

APPROVED

PUBLIC UTILITIES COMMISSION

WALLINGFORD TOWN HALL

45 SOUTHMAIN STREET

ROOM 315

WALLINGFORD, CT 06492

Tuesday, November 16, 2021

6:30 P.M.

MINUTES

PRESENT: Chairman Robert Beaumont; Commissioners Patrick Birney and Joel Rinebold; Director Richard Hendershot; Electric Division General Manager Tony Buccheri, Water and Sewer Divisions General Manager Neil Amwake, Water and Sewer Divisions Business Manager Brian Naples; Recording Secretary Bernadette Sorbo, and Executive Secretary Michelle Bracale

Absent: Electric Division Business Manager Marianne Dill;

Members of the public - Karl Rauhauser, April Agvent, Lauren Takores (RJ), and Jon Morasutti

Mr. Beaumont called the Meeting to order at 6:30 P.M., and the pledge of Allegiance was recited.

1. Pledge of Allegiance

2. Consent Agenda

- a. Consider and approve Meeting Minutes of November 3, 2021

Motion to approve the meeting minutes of November 3, 2021

Made by: Mr. Birney

Seconded by: Mr. Rinebold

Votes: 3 ayes

3. Items Removed from Consent Agenda – None

38 **4. Discussion and Action: Approval of the Director's Report for the Month of**
39 **October 2021**

40
41 Mr. Rinebold commented that he was pleased to see that the WED traveled to Taunton,
42 Massachusetts to help with restoration efforts after a Nor'easter impacted the region.

43
44 Mr. Rinebold inquired on the status of Frontier Communications.

45
46 Mr. Buccheri stated that Frontier recently terminated the contractor that was causing issues with
47 new installations and brought a new contractor on. The Town Engineering Department has
48 ceased all work by Frontier until all previous work that was done by Frontier without permits
49 were corrected. The work is being completed.

50
51 **Motion to approve the Director's Report for the month of October 2021**

52
53 **Made by: Mr. Birney**

54 **Seconded by: Mr. Rinebold**

55 **Votes: 3 ayes**
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59 **5. Discussion and Possible Action: Customer Appeal - Rauhauser and Agvent -**
60 **High Consumption and Billing**

61
62 Mr. Naples stated that this customer appeal is in regards to a residential irrigation meter located
63 at 15 Oakdale Circle, owned by Karl Rauhauser and April Agvent. Since the customers
64 purchased the property in August 2016, the water consumption on the irrigation meter has
65 always been zero or nearly zero. The March 9, 2021 read indicated that there was 13,399 cubic
66 feet of water used over the previous three months, resulting in a \$563.13 water bill. Prior to
67 these charges the customer's bill has always been approximately \$15.00 which includes the
68 Basic Service Fee. On June 4, 2021 the next quarterly read indicated that there was 985,600
69 cubic feet consumed since the March 9, 2021 read. As the account was already under review,
70 and because it would be physically impossible for this much water to pass through a 5/8-inch
71 meter, the Water Division billed the account at zero consumption on the July 2021 bill. On June
72 21, 2021 the meter was removed for testing and a new meter was installed. While removing the
73 old meter, staff noted that the inlet and outlet valves before and after the meter were closed. In
74 addition, there were no visible signs of flooding near the meter. The Water Division continued
75 to take readings on the new meter. These readings indicated that the consumption returned to
76 zero.

77
78 The old meter that was removed was inspected and tested by the manufacturer. The
79 manufacturer was able to pull the data log and alarm history on the old meter. The minimum
80 observed temperature on February 9, 2021 was -10° C which resulted in the water inside the
81 meter to freeze. This freeze event is what caused the flow tube to crack which ultimately led the
82 meter to begin leaking. Per the Water Division policy, the customer is responsible for preventing
83 the meter from freezing. Additionally, the customer is responsible for any water leaked from a

84 cracked frozen meter as well as the cost of the meter replacement (\$345.00). The Water Division
85 has not billed the customer the \$345.00 for the cost of the meter replacement because of the
86 initial uncertainty surrounding the cause of the meter failing. Barring any action from the PUC
87 the bill will be sent out to the customer in the near future. In the professional judgement of
88 Water Division staff, it is unreasonable that 13,999 cubic feet (100,225 gallons) of water passed
89 through the 5/8-inch meter during the three-month period, and even more unreasonable that
90 985,600 cubic feet (7,370,288 gallons) of water passed through the irrigation meter over the
91 following three-month period. Given the known details in this particular case, the Water
92 Division staff believes that the electronic meter register malfunctioned once the flow tube inside
93 the meter assembly cracked, resulting in incorrect meter reads. The customers have continued to
94 pay their bill in full with the exception of the \$563.13 charges from the April 2021 bill. No
95 interest has been charged on the \$563.13 balance while the bill was under review, but interest
96 will begin to accrue on December 1, 2021 barring PUC action.

97

98 Mr. Amwake stated that the recommendation from the Water Division staff is to waive the
99 \$563.13 charge.

100

101 Ms. Agvent questioned, was the part of the backflow meter cracked?

102

103 Mr. Amwake stated that the crack was in the flow tube located inside the actual meter.

104

105 Mr. Amwake discussed with Ms. Agvent how the meter works and the reasoning behind why the
106 meter froze.

107

108 Ms. Agvent thanked the PUC and complimented Larry Regan as well as the Wallingford Water
109 Division for being amazing to work with. Ms. Agvent stated that she appreciates all of the Water
110 Division's hard work.

111

112 **Motion to waive the \$563.13 charge from the April 1, 2021 bill**

113

114 **Made by: Mr. Birney**

115 **Seconded by: Mr. Rinebold**

116 **Votes: 3 ayes**

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120 **6. Discussion and Possible Action: Customer Appeal - Morasutti - Connection**
121 **Charges**

122

123 Mr. Naples stated that at the November 3, 2021 meeting, the PUC discussed, but took no action
124 on, the connection charges paid for the upgrade of a 5/8-inch meter to a 3/4-inch meter at 28
125 Franklin Street, owned by Mr. Jon Morasutti. Mr. Morasutti sought a refund of his connection
126 charges. The Water and Sewer Divisions contended that the property could not be reverted to a
127 5/8-inch meter unless some of the plumbing fixtures were permanently removed, and even if the
128 meter size was reduced the connection charges could not be refunded per established PUC
129 policy. The connection charges would remain on the account as a credit should Mr. Morasutti or

130 any future owner of 28 Franklin Street choose to upgrade to a 3/4-inch meter at a later date. At
131 the November 3, 2021 PUC meeting staff was instructed to research any similar instances where
132 a connection fee was reduced or refunded and report back. The most similar situation that Water
133 and Sewer Divisions staff identified occurred with the meter installation at 334 North Cherry
134 Street Extension, although there are some notable differences between the cases. This property
135 was formerly a roller skating rink until January 2009, when the water service was deactivated
136 and the 5/8-inch water meter was removed. The water service remained deactivated from 2009
137 to 2015. On July 21, 2015, the new property owners, Yalesville Properties, LLC, submitted a
138 fixture count as required by the Water and Sewer Divisions to reactivate the service. Based on
139 the fixture count provided, Water and Sewer Divisions staff determined that a 1 1/2-inch meter
140 would be required. A service application summary was sent to Yalesville Properties, LLC,
141 including connection charges of \$20,181.00 due prior to reactivation of the water service.
142 Yalesville Properties, LLC did not remit payment of the fees, no meter was installed, and the
143 service remained deactivated. A revised fixture count was submitted on August 4, 2015. Based
144 on the revised fixture count, staff issued a revised service application summary indicating that a
145 3/4-inch meter would be sufficient provided two tank toilets and three urinals were permanently
146 removed, the plumbing feeds to the permanently removed fixtures were cut and capped, and a
147 follow-up inspection was performed by the Water Division. Connection charges for the 3/4-inch
148 meter totaled \$5,553.00. Those fixtures were removed, the inspection was performed and the
149 connection charges were paid. At that point the 3/4-inch meter was installed shortly thereafter
150 and the service was reactivated. Mr. Naples noted that there was no credit or refund issued in
151 this case because the connection charges for the 1 1/2-inch meter were never paid.

152
153 Mr. Amwake recommended that no action be taken.

154
155 Mr. Morasutti questioned, what does no action mean?

156
157 Mr. Amwake stated that the connection charge will remain with the property. Mr. Amwake
158 explained that if Mr. Morasutti chooses to keep the 3/4-inch meter in place or if he decides to
159 swap the meters, the difference in connection charges paid will not be refunded or credited. The
160 connection charges paid will remain on the account for a future date if the customer chooses to
161 increase back up to the 3/4-inch meter.

162
163 **No Action Taken**

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167 **7. Discussion WPCF Upgrades Project Update**

168
169 Mr. Amwake updated the Commission on the construction of the WPCF Project.

170
171 At the Secondary Settling Tanks, the SST5 and SST6 each passed the quantitative and qualitative
172 water tests. The north and west sides of the SST excavation have been backfilled. The two
173 effluent boxes (one for each tank) each passed the quantitative and qualitative water tests. The
174 36-inch effluent pipe passed the leakage test. The masons are constructing the electrical room

175 (constructed of block) on top of the gallery extension roof. The scum troughs and the hand rails
176 have been installed for SST5&6.

177
178 At the Secondary Pump Station, installation of the electrical system for the building continues.
179 The five pumps (2 large, 2 medium and 1 small) in the lower level of the SPS have been
180 energized.

181
182 At the Tertiary Phosphorous Building, the installation of process piping on the lower and upper
183 levels is substantially complete. The pumps for the low pressure and high pressure plant water
184 systems have been energized. Kruger is on site to verify installation of the Actiflo system.

185
186 At the UV Disinfection/Post Aeration Building, the post aeration blowers have been energized.
187 The junction chamber along the existing 36-inch outfall pipe downstream of the PA tank has
188 been constructed. Wastewater effluent can now be discharged via the UV/PA building following
189 tertiary phosphorus treatment (April 1 – October 30) or via the Secondary Settling Tanks and the
190 existing Post Aeration tank (November 1 –March 31).

191
192 At the Existing Personnel Electrical Building, the electrical work is ongoing.

193
194 At the Site Work, the installation of the on-site water main between the pipe gallery and the
195 public water main in John Street is complete, including flushing and disinfection. Installation of
196 the catch basins and the storm drain piping adjacent to the SPS is complete. Please note that this
197 piping still needs to be connected to the existing storm drain system near the Anoxic Tank.
198 Installation of the electrical duct bank between the High Road and the Secondary Gallery is
199 complete.

200
201 Construction Contract Payment Applications – C. H. Nickerson
202 Original Contract Sum \$45,507,000.00
203 Net Change by Change Orders \$160,715.49 (No Change this Month)
204 Contract Sum to Date \$45,667,715.49 As of October 15, 2021

205
206
207 Construction Contract Schedule
208 Original Completion Date February 10, 2022
209 Net Change Schedule Days 7 (No Change this Month)
210 Contract Completion Date February 17, 2022 As of October 15, 2021

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214 **Public Question and Answer Period**

215
216 No members of the Public Present

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218 **Public Question and Answer Period Closed**

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8. Discussion and Possible Action: Budget Amendment - Transformer Procurement - Account 368

Mr. Buccheri stated that is a request for a Budget Appropriation in Fiscal Year 2021-2022 seeking an additional \$623,000.00 in account 368 – Line Transformers. The funds are needed for the purchase of line transformers to keep up with the current pace of customer work, routine placements, and potential storms. There have been significant increases in delivery dates. The lead times have gone from 8 to 12 weeks to over 52 weeks. This budget appropriation would be an effort to mitigate material shortages and prepare the Division for the upcoming fiscal year. During Fiscal Year 2021-2022 budget preparation, the Electric Division anticipated receiving the units ordered between April and June 2021, these dates have slipped. The Electric Division made several calls to the manufacturer on a weekly basis discussing the delivery times. Since the Division could not wait for the full delivery the Electric Division requested to have the manufacturer drop ship whatever materials were available. When the Fiscal Year 2021-2022 budget was prepared the delays were unknown. The delivery times are now estimated at 52 weeks. WED arrived at the \$623,000.00 figure by looking at the previous 2 years’ worth of transformers issued from stores, estimating the cost of those units based on the most recent bid pricing, and subtracting the current available budget of \$240,000.00. WED will reassess budgetary needs during the preparation of the Fiscal Year 2022-2023 budget.

Motion to appropriate \$623,000 from retained earnings to account 368

Made by: Mr. Birney
Seconded by: Mr. Rinebold
Votes: 3 ayes

9. Discussion and Possible Action: Remaining CMEEC Refund

Mr. Buccheri stated that about a month ago the WED came to the PUC with a memo regarding the CMEEC credit. WED commenced refunding customers October, 2020. At that time, it was identified that the WED would have excess funds remaining at the end of the 12th month (September, 2021). The WED noted that there would need to be a change in the formula for the refund so that the return to the customers did not exceed the remaining CMEEC credit. WED reviewed the remaining balance of \$181,910.81 and divided it by the average of December and January billings to calculate a factor of 62% for that billing period in which \$181,910.81 is the funds remaining and \$292,197.17 is the average of the December, 2020 and January, 2021 credits. Mr. Buccheri made a recommendation to the PUC to adjust the calculation factor in order to get as close as possible to returning the remaining balance of \$181,910.81 back to the customers.

Mr. Hendershot noted the memo dated November 1, 2021 regarding the Remaining CMEEC Refund and stated that Mrs. Dill is seeking authorization to return an estimated 0.7% in excess of the CMEEC settlement to ratepayers, if needed.

267 Mr. Birney stated on the record that through the September billing cycles, WED has returned
268 \$3,488,089.00 of the \$3,670,000.00 CMEEC refund to the ratepayers. Mr. Birney expressed that
269 he is proud of the WED that this money has been returned.

270 **Motion to adjust the procedure for return to match \$3,670,000 CMEEC refund; nothing**
271 **more, nothing less**

272

273 **Made by: Mr. Rinebold**

274 **Seconded by: Mr. Birney**

275 **Votes: 3 ayes**

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278

279 **10. Discussion and Possible Action: Approval Extension of Downtown Economic**
280 **Development Rider.**

281

282 Mr. Hendershot advised that the WED was approached by the Executive Director of Wallingford
283 Center, Inc. stating that the existing Downtown Economic Development Rider is set to expire at
284 the end of 2021. The Wallingford Center, Inc. is seeking an extension to the Rider for another
285 two years. WED staff are enthusiastic proponents of this program, and are requesting the PUC to
286 pass a motion authorizing the Downtown Economic Development Rider continue for another
287 three years, through December, 2024. Mr. Hendershot referenced the report to remind the PUC
288 the area it covers, the criteria and the mechanics of the Downtown Economic Rider. The
289 business office also provided a 12-month snapshot for the usage of the customers who are taking
290 advantage of the program and the dollars involved. Mr. Hendershot stated that the WED is
291 seeking authority from the PUC to support the requested three-year extension of the Downtown
292 Economic Development Rider.

293

294 Mr. Rinebold stated that he is very pleased that WED can support Wallingford's Downtown
295 Merchants and the Wallingford Downtown Community while other communities are struggling
296 to maintain vibrant downtown businesses. Mr. Rinebold commented that Wallingford seems to
297 just get better and better and fully supports the program.

298

299 Mr. Beaumont complimented Mrs. Dill and staff for the 20 year detailed summary report
300 breaking down the current and historic participation, and cost to the WED.

301

302 **Motion to extend the incentive program in accordance with the letter**

303

304 **Made by: Mr. Birney**

305 **Seconded by: Mr. Rinebold**

306 **Votes: 3 ayes**

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310 **11. Discussion and Possible Action: 2022 Meeting Schedule**

311

312 Mr. Hendershot stated that the PUC meetings will be held every first and third Tuesday of the
313 months.

314
315 Mr. Birney thanked the PUC for holding the PUC meetings at the Town Hall in Room 315
316 located at 45 South Main Street in Wallingford.

317
318 Mr. Birney questioned what would be a reason for the 2022 meetings changing from the Town
319 Hall to a different location?

320
321 Mr. Hendershot stated that this schedule has been reserved through the Mayor's office who
322 controls use of the room.

323
324 Mr. Birney requested a change to the schedule as outlined in the memorandum dated November
325 16, 2021 to state "The meetings will be held at 6:30 p.m. at the Town Hall, Room 315, 45 South
326 Main Street, Wallingford, CT 06492 or another location, as approved by the PUC. Any changes
327 in meeting time and location will be announced and/or provided by the PUC and will then be
328 forwarded to the Town Clerk for posting."

329
330 **Motion to approve the 2022 meeting schedule to strike the language "or virtually**
331 **depending upon circumstances and the needs of the PUC" and to add "as approved by the**
332 **PUC".**

333
334 **Made by: Mr. Birney**
335 **Seconded by: Mr. Rinebold**
336 **Votes: 3 ayes**

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340 **12. Executive Session pursuant to CGS §1-225(f), §7-232a, §1-200(6)(E) and §1-**
341 **210(b)(S)(B) regarding commercially valuable and financial information given in**
342 **confidence regarding the purchase of power.**

343
344 **Motion was made to move into Executive Session at 7:23 p.m. pursuant to CGS §1- 225(f),**
345 **§7-232a, §1-200(6)(E) and §1-210(b)(S)(B) regarding commercially valuable and financial**
346 **information given in confidence regarding the purchase of power.**

347
348 **Made by: Mr. Birney**
349 **Seconded by: Mr. Rinebold**
350 **Votes: 2 ayes**

351
352 **Attendance at Executive Session:** Chairman Robert Beaumont, Commissioners Patrick
353 Birney and Joel Rinebold, Director of Public Utilities Rick Hendershot, Electric Division
354 General Manager Tony Buccheri

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356 **Time of Executive Session: 7:23 p.m. to 7:59 p.m.**
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13. Executive Session pursuant to State of Connecticut General Statutes §1-225(f), §7-232a, §1-200(6)(E) and §1-210(b)(S)(B) regarding commercially valuable and financial information given in confidence regarding the Pierce Project.

Motion was made to move into Executive Session at 8:00 p.m. pursuant to State of Connecticut General Statutes §1-225(f), §7-232a, §1-200(6)(E) and §1-210(b)(5)(B) regarding commercially valuable and financial information given in confidence regarding the Pierce Project.

**Made by: Mr. Birney
Seconded by: Mr. Rinebold
Votes: 3 ayes**

Attendance at Executive Session: Chairman Robert Beaumont, Commissioner Patrick Birney and Joel Rinebold, Director of Public Utilities Rick Hendershot, Electric Division General Manager Tony Buccheri, Town Attorney Gerald E. Farrell, Sr. and Mayor William Dickinson

Time of Executive Session: 8:00 p.m. to 8:56 p.m.

ADJOURNMENT

Motion to adjourn

**Made by: Mr. Birney
Seconded by: Mr. Rinebold
Votes: 3 ayes**

The meeting was adjourned at approximately 8:56 p.m.

Respectfully submitted,

Respectfully submitted,

Bernadette Sorbo
Recording Secretary

Joel Rinebold
Secretary