

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING  
OF THE BOARD

March 15, 2018

A meeting of the Board of Directors of the Kent County Water Authority was held on the 15<sup>th</sup> day of March, 2018, at 3:30 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room.

Chairman Robert Boyer opened the meeting at 3:30 p.m. Board members, Vice-Chairman Peter Masterson, Treasurer Joseph Gallucci, Secretary Scott Duckworth, Russell Crossman and Frank Giorgio were all present together, along with the General Manager/Chief Engineer Timothy J. Brown, Legal Counsel Patrick J. Sullivan, Esq., Director of Technical Services John Duchesneau and Director of Finance and Administration Michael Lanfredi. Also, in attendance was Treatment Manager/Water Project Engineer Dave Simmons. Mr. Giorgio led the group in the pledge of allegiance.

**APPROVAL OF THE MINUTES**

The minutes of the regular board meeting held on February 15, 2018 were presented for approval. Mr. Duckworth moved, seconded by Mr. Giorgio, to approve the minutes. The minutes were unanimously approved.

**Legal Matters**

Mr. Sullivan discussed the matter of a potential resolution of the *KCWA v. Cardi v. RIDOT* KC-2016-0473. He said he had circulated a proposed settlement agreement to the parties involved after the board authorized approval of the settlement of the case last month. He said he awaits comments from the other attorneys.

Mr. Sullivan discussed the litigation entitled *Conservation Law Foundation v. KCWA* and *Burrillville v. KCWA* (PC2017-1037 and PC2017-1039). Again, he reiterated that there has been little activity on this matter.

The matter of Valley CC was discussed. Mr. Sullivan said that the matter was before the DPUC. Mr. Brown said that the matter had not been scheduled at DPUC and they await notice of a hearing date.

The Chairman asked about Bradford Soap, as the bills for this entity were similar to those of Valley CC. Mr. Brown said KCWA attorney, Ms. Shekarchi, hasn't heard from their attorney,

notwithstanding her attempts to contact him. He reminded the board that Bradford upped their offer to settle the debt, and KCWA countered with the consolidation of the services into one with the required back flow preventer. The board asked Mr. Sullivan to follow up on the offer to settle.

### **Director of Finance Report:**

Mr. Lanfredi, Finance Director, explained and submitted the financial report. He reported on the Cash Receipts and Disbursements and Statement of Cash Location FY 2017-2018 as of February 2018 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of February 2018, attached as exhibit "A", and a thorough discussion ensued with regard to the sales and revenue.

Mr. Gallucci moved, seconded by Mr. Masterson, to accept the reports and attach the same as an exhibit and that the same be incorporated by reference and be made a part of these minutes.

Upon Motion duly made and seconded, it was unanimously,

VOTED: That the Cash Receipts and Disbursements and Statement of Cash Location FY 2017-2018 as of February 2018 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of February 2018, attached as exhibit "A", be approved as presented and be incorporated herein and are made a part hereof.

### **Point of Personal Privilege & Communication**

Mr. Duckworth said he was contacted by the owner of the mill building at 29 Brayton St. in West Warwick about a potential water shutoff. Mr. Duckworth explained to the owner that the back flow preventer is required by RI law. Mr. Duckworth informed Mr. Brown that the owner said his estimated completion date is April 12, 2018. Mr. Brown said he only is looking for a completion date and that was satisfactory.

Mr. Duckworth then raised the issue of water line location on Arnold Road in Coventry. He said he attended a Coventry Town Council meeting. He identified recent press reports, as well as comments from Coventry town officials, that appeared to blame the KCWA for incorrect placement of water lines. Mr. Duckworth said he advised the Coventry Council of the history of that section of roadway, being dirt at one point, and that likely the lines were there for many years and not incorrectly placed.

Chairman Boyer said that the authority was down three to four people and that the employees were holding up pretty good notwithstanding the vacancies.

### **GENERAL MANAGER/CHIEF ENGINEER'S REPORT**

**GENERAL:**

Mr. Brown asks the board to add two matters to the agenda for discussion purposes only. The matters were

1. After Action Flushing Report
2. Correspondence from AG Wold re DeCubellis Matter

Mr. Duckworth moved, seconded by Mr. Masterson, to add items 1 and 2 for the agenda for discussion purposes only.

Upon motion made and duly seconded, it was unanimously

VOTED: That the After Action Flushing Report and the Correspondence from AG Wold re DeCubellis matter are added for discussion purposes only.

**Utility Conflict King Fisher & Osprey Drive, Coventry**

Mr. Brown again updated the Board on this matter. He said with the weather, the matter should be put off until after the winter.

**Valley Country Club Billing, Complaint filed with DPUC Awaiting Hearing Date**

Mr. Brown said again that there was nothing heard relative to a hearing date. The matter was up at DPUC.

**Bradford Soap Billing – Awaiting Hearing Date**

Mr. Brown explained that this matter was assigned a hearing date in April. There was Discussion on the counter proposal from Mr. Brown to Atty. Revens. Nothing had been heard since the counter was presented. The board asked Mr. Sullivan to contact the attorney for a status report.

**Front Office Staff Request – safety measures – action required**

Mr. Brown advised the staff that he had mailed a memo out to the board regarding the security at the facility in West Warwick. He said the staff is concerned about someone jumping the counter and entering the office area of the building. They requested some cameras, removing cash from the building, and a glass partition separating the staff from the public area. Mr. Brown suggested that the board engage someone to conduct a vulnerability assessment on the facility. Also, he said he was to go to PWSB and view their security measures.

Mr. Masterson and Mr. Duckworth both agreed, commenting positively.

### **Trust Safety Enhancement Grant to KCWA**

Mr. Simmons advised the board that KCWA won a \$1,000.00 safety grant from the RI Interlocal Trust. He said he and Mr. Brown went to a luncheon yesterday and was awarded it.

### **After Action Flushing Report**

Mr. Brown said they received reports of dirty water in the Goddard Potowomut area. He gave the board a report that detailed what happened and how KCWA responded. He said there was iron and manganese present in the water, which naturally occurs in water from wells. He said they flushed 6 million gallons, and informed the board that they will be flushing these hydrants more than they normally would.

### **Correspondence from AG Wold regarding Decubellis Matter**

Mr. Brown gave the board a letter from the attorney general's office regarding the DeCubellis matter. Mr. Brown outlined the facts of an old case before DPUC and Superior Court where KCWA was ordered to let the homeowner connect to the service. Mr. Brown said the service is in the street, but there were some minor issues. He said he had a meeting with Mr. DeCubellis on the following Monday. Mr. Brown, and Mr. Sullivan, thought the tone of the letter was somewhat stern, and that the letter appeared to require KCWA to undertake efforts for this homeowner that they have never done for any other customer. The letter had a deadline of April 9, 2018 for KCWA to finish the connection.

There was some discussion amongst the board regarding the case and the response. Mr. Brown said he would report after the Monday meeting.

### **BID AWARDS:**

1. Annual Bituminous concrete, sidewalk & roadways recommendation and award

Mr. Brown received one bid for this item. It was from International Paving Corp. in the amount of \$177,780.00. He said this company has proven reliable in the past and he recommended approval.

Mr. Masterson moved, seconded by Mr. Giorgio, to approve the bid from International Paving Corp. in the amount of \$177,780.00.

Upon motion made and duly seconded, it was unanimously

VOTED: That KCWA awards the bid to International Paving Corp. in the amount of \$177,780.00.

3. General Construction Material, recommendation and award

Mr. Brown discussed the bids received under this heading. He said he divided the bid into five different parts. The bid was to supply materials such as pipe, valves, hydrants, and appurtenances used by the KCWA. He recommended the following bid awards and in the following amounts:

1.	Core and Main	\$60,295.74
2.	EJ Prescott	\$187,244.68
3.	Hoadley	\$43,812.00
4.	EJ Prescott	\$118,128.00
5.	EJ Prescott	\$10,263.00

Mr. Duckworth moved, seconded by Mr. Giorgio, to make the recommended awards by Mr. Brown.

Upon motion duly made and seconded, it was unanimously

VOTED: That the following bids are awarded for general construction materials in the following amounts:

1.	Core and Main	\$60,295.74
2.	EJ Prescott	\$187,244.68
3.	Hoadley	\$43,812.00
4.	EJ Prescott	\$118,128.00
5.	EJ Prescott	\$10,263.00

**INFRASTRUCTURE PROJECTS**

**East Greenwich Well Refurbishment (weather dependent for completion)**

Mr. Brown reported that there was some damage from the storm where a tree fell. He said the fence and the generator were hit. He said the insurance should cover any loss.

**IFR 2015A**

Mr. Brown reports that construction was in winter shutdown

**IFR 2015B**

Mr. Brown reported that this was in winter shutdown as well

**IFR 2016 Design – 3 phase project completed**

Mr. Brown updated the Board that this was on hold for funding.

**IFR 2018 Design – Ongoing**

Mr. Brown reported that this is in design.

**CAPITAL PROJECTS**

**Water Main North/South Interconnection High Service**

Mr. Brown reported that the design was done and the project awaited funding.

**EXECUTIVE SESSION – Pursuant to RIGL 42-26-5(a)(1), discussions of the job performance, character, or physical or mental health of a person or persons**

Chairman Boyer read the agenda item and then asked the employee if he wanted an open session or executive session. The employee asked for executive session.

The Chairman asked for a motion to move into executive session. The chairman noted for the record that the affected employee was notified of the meeting and that he was given the opportunity to have the meeting in open session.

Mr. Duckworth moved, seconded by Mr. Masterson that the board move into executive session for discussion of job performance, character, physical or mental health pursuant to RIGL 42-46-4 and 42-46-5(a)(1)

Upon Motion duly made and seconded, it was unanimously, by roll call vote,

VOTED: That the board moved into executive session for discussion of job performance, character, physical or mental health pursuant to RIGL 42-46-4 and 42-46-5(a)(1).

The board moved into executive session at 4:15 p.m.

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The board emerges from executive session at 5:00 p.m.

Mr. Duckworth moved and seconded by Mr. Giorgio that the board exit from executive session

Upon Motion duly made and seconded, it was unanimously, by roll call vote,

VOTED: That the board the board exit from executive session Mr. Sullivan announces that a vote was taken in executive session to affirm the issuance of the warning by Mr. Brown to Brian Jenison.

Mr. Duckworth then moved, and seconded by Mr. Gallucci, that the minutes of the meeting shall remain under seal pursuant to RIGL 42-46-4 and 42-46-5.

Upon Motion duly made and seconded, it was unanimously, by roll call vote,

VOTED: That the minutes of the meeting shall remain under seal pursuant to RIGL 42-46-4 and 42-46-5

There being no further business before the board, Mr. Duckworth moved, seconded by Mr. Giorgio, to adjourn the meeting. The vote was unanimous in the affirmative.

Dated: March \_\_\_\_, 2018

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Patrick J. Sullivan  
Legal Counsel