when we turn to the RPB to go for our process, we have to remember, you're just seeing it for the first time and are going to have the same questions and concerns that we do, and want a satisfaction of that process of deliberation. So, David, I think that's a really important thing for us to remember, and think about how do we lay the ground work and create more transparency that allows the RPB to either ramp

up quicker with pre-meeting, or some pre-presentations in a sub-committee or something that might help bridge that knowledge gap between the RWA and the RPB at that point. It's important.

David:

I would agree, and I think [inaudible 00:49:17] do know, now that I'm on the other side of the RWA I do know that there are projects that don't need to go forward, that RPB may not realize or know about because we said, "no, we can't afford to do that," or it's just not where we're going to be able to go with as an organization. And I think that it's important that we keep an eye on what Suzanne said. It's the first time that you falter seeing something, and we give it to you. You haven't seen the process that we've gone through, and I think that's going to be important, to continue that education and that sharing of knowledge.

Charles:

So Mario, why did you bring this up?

Mario:

Well, we got some discussion at least. Because it's that sense that I have gotten from members of the RPB when we used to get together for coffee afterwards.

Stephen:

Mario, I'm thinking about what you said. I think it goes back to the time for an application whereby we have a chance overtime to really have these things sink in, and make a better determination, ultimately than if you had to do it quickly. If you have to do it quickly, you do it. You have more time, it's... time to reflect or check on anything.

Mario:

And Suzanne, to your point, it always kind of, and I understand the ruling of the attorneys, they didn't want any one member of the RPB to have heard part of the discussion before the RPB meeting. But the whole deliberation process that goes on at the authority were completely excluded from that, which is fine, but we have no idea whether an application came in and everyone said, "This is great. Let's just go forward," or there was a bunch of discussion back and forth and some modification to the original application. So that's the danger of sending the application to both the authority and the and the committee of cognizance, if you will, at the same time.

Suzanne:

Is the understanding of due diligence and vigor in due diligence and the ability to then translate that for you guys. And what you're saying is that's not as necessary or apparent when it's bricks and mortar. It's more on these other issues. No, that's very helpful, Mario, I'm happy to know what you just shared with us.

Stephen:

Suzanne, maybe something in the way of... a little in the way of an introduction when that comes before us to take us quickly through the thought process or some of the things you went through, so we know

they've been considered, and we think of them, we know, "Okay, that's already been thought of." Just an idea.

Suzanne:

Nope, I got it, and I think I understand, and I think David does too.

David:

Yes.

Mario:

Okay, so we've agreed we wanted to meet on this one topic, there may be other topics that I understand we might be asked to look at by management which is fine. I'll talk separately to Larry about that, but, so our next meeting, what kind of timeframe do people have, and Ted is on a short leash here.

Ted:

No, that's already worn. (laughter)

Stephen:

We got to let Ted decide how long he needs to put together what he wants to do.

Ted:

Let Hetal and I talk about it, because, with Rose leaving, we're both getting a lot more coming on us, so, we will talk about it, and then Mario, we'll get back to you at the end of the week about the timing of the next meeting.

Mario:

Okay, and then, Jen, you can send out a request for a few dates, and we'll schedule it that point. Okay.

Ted:

The other one that... two other ones that Larry talked about were number 1 is, for we have a project like the Brantford Hills project, where it was under \$2 million and it was over \$2 million, although that seemed to be handled fairly quickly. It was not... I can't remember, Jen, did we almost public hearing on that or was that just an approval process.

Mario:

No, we, held the public hearing-

Ted:

We did have a public hearing? Okay.

Mario:

But, Ted, in that case, we give the approval that night.

Ted:

That's right. That's what it was.

Mario:

You found out about it, already approved it. I think, Suzanne, you guys approved it, then finance considered it complete, and I don't think we've waited for the RPB meeting to schedule a public hearing. I think I jumped and scheduled it so we can get the publication in the paper.

Ted:

That was good, because we were 90% done with that project when we came... The other one is, and [inaudible 00:54:31] when we wanted to take a look at, and she could jump on this the next meeting [inaudible 00:54:35] sometime we would have talked about this is, the approval process for rates, which is a five or six month process depending on all the things that have to happen along there, so let me talk to here more about that and see where [inaudible 00:54:50] go over that.

Mario:

So we need to extend that, it's what you were saying.

Ted:

(Laughter)

Stephen:

Hey, Ted, this is Steve. With regard to extend the [inaudible 00:55:01] go beyond the authorized expenditure, are we talking about with the contingency?

Ted:

Yes.

Stephen:

So beyond that, anything over that even if it's \$100 needs to get approved?

Ted:

Yes.

Mario:

Well, it's a-

Ted:

Never 110%. 110% of the RPB-approved amount.

Mario:

Steve, it's a notification and we act on it, or we don't act on it, as recall.

Ted:

That's right. We come back to the authorities, say, "Hey, it was a \$2 billion, and we think it's going to be 2.4 now. Would you guys approve the additional money," and this thing's not a public hearing or anything, it's just we bring it to you and the reasons why we need to bring it to you.

Mario:

The issue with the Brantford Hills project was it was \$1.9 million, and then it became \$2.1 million. So...

David:

Never had an approval.

Mario:

It never had the original public hearing and approval.

Ted:

Right. And that was scary to us, we didn't know what was going to happen. (Laughter)

Mario:

I know, it kept driving over that lousy patch.

David:

With regards of the [inaudible 00:56:12] just to let you know, we added 12 months to it by delaying, currently.

Ted:

Yeah, they're right.

Suzanne:

But one of the things that we talked about, when we talked about the capital plan this year, Ted, was that any projects that were within striking distance of \$2 million that we might bundle and put together to the RPB just so that we already had the approval should it... We can take a look too, we can put that on the chart, we'll see.

Mario:

I think that'll be a big improvement, Suzanne, because you'll get multiple projects approved, even if only one of them definitely needed approval, and this way you just go forward. Okay, good, we're still under the hour, which is longer than I wanted. But that's okay. Anything else before the group?

Suzanne:

Nice job, Mario.

Representative Policy Board
Bylaws and Rules review Committee
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Mario:

Thank you. We stand adjourned at 5:57, I believe, I don't know that we need a vote.