

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING  
OF THE BOARD

January 17, 2019

A meeting of the Board of Directors of the Kent County Water Authority was held on the 17<sup>th</sup> day of January 2019, 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 Treasurer Joseph Gallucci, Secretary Scott Duckworth, Russell Crossman, and Jefferey Giusti 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 was excused from attendance. Mr. Duckworth led the group in the pledge of allegiance.

**APPROVAL OF THE MINUTES**

The minutes of the regular board meeting held on December 20, 2018 were presented for approval. Mr. Giusti moved, seconded by Mr. Crossman, to approve the minutes. The minutes were approved unanimously.

**Legal Matters**

Mr. Sullivan discussed the litigation entitled Conservation Law Foundation v. KCWA and Burrillville v. KCWA (PC2017-1037 and PC2017-1039). He discussed lack of developments since the last meeting. He again told the board that the case was heard and that he still awaits a decision.

He then discussed the CONE receivership. He said, similarly, that Judge Sara Taft Carter was assigned the case and that there was a hearing before her on the consent order between the receiver and the town of Coventry. He said the judge promised that this receivership, dating back to 2011, would be closed out this calendar year. He said she scheduled two new court dates in January 2019 on several motions and the consent order that would green light some KCWA work in the condominium development.

## **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 2018-2019 as of December 2018 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of December 2018, attached as exhibit "A", and a thorough discussion ensued with regard to the sales and revenue.

Chairman Boyer commented about the average revenues. Mr. Brown advised the board that Moody's had scheduled a conference call next week in order to complete a statistical analysis.

Mr. Duckworth moved, seconded by Mr. Giusti, 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 2018-2019 as of December 2018 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of December 2018, attached as exhibit "A", be approved as presented and be incorporated herein and are made a part hereof.

## **Point of Personal Privilege and Communication**

Mr. Giusti has some questions for the staff about a requirement of an applicant for a subdivision in Coventry to require a 12" main rather than an 8" main. Mr. Duchesneau advised that he relayed the requirement to the applicant's engineer. Mr. Brown explained the need for the requirement and the engineering behind the requirement.

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

### **GENERAL:**

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

Mr. Brown said he received a letter from Mr. Sullivan regarding a conference he had with Mr. Gorham the solicitor from Coventry. He said Mr. Sullivan asked to meet in executive session with the town council, prior to the filing of litigation, to try to resolve this issue. Mr. Crossman said he met with the Acting Town Manager and there was agreement to try to resolve it. Mr. Duckworth said he had three conversations with Mr. McGee and he was non responsive.

## **Warwick RI Backflow Preventers, Coordination with Mr. Gallucci**

Mr. Brown said he and Mr. Gallucci met with the city engineer and the public works director on this issue. He said one backflow preventer was installed and one remained. There was a discussion regarding who get notice of the non compliance with the backflow preventer installation and Mr. Brown said the owner is notified. He said notice is also placed on the door handle.

## **Warwick RI, Status of Paving Policy**

Mr. Brown said the paving policy was the subject of Rep. McNamara's legislation filed that would require utilities to pave from curb to curb across the state. He said KCWA already does that so it wouldn't affect us. He said the language in the bill needs some work but he would keep tabs on it.

## **National Grid Proposal for Payment of Shared Paving Cost**

Mr. Brown said that currently Warwick only receives 3.5 feet of paving of either side of the work in replacement paving. As such, he said National Grid was offering \$40k for an \$80k job KCWA paved. He said National Grid cites the Warwick policy of a 7' requirement for paving. He said it was before the board for a decision, but in light of the new proposed legislation, he thought the board may want to see how that progresses in the legislature.

## **Approval and Acceptance Proposals Water Meter replacement program; authorization to execute contract for services to purchase meters.**

Mr. Simmons discussed an attempt by a higher bidder to submit an explanation in the form of a request to again respond to the RFP for the project. Mr. Simmons said his recommendation remains the same with Neptune Technological Group. He said Neptune's proposal was \$4 million, which was less than the next bidder especially in light of the assets KCWA currently has in place.

Chairman Boyer said he had met with Mr. Simmons, and agreed that all proposers had access to the same specifications.

Mr. Gallucci moved, seconded by Mr. Duckworth, to approve the proposal offered by Neptune Technological Group, for hardware and software related to replacement of water meters.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA approves the proposal offered by Neptune Technological Group, for hardware and software related to replacement of water meters.

### **Review & Approve Proposals for Rate Consultant**

Mr. Brown described the proposal from B&E Rate Consulting, LLC to become the next rate consultant. He said this area of expertise is a very limited field, which normally doesn't result in many proposals. He said the prior KCWA rate consultant of 30 years had retired. He said the B&E proposal lists all items contained in the request for proposals and he recommended approval.

Mr. Gallucci moved, seconded by Mr. Crossman, that B&E Rate Consulting, LLC's proposal as a rate consultant be approved.

Motion made and duly seconded, it was unanimously

VOTED: That B&E Consulting, LLC's proposal as a rate consultant for KCWA is approved.

### **Open Position Hiring Approval**

Mr. Brown engaged the board with a discussion of the open positions and said his recommendations were to hire William Murphy and Shane McGrath. He recommended they start at an intermediate level at the second step. He went over each candidate's background and discussed how each interview and second interview went. He said each candidate had skills that could be used in their positions with the authority. Mr. Brown said each of them would need treatment and distribution licenses in the first year. As such, he recommended they each be offered a conditional offer of employment subject to a pre employment screening, including a drug test and a BCI inquiry.

Mr. Duckworth moved, seconded by Mr. Crossman, to extend a conditional offer of employment to Mr. Murphy and Mr. McGrath, subject to successful completion of a drug test, a satisfactory BCI inquiry and a two year probationary status.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA extends a conditional offer of full time employment to Mr. Murphy and Mr. McGrath, subject to successful completion of a drug test, a satisfactory BCI inquiry and a two year probationary status.

### **INFRASTRUCTURE PROJECTS**

## **IFR2015B**

Mr. Brown said the paving was done and the final payment was scheduled for later this year.

## **IFR 2016 Design – 3 Phase Project**

Mr. Brown updated the Board that this remains on hold for funding and was a three-phase project.

## **IFR 2018 Construction Bid Date, January 23, 2019**

Mr. Brown reported that this is scheduled for a bid opening date of January 23, 2019. He said many contractors had picked up the packets, and he found that encouraging.

## **CAPITAL PROJECTS**

### **Water Main North/South Interconnection High Service Bid Date February 18, 2019**

Mr. Brown reported that three contractors expressed interest in this project.

### **Executive Session – 42-46-5 (a)(2) Relating to Litigation Pinga v KCWA 3SC-2018-01004 Discussion and Action**

Mr. Duckworth moved and seconded by Mr. Giusti that the board move into executive session for discussion of litigation as set forth above pursuant to RIGL 42-46-4 and 42-46-5(a)(2)

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

VOTED: That the board move into executive session for discussion of litigation as set forth above pursuant to RIGL 42-46-4 and 42-46-5(a)(2)

The board goes into executive session at 4:30 p.m.

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The board resumes regular session.

Mr. Duckworth moved, seconded by Mr. Giusti, to seal the minutes of the executive session 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 board seal the minutes of the executive session pursuant to RIGL 42-46-4 and 42-46-5.

There being no further business before this meeting, on motion duly made by Mr. Duckworth, seconded by Mr. Crossman and carried, the meeting was adjourned at 5:00 p.m.

Dated: February \_\_\_\_, 2019

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Patrick J. Sullivan  
Legal Counsel