

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING
OF THE BOARD

January 20, 2022

A meeting of the Board of Directors of the Kent County Water Authority was held on the 20th day of January 2022, at 3:30 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room via Zoom pursuant to the Governor's executive order.

Chairman Boyer opened the meeting at 3:30 p.m. Board members Vice Chairman Jeff Giusti, Secretary Scott Duckworth, Brian Kortz, Geoffrey Rousselle, and Charles Donovan were all in attendance along with Executive Director/Chief Engineer David L. Simmons, Director of Administration John Duchesneau, Legal Counsel Patrick J. Sullivan, Esq. and Director of Human Resources and Finance Michael Lanfredi. Water Project Engineer Nicole Campagnone was also in attendance.

APPROVAL OF THE MINUTES

The minutes of the regular board meeting held on December 16, 2021 were presented for approval. Mr. Rousselle moved the minutes approval, seconded by Mr. Duckworth. The minutes were approved unanimously.

Executive Session: 4:00pm Pursuant to RIGL Executive Session 42-46-5(a)(1) relating to discussions of the job performance, character, or physical or mental health of a person or persons. Probationary employment status.

Mr. Sullivan asked the employee if he had been notified that he had the option to hold this portion of the meeting in public or in executive session. Mr. Hopkins said he had been notified and he preferred open session. The board remained in open session.

Mr. Simmons introduced Mr. Hopkins and his probationary employment status. He said that Mr. Hopkins had successfully completed his two-year probation period and that he was an exemplary employee. He said Hopkins was a go to on the meter change out program, eager to learn. He recommended full employment status for Mr. Hopkins.

Mr. Duckworth moved, seconded by Mr. Rousselle, to extend full employment to Mr. Hopkins.

Motion duly made and seconded, it was unanimously

VOTED: That KCWA extends full employment to Mr. Hopkins.

Legal Counsel

CONE Receivership

Mr. Sullivan updated the board on the Center of New England receivership. He said there was a problem with a water bill arrearage in CONE which resulted in a potential shutoff. He said his office got involved, since any shutoff during a receivership has to go through the Superior Court. He said that he received assurances from the receiver Mr. McGowan that he had reached a settlement regarding the common area maintenance charges with Wal Mart. The settlement which was a payment of \$450k by Wal Mart was scheduled for approval by the Superior Court on January 27, 2022. Mr. Sullivan and Mr. McGowan agreed that the outstanding bill would be paid within ten days of the approval.

Johnsons Blvd land purchase/lease

Mr. Sullivan advised the board that neither he nor KCWA had received any response from Coventry for the land acquisition.

Feb and March 2022 Meetings: Request to change meeting dates to Thursday Feb 10th and March 24th

Mr. Simmons advised the board that he would like to move two meetings, the February meeting to February 10, 2022 and the March meeting to March 24, 2022. He indicated that Mr. Sullivan would be out of town in February on the original meeting date and that he would be out of town on the original March meeting date.

Mr. Rousselle moved, seconded by Mr. Crossman to move the meetings.

Motion made and duly seconded, it was unanimously

VOTED: That the KCWA meetings for February and March will be held on February 10, 2022 and the March meeting to March 24, 2022.

Director of Finance Report:

Closing Report November 2022 Cash 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 2021-2022 as of December 2021 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of December 2021, attached as exhibit "A", and a thorough discussion ensued with regard to the sales and revenue.

The Chairman asked if the delinquencies were average. Mr. Lanfredi said in 2021 at this time the delinquencies were:

2022 1152 accounts delinquent for \$419k

2021 1476 accounts delinquent for \$483k

Mr. Lanfredi went on to discuss the beginning of the shutoffs that began this week. He said 110 notices went off and most all paid with only 3 actual shutoffs occurring.

Mr. Simmons added that KCWA is slowly getting back to normal.

Mr. Rousselle moved, seconded by Mr. Duckworth, 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 2021-2022 as of December 2021 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of December 2021, attached as exhibit "A", be approved as presented and be incorporated herein and are made a part hereof.

Point of Personal Privilege and Communication

There was nothing to report here.

PUC/DPUC REGULATORY MATTERS:

PUC Report and Order 24283 Dockets 5133 and 5161

Mr. Simmons said that he received KCWA dockets 5133 and 5161 final orders. He said they were posted and published on their website.

Renewable Energy Policy : Action Item: Board adoption of renewable energy policy to achieve 100% energy derived from renewable sources.

Mr. Simmons indicated that he sent the board a memo prepared with our consultant that asks the board to support a policy for KCWA to use 100% renewable sourced energy. He said the policy goal is the first step to show support behind the movement. He discussed the solar on the new facility and thought we could get 25% from the panels, with the remainder from third parties, whether hydro, solar or wind.

Mr. Simmons then read a portion of the memo to the board and asked the board to support it.

Mr. Giusti moved, seconded by Mr. Rousselle, to adopt the policy to have KCWA's goal to use 100% renewable sourced energy.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA adopt the policy to have KCWA's goal to use 100% renewable sourced energy.

EXECUTIVE DIRECTOR/CHIEF ENGINEER'S REPORT

ONGOING PROJECTS:

Meter Change Out Program-Update Status.

Mr. Simmons said that 210 people have to make appointments. They are currently being charged a \$55.00 fee to read their meters. Interestingly enough, there were not many complaints regarding the fee.

Mr. Duckworth asked if it could be broken down by town. Mr. Simmons said that he asked that last meeting and it was already done and that he would send the Board members the listing.

Chairman Boyer asked what the number was last meeting. Ms. Campagnone said it was 290. Ms. Campagnone outlined a program with people who claim plumbing issues to get rebated the \$55.00 monthly charge if the issues were resolved and a meter installed by June 2022. Mr. Simmons said East Providence used this technique with success.

RFP advertisement for Public-Private remote net metering and renewable energy certificate (REC) projects

Mr. Simmons said this RFP was on the website/portal. He indicated that KCWA was very excited about moving forward.

Water Resource Board -WQP fund expenditure. Extension granted Mar. 31 2022.
Land purchases for wellhead protection- due diligence update

Mr. Simmons advised the board that WRB had \$770k meant to be used for wellhead protection. He said the funds had to be used by 12/31/21. He said the land acquisition is going far beyond that date. He said KCWA would be doing the formal application in mid February 2022.

Mr. Duchesneau said the surveys had been done and were forwarded to Mr. Sullivan for review. Mr. Simmons said the Phase 1 Environmental was returned today and he was excited to move forward with the closing in mid February.

IFR 2021-Progress update.

Mr. Simmons said they received 2 PRV stations, one for Johnson Blvd. and one for Mishnock Road. He called it a huge milestone. He showed the board a video of the giant PRVs being installed with a crane.

Mr. Simmons went on to explain the function of the PRV and gradient adjustments around Mishnock and Wood Estates. He also indicated that they were state-of-the-art and could be monitored from the office without having to visit the site.

New Office and Maintenance Facility RIIB funding via SRF and EBF. RIIB Board Approved with commitment letter. RIDOH- Certificate of Authorization Progress for SRF funding Action Item: Proposal received for Architectural and Engineering Design Services.

Chairman Boyer opened the discussion by indicating that the quotes received from Vision 3 and Pare insulted the board.

Mr. Simmons advised the board that the RFP went out for architectural engineering for a new facility. Two companies showed up for the meeting, and only Vision 3 submitted a proposal. He said it looked good until he looked into the details. He said the proposal was not responsive to the RFP. He said the total was \$1,031,293. The RFP asked specifically for hourly charges and not fixed fees. He said some of the costs were not in line with need.

He said we have a subcommittee to evaluate the offer and they can make a recommendation to the full board. He said he would like to take a deeper dive into this with the subcommittee.

Mr. Kortz said while he looked at the bid, he agreed with Mr. Simmons to ensure a fair price. He said they can look for some savings and perhaps reduce the scope of the project.

Mr. Giusti asked why one firm to bid one package. Why not break it up?

Mr. Simmons said that there were time constraints with the threat to the change in wetlands regulations, but now, maybe we do it the way Mr. Giusti says.

Chairman Boyer asked why Pare cannot do the wetlands work now and get that done. He said he also likes Mr. Giusti's idea as well. He said the buildings are designed by the manufacturers. He said the prices by Vision 3 are ridiculous. He said we should go out to different firms and invite others to bid.

Mr. Duckworth said he agreed with the Chairman and Mr. Giusti. He said an architectural firm will bring in the subs.

Mr. Kortz said a fairly typical architectural firm would bring in its own subs. Perhaps a premium to be paid for a project manager but if the pricing doesn't work out, we can go to other options.

Mr. Duckworth moved, seconded by Mr. Rousselle to refer the Vision 3 bid to the subcommittee for a referral to the full board.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA refers the Vision 3 bid to the subcommittee for a referral to the full board.

Executive Session: 4:20 pm

Pursuant to RIGL 42-46-5(2): Discussions pertaining to litigation -RIDOT- Construction- Pipe Gantry Issues-KCWA v. D'Ambra Construction and RIDOT- KC-2021-0704

Pursuant to RIGL 42-46-5(2): Discussions pertaining to litigation -Cardi- Construction

Pursuant to RIGL 42-46-5 (5) Any discussions or considerations related to the acquisition or lease of real property for public purpose

Mr. Giusti moved to enter executive session. Mr. Rousselle seconded the motion.

Chairman Boyer, via roll call vote, polled the board. The vote was unanimous.

The board went into executive session at 4:20 p.m.

...

The board convenes back in open session at 4:40 p.m.

Mr. Duckworth moved to seal the minutes of the executive session. This was seconded by Mr. Rousselle.

Motion made and duly seconded, it was unanimously approved.

There being no further business before this board, on motion duly made by Mr. Rousselle, seconded by Mr. Donovan and carried, the meeting was adjourned at 4:45 p.m.

Dated: February _____, 2022

Patrick J. Sullivan
Legal Counsel