

**Representative Policy Board
South Central Connecticut Regional Water District
Consumer Affairs Committee**

**July 18, 2022
Meeting Transcription**

Stephen:

It is now 5:30 so we can start our July Consumer Affairs meeting. Stephen Mongillo. I'd like to call the Consumer Affairs meeting to order. Item one on the agenda is a safety moment and Jennifer has presented some tips on protecting yourself from both ticks and mosquitoes. Good information, especially this time of year. Always something to be careful about and to be aware of, so please take a look at that. Item two on the agenda is approval of our minutes. Do I have a motion?

Tony:

So moved.

Stephen:

Thanks, Tony.

Naomi:

Second.

Stephen:

Thank you. Are there any omissions, corrections, or additions? Hearing none, all those in favor?

Group:

Aye.

Stephen:

Any opposed? Motion carries. Our presentation today and the third item on the agenda is a legislative update from Lori Vitagliano. Very much appreciate her coming today. I can see from her presentation, there are a number of things that RWA has had to be aware of. Lori, if I could tap into your general knowledge, and just for context here, talk about the process for a minute. I have a few questions. First of all, any Representative or Senator can propose a bill, correct?

Lori:

Depending on the year. Certain years, only, actually the long session. So we were just in a short session. So the committees were... The bills had to be brought forward by the committee member. However, with that being said, a general legislator would go to their committee chairs and request that they raise the bill.

Stephen:

Right, so they decide which committee they want to take that bill to?

Lori:

Generally, it's the committee of cognizance and it needs to be germane to the topic.

Stephen:

Okay. So there's no central place that does a common sense look at it before it even gets introduced, correct? That's done in each committee?

Lori:

Sure. That's exactly how it happens within the committee. The concepts are raised, and very often, you can see numerous bills on one particular topic if it's a session where legislators can bring forward a bill. You could also see topics in simultaneous committees. For example, something to do with water can show up in Public Health, because water falls under Public Health. However, it can also come up, and has, in the Environment Committee.

Stephen:

So what happens if it has a cross-interest like that? One committee champions it?

Lori:

Actually, what happens with that, it depends on the actual bill, the supporters, the champions of those particular committees and the lobbying efforts. If it's a bill that is supported by stakeholders across the board, you'll see it move forward. If the particular bill has opposition, then the opposition will do their best to, essentially, kill the bill.

Stephen:

While it's still in committee?

Lori:

Yes.

Stephen:

Okay. Now, when these bills get passed, do they have to apply to the entire state?

Lori:

That really goes to the bill language, but yes, the definition of the particular bill. It depends on, really, the language and the definition of the bill. So it's all written within the law, the legislation.

Stephen:

Okay.

Mark:

What the bill is, right?

Stephen:

What's that, Mark?

Mark:

Depends what the bill is. If it's important to everybody in the state or not.

Lori:

And that'll be described in the definition and the legislation.

Mark:

That's right. Yeah.

Stephen:

Yeah. Well, but you can see how some things in a state that's only 50 by 100 miles, Greenwich is different than Stonington, than Hartford, or Fairfield, or Litchfield County. That's why we have Lori, because things get introduced that have unintended consequences, and I'm sure that happens all the time.

Lori:

Right, Mark. And the diversity of our state is exactly why we have the process where the bills are brought forward. The concepts get started in the particular committees, they're made public. The public hearing process is public and it gives everybody the opportunity to be vocal on their... On the particular issues.

Stephen:

Okay. There were 17 bills that you ultimately were looking at. I would think the last one that you listed here is a good example of something that prohibits certain charges in requiring approval for the installation of water lines and hydrants by water companies.

Lori:

Sure.

Stephen:

I guess you could [inaudible 00:06:47] to that, but that's something that may impact differently across the state.

Lori:

Absolutely. I could spend my entire time right now talking about that particular bill, so I will address that, the reality of what happened there. That particular bill fortunately died. That particular bill was proposed. The concept was proposed by one legislator outside of the RWA's region. He had one particular issue that was resolved and he continued to propose the concept. He was successful in the Planning and Development Committee. We testified. All water companies, stakeholder groups, and the Water Works Association testified, opposing that particular bill. We met with the legislators, the chair of that committee, and explained the concerns.

Lori:

At that point, didn't expect much to come of it because there was so much opposition, and just like Groundhog Day, we thought it was dead, up until the last day. It was a challenge. Fortunately, midnight came and it died.

Stephen:

So why wouldn't that be an example of one they could have changed the language to only apply to a specific area?

Lori:

That would be awesome. That would've been great, but a Senator was not cooperating.

Stephen:

Okay. That really kind of helps my understanding of the process. And one last question from me, of the bills that you covered, did RWA initiate any of these through representatives or any organizations?

Lori:

Well, just following up on that Senate bill that died, I have to say that our legislator, Representative Zullo from East Haven, was co-chair on the Planning and Development Committee, and he was super receptive. He understood. He carried our message to the committee, letting them know that this would be a problem for our region. So, with that being said, he was instrumental in helping us get our message to the entire committee.

Lori:

As far as proposing particular bills this year, we actually strongly supported, on slide four, HB 5142. And that was an extended producer responsibility for certain gas cylinders. You may recall, some years ago, I worked on extended producer responsibilities for paint, which would help, and it did help the HazWaste program. So that same model that will now create a free and convenient stewardship program for gas cylinders, those one pounders. And that's very important for our HazWaste member communities, because during the off season, there are no other options for residents to properly dispose of those propane cylinders. Talking to public works folks and other member towns, it really is a huge problem. So that was many years in the making and it was a group effort.

Stephen:

Okay. So basically you were there in self-defense for the organization to make sure that these bills either were appropriate for RWA or could present a problem.

Lori:

Exactly, exactly. Mark.

Stephen:

Okay. Well.

Mark:

Steve.

Stephen:

Steve. That's all right.

Lori:

I'm sorry, Steve.

Mark:

You think I'm asking that question? I know that.

Lori:

No.

Stephen:

Well, thank you for indulging me. Are there any questions from the committee before we start? Okay. I'll turn it over to Lori. Sorry about that, Lori.

Lori:

Don't be, it's my pleasure. And so, anyhow, just going to start from the beginning here. It was the shortest session by law being 12 weeks. The session began on February 9th, then adjourned at midnight on May 4th. The format started as remote public hearings with hybrid committee meetings for the legislators, and then there were in-person days for legislators as we got towards the end of the session. Public was allowed on the first floor of the legislative office building, and then the first and second floors of the capital. However, the public was not allowed on the third floor, which is where the Senate was located. So it was really difficult to try to talk to the senators, pretty much trying to catch up with them via email and phone calls. So my efforts, as you mentioned, Mark, Steven. I keep, I don't know why I keep doing that. I know exactly it's Steven Mungiello, but at any rate. My efforts proposed are focused on really evaluating all of the bills.

Lori:

So to your questions each and every day during session, during the beginning of session the 27 committees put out different proposed bills. So that's what I'm doing. I'm reading all of them, making sure, finding out if they're there's an impact or not, and then working closely with the waterworks association and other community groups that I'm involved with. So in the end, the topics that really concerned the RWA had to do with Legionella, water testing, safe, water, drinking, water, solar siding petitions, fire protection charges, which is that Senate bill 325 and electronic notifications to water companies. And the majority of these bills originated out of the appropriations committee, education, environment, human services, planning and development, and public health. So those are the high level committees that we're seeing a lot of our topics come out of.

Lori:

So, as we mentioned, I submitted testimony on 10 bills and personally delivered testimony, just like this over zoom, which was fabulous on seven bills. And I say that because being able to do it remotely gave

the public a better opportunity to be represented. And I saw much more involvement across the board from folks that I never really...Different groups that I never really encountered when we were testifying in person

Mark:

When you testify in front of a committee, how many members of a committee are usually there?

Lori:

They were all there in my experience, you know, I didn't have much... Whether or not their screen took a break or not, but they were there and they were engaged and the questions happened. For example, Mark, when I testified for the propane cylinder bill, that...

Mark:

That's a hot bill. Yeah.

Lori:

Well it's an environment committee. And I had my speaking points saying, good morning, then I switched them to good afternoon. Then I switched them to a good evening. And then good morning. I testified after midnight that Friday. So lots of folks being involved and doing it by via Zoom. It was a great opportunity.

Mark:

You don't know how many...How many of the legislators were actually there?

Lori:

Well, they were there. They were there. So anyhow, this presentation covers as we discussed, as I pointed out, bills that we actively supported or lobbied our concerns on. And slide four, as I mentioned, the consumer... The extended producer responsibility for certain gas cylinders, also as you know, enact concerning remote meetings, allowing public agencies to continue with remote meetings under the freedom of information act.

Lori:

So, onto slide five. So what are industry bills? Interestingly, many bills that we acted on that were separate bills, the last days of session turned out in the 700 page budget implementer bill. So listed below on what I'll cover are the bills that were introduced separately, but ended up in the packet that either concerned the RWA or the water industry. And so the first one, section 68, creates the office of aquatic invasive species within the Connecticut agricultural experiment station, and the board must determine the office staffing and hire a department head by September 1st. The legislation prohibits the office from issuing permits or fines.

Lori:

So, at this point we did support that particular proposed legislation at the time. Also, section 139 and section 140. Again, these were separate bills supporting the salt applicator, training and registration. It just carries forward what we've been doing with the green snow pro and road salt applicators. Now there's established training standards for others to follow, including DOT.

Lori:

Section 291. This is an extension of the public utility management program. It increases the pathways for high school students to learn about the public utility management degree. And if you recall, this bill actually builds upon the legislation that we proposed and initiated and passed into law in 2019. So really excited about that one.

Lori:

Section 361 is the open space and watershed acquisition program and this allocates additional funding. So now it's 15 million dollars for the OSWA program, as well as 3 million dollars being added to the recreational trails and greenway matching grant program to 6 million dollars. So we saw some great financial contributions there. The next slide.

Stephen:

Lori.

Lori:

Yes.

Stephen:

Lori, this is Steve. Section 68, the aquatic invasive species, was that added to... What was the purpose of having the person there? They're not, they're not a regulatory kind of function. Was it just an awareness or what was the purpose of having that expansion?

Lori:

It's my understanding they realized there's an issue and it needs to be addressed. And most of the legislation, the proposed... I'm sorry, not legislation, most of the testimony all supported this office and this staffing. So...

Stephen:

Was that to get someone knowledgeable in that area to review kind of what's happening?

Lori:

I believe that makes sense. Yes, to get somebody in there to specifically focus on the aquatic invasive species. So it sounds as if they did not have that particular expertise focusing on aquatic invasive species.

Stephen:

Okay. Thanks.

Lori:

You're welcome. Okay. Moving on to slide six, and this is still a continuation of the budget implementer and these additional provisions contained in the budget will also impact all water companies. So the section 141 that creates local health districts, they must create electronic reporting systems for property owners to report sodium chloride damage, and there's other parts of the state where there is a big

problem. As a matter of fact, as part of the waterworks association, being a legislative trichair, the legislator asked and requested to meet with us to discuss this issue and how we can help brainstorm on this. So, that's a positive piece that got into the implementer.

Lori:

Also, the residential water treatment information, and this applies to folks that install residential water treatment systems. They must provide the customer with information about automatic water softeners or tanks. And I recall last year, the legislator in our area that was working on this wanted clarification, that's not something we do at all. So there was a little bit of an education factor there. And it's those companies that install them, making sure they provide their customers with the most accurate information about water softeners and tanks.

Lori:

And then section 467 has to do with the advanced notice of road projects. Hearing a lot about this lately. Didn't have this come up during the session, but it appeared in the implementer. And this will require each municipal CEO to submit to the office of OPM secretarial letters stating whether they provide advanced notice to all utilities including water companies involving paving, repaving, and all other projects that impacts the infrastructure. And also, additionally, each water company... Each utility, including the water companies, also will have to report up to OPM. So, there's clearly an effort to work together. The executive director of the waterworks association has put a request into OPM to convene a meeting to discuss this particular process, what the focus is, and how we can all work together.

Lori:

Okay. And slide seven, pesticide notification near lakes and ponds. Those that apply pesticides near lakes and ponds must be more specific and make the public aware of the specific date for that application when it's about to take place.

Lori:

The next bill is the membership on the low income energy advisory board. This now adds water company representation to the low income energy advisory board. And lastly, reducing lead poisoning, which requires the department... The commissioner of the department of public health to convene a working group to recommend legislative changes on various lead poisoning prevention treatments. There was no mention of lead service line. I paid attention to all of the public hearing testimony and went through it, and there was no mention about lead service line. This was clearly focused on in-home lead paint.

Lori:

And slide eight, other bills relevant to the RWA. So, every year the department of public health, and actually most, most agencies have what they call their revisions, very long bills that have different topics in them. Early on in the session, a bill regarding legionella, was proposed and was very complicated, very detailed, and did not have the support of the industry. Fortunately, in the end, this bill will create a working group to discuss legionella and it will... The group will be comprised of representatives from hospitals, nursing homes, water companies, to discuss these concerns. Excuse me.

Lori:

And then I skipped over the first part of that bill; requires property owners with public or semi-public wells to have their water quality test performed prior to being sold, exchanged or transferred. So, that was a cooperative effort with the real estate groups putting that out there.

Rich:

Lori, quick question for you, these bills, and the implementer in these bills, were these promoted by our interest by our consortium, or were these bills that you read and found water company impact and did they come from us?

Lori:

We supported them. Yes.

Rich:

We supported them, but we did not necessarily generate them indirectly.

Lori:

Correct. We did not request a legislator to bring this up. So, we've worked through the waterworks association...

Rich:

Right.

Lori:

And supported the bills, but we did not have any particular ... The particular asks that have shown up this year,

Stephen:

Rich, I asked the same question at the beginning, perhaps you weren't on yet. So these were all kind of bills that were introduced that could it impact the RWA that Lori had to be aware of.

Stephen:

Now, what happened with the Wells? Was that was that passed or so that's now required?

Lori:

Ah, so the last one that I was just talking about requiring private property own...

Stephen:

When RWA is doing well testing, correct?

Lori:

Right.

Stephen:

Okay.

Lori:

With that, are there additional questions?

Stephen:

So, and then the last one you talked about already.

Lori:

Just moving myself.

Rich:

The senate bill that died?

Lori:

That was the one that died, the hydrant bill.

Stephen:

Okay.

Lori:

That was the one I began with answering your questions early on.

Stephen:

Yep.

Lori:

And that was important to note.

Jim:

Lori, I was interested in the public utility management increase in pathways. What was on that bill to improve that?

Lori:

So that particular bill will now have the... Let me just get back to my screen here. They're going to support additional pathways for the high school students to learn more about the public utility management program. So in 2019, when we proposed and initiated that language, it was focusing on the guidance counselors and the principles to get together and promote the program. So this now increases pathways, and I imagine they'll have a work group to really focus on this, as well.

Prem:

I think if you remember, we talked about that. We partnered with, you know, Southern Connecticut State University, if you remember, that was really involved in this program. So we worked with other water utilities around like Aquarium, other people. So Don, for example, a CEO of Aquarium and other, you know, peer release have been participating. So I think we'll be focusing on promoting that. We are looking to, you know, kind of bring some of those... The first batch of the PM degree holders were graduated last year, where we are looking to bring some of those DNAs, if you will, into the organization. So, you know, we are very focused on that, especially with the 35 percent of the workforce retiring, right. It's an industry problem. So we're kind of addressing with that. So more to come on that.

Lori:

Yeah. And, to that point, Prem, thank you. There is an executive committee through Southern and it's a cross-functional team that also, I believe, will probably work to increase the pathways, as well. So, just more folks learning about it. I mean, for me to have this come out of the education committee, this was another one just waited till very late in the night to let the education committee know how important this is for the reasons Prem mentioned. And to have it show up in the budget implementer is reassuring because we're hearing so much about workforce development, manufacturing, and not to... We need to be up there, too. Public utility management needs to be at the table.

Stephen:

Lori this is Steve. The reporting of sodium chloride damage, I assume that's from the application of road salts in the winter.

Lori:

Yes.

Stephen:

Is that true? So that it may concentrate in some places or in certain properties.

Lori:

I just want to read it specifically because it's very... It's not the reporting. It's actually a road salt applicator training and registration for those that apply for it. So it establishes training standards for those road salt applicators. So, similar to the green snow pro program that we've already been participating in. So. It's very important that that's....

Stephen:

Okay. Other questions from committee members?

Mark:

Nice job, Lori.

Lori:

My pleasure. Thank you so much.

Stephen:

Thank you, Lori. We appreciate... There's a lot of information, so it's interesting. And again, thanks for coming.

Lori:

You're welcome. Have a good evening. Nice seeing everybody.

Stephen:

Okay.

Kevin:

Thanks, Lori.

Lori:

Bye now.

Stephen:

Item four on the agenda is a Consumer Affairs report from the OCA. Jeff.

Jeff:

Good evening, everyone. Hope everybody's doing well tonight.

Stephen:

Yep.

Jeff:

The item that is occupying the OCA's time this month is the review of the CIS application.

Stephen:

Mm-hm.

Jeff:

I submitted at the end of June, I think it was about 37 interrogatories and the authority did a great job. Dana, Prem, and their team getting me all the information. I have as of yesterday responses to all the interrogatories. I think that Jennifer... I'm pretty sure Jennifer has sent everybody the interrogatories, the responses to the interrogatories.

Stephen:

Yes.

Jeff:

The ability to access the confidential information. So, the process on my end is I've reviewed what the authority provided and I've sent everything except the videos to my consultant. My consultant signed a

protective order and I decided not to send them the videos because I don't want to pay them to review it. And, there's an agenda, itinerary type document that was provided to me so I'll select portions of the presentation that I deem to be most relevant to my review. So my expectation is that my consultant and I are going to have a call a week from today and then they'll get me their thoughts.

Jeff:

I've told Mario and Steve and Mark and we... This is what we anticipated when Prem and I had talked about the schedule, that we'll open the public hearing next Thursday as planned, the authority will make their presentation, and then I'll get my memo to the authority well in advance of the August 25th meeting so that I can testify and answer questions at that August 25th meeting. So, you know, we're trying to move this process along. So rather than wait to open it until August, the thought was that we'd open it, let the authority make their presentation, let the RPB and me start to ask questions and then I'll get my memo in before the August meeting and then we'll wrap it up at the, at the August meeting.

Jeff:

It's a lot of material. It's a lot of technical material. A lot of what I'm doing on my end is similar to what I did in 2009 in terms of learning as much as I can about the projects that have been completed by vendor number four and AAC, by looking at some of the projects that they provided us with in response to the interrogatories and trying to learn as much as I can about the process and the plan, and I can certainly say right now that the information that's been provided to me by the authorities has been extremely helpful in my review and allowing me to expedite my review. So, thank you for that, and that's where we're at.

Stephen:

Jeff, did you say you got responses to all of your questions now?

Jeff:

Yes. Prem and I had a conversation last Tuesday and about, you know, not waiting to get... Not waiting for all in interrogatory answers to be ready and just get me what you have. So I got about half last Thursday and then I got the other half yesterday. So I have received responses to everything.

Stephen:

Jennifer, you going to get those out? Have you already sent them or I...

Jennifer:

Yes, I sent the...

Jeff:

They went out this morning at like seven o'clock.

Stephen:

Okay. Okay. I'll look for it. Thank you.

Jeff:

Yeah. Jennifer, thank you, too, because you sent me the responses yesterday and that gave me a chance when I had some downtime yesterday afternoon to actually look at it and save some time. I appreciate that.

Jennifer:

You're welcome.

Dana:

As do I, Jennifer, thank you. Thank you.

Jeff:

Yeah, it's a lot of material, you know, and it's really... It's different than, you know, a pump station project or a pipe project or really any other type of... Even different than AMI because of the breadth of the scope of it, and it's a lot to learn in a short period of time and in order to be responsible and opine on something like this, I really need to understand what I'm looking at. And that's the reason why there were so many interrogatories

Stephen:

Jeff, to your point. I mean it does cover a lot of ground just looking at this application. Have you looked at beyond that in terms of where this fits into the overall sort of strategic planning of the RWA or?

Jeff:

Yes.

Stephen:

Options.

Jeff:

Yes. And some of the interrogatories were tailored towards that, you know, trying to identify to the extent that the authority has identified customer needs and projections for future customer needs, trying to focus on not only how this system, whether it's what's in the application or any system, is tailored for future needs as well as current needs.

Stephen:

Yeah. You were here for the last IT change, correct?

Jeff:

Yes. Yeah, it was right after I started.

Stephen:

Okay.

Jeff:

So I... Believe it or not, I save everything. So I actually have... I actually have my binder

Stephen:

You're sitting on it right now.

Jeff:

No, I have it. I took it out right after I got the application, or maybe even before I got the application, to read what my interrogatories were and what my memo looked like, and I think I even sent Prem that memo.

Prem:

That's right.

Jeff:

From 2008, 2009. Just, you know, technology changes so quickly, and looking at what the... Because back then what I did to familiarize myself with the presentations was I went down to the authority and there was a box put on a conference room table and I was able to look at the hard copies of the proposals. Whereas now, I can actually look at video presentations. So it's...

Stephen:

Well, the last time we were looking at a change, the system was 30 years old. Now it's 12 years old.

Jeff:

Yeah. Yeah. It was a legacy system, and it's interesting because if you look at some of the representative projects that AAC and vendor number four have performed or are performing, some of those are legacy projects and you can go on YouTube and you can find videos of people that are talking and you could tell the difference between the legacy project and the upgrade just by the stress level.

Stephen:

Okay. Jeff, did you have any customer issues this month?

Jeff:

No. We had a couple of minor things that didn't get escalated to me that Louise gives me a heads up on everything.

Stephen:

Okay.

Jeff:

Even if it's not escalated to me, if there's a customer concern or A customer writes a letter saying that they want to escalate it, the authority has been able to resolve those issues before they get formally escalated to me.

Stephen:

Very good. Any questions for Jeff on the committee? Okay. Thanks Jeff.

Jeff:

Thank you.

Stephen:

Item five On the agenda is approval of the OCA invoice for June \$4,847.50. Do I have a motion?

Mark:

So moved.

Tony:

I second.

Stephen:

Thank you. Any questions for Jeff on the invoice? Hearing none. All those in favor.

Group:

Aye.

Stephen:

That motion carries. Item six is just a reminder about volunteers to attend upcoming authority meetings.

Mark:

Mr. Chairman, I have a problem with July 28th because I'm going to have an appointment in the morning. So I don't know if I'll make the afternoon. I've already talked to Jennifer and Mario. I should fine by the evening.

Stephen:

Okay.

Mark:

It's just that I don't think I'll be able to make the RWA five member meeting.

Stephen:

Okay. I went to the last one because Tony couldn't make it. Tony, can you possibly make this one?

Mark:

I'll do your September one.

Tony:

July 28th? Is that what the date is?

Mark:

Yes.

Tony:

Hang on a second. Well, go ahead. Continue. And I'll let you know in a minute.

Stephen:

Yeah. Okay. We'll work that out somehow.

Mark:

Okay. I mean, I'll do either August 25th or July... September 22nd, whatever.

Stephen:

Naomi is going to... Is still okay for August, correct?

Naomi:

Well, no Mark. I'll take yours if you want. If you would go August?

Mark:

Okay. Why don't we just switch? Okay?

Naomi:

Okay.

Tony:

I can do the 28th of July.

Stephen:

No. Well Naomi, just... She just switched.

Tony:

I'm sorry. Okay.

Stephen:

Can you still do September?

Tony:

I can.

Stephen:

Okay. Jennifer you got all that? We're all set then.

Jennifer:

Yes. I got it. Thank you.

Stephen:

Great. Thanks everybody. Item seven is election of our committee chair.

Mark:

I moved that we nominate Steve Mongiillo as chairman.

Tony:

I second that.

Stephen:

Okay. I did state at the last meeting. I can do this for one more year and I'd be willing to do that, but I'd be happy to entertain any other nominations.

Mark:

You're supposed to say it three times.

Stephen:

Are there any other nominations? Are there any other nominations?

Mark:

Hearing none.

Stephen:

Hearing none. I guess everybody has to vote in one direction. So I'll call for a vote on the motion. All those in favor.

Mark:

Aye.

Tony:

Aye.

Stephen:

Thank you everybody, I appreciate the support.

Stephen:

Item eight is the next meeting of Consumer Affairs, which is going to be on August 15th, 5:30. Is there any new business? Hearing none, I'll entertain a motion to adjourn.

Tony:

So moved.

Stephen:
The second.

Naomi:
Second.

Stephen:
Thank you, Naomi. All those in favor.

Group:
Aye.