

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING
OF THE BOARD

October 18, 2018

A meeting of the Board of Directors of the Kent County Water Authority was held on the 18th day of October 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, Frank Giorgio and John Giusti were all present together, along with the General Manager/Chief Engineer Timothy J. Brown, Legal Counsel Patrick J. Sullivan, Esq. and Director of Finance and Administration Michael Lanfredi. Mr. Duckworth led the group in the pledge of allegiance.

APPROVAL OF THE MINUTES

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

Guest Michael Pinga 15 Factory St., West Warwick, RI

Mr. Brown introduced the guest to the board and described the issues. He said there were two issues, one being the failure to install a backflow preventer and the second was a shutoff notice for failure to pay the fees related to the fire line in his property. He gave a procedural history as well, saying that Mr. Pinga filed an appeal with the DPUC, and their declination of jurisdiction.

Mr. Pinga said he received a shutoff notice for failure to install the back-flow preventer as well as for non-payment of the back billing for the fire line. The amount due was \$2,294.33 which did not include interest. Mr. Pinga said he hired someone to install the back-flow preventer and scheduled it for October 27, 2018. Mr. Brown said this was acceptable and the installation would be inspected by KCWA.

Mr. Gallucci then asked why DPUC didn't take the appeal jurisdiction while raising issues relating to Valley CC and Bradford Soap disputes. Mr. Brown indicated that the matters were settled at DPUC but couldn't answer why DPUC accepted jurisdiction with those cases and

declined it with this matter. This matter never came before the board he said. There was discussion about the difference between residential and commercial disputes.

There was a general discussion of the state requirement of back flow preventers with Mr. Masterson, Chairman Boyer and Mr. Brown. Mr. Duckworth questioned why the fire line was never billed. Mr. Brown said no one could answer that question. He said the older records were in disarray but the KCWA was only able to bill for the most recent three years only.

There was a discussion related to the ability of the board to visit upon the billing disputes. Mr. Brown said as of right now, the bills say the customers are required to appeal to the DPUC if there is a billing dispute. The board can revisit this policy, but he said the office staff deals with numerous billing disputes each day.

Mr. Duckworth suggested Mr. Sullivan look into the matter and report next week. He suggested that if there was a failure to bill the charges, this shouldn't rest upon the rate payer especially if he was paying out \$3,500.00 for the back-flow preventer.

Mr. Brown assured Mr. Pinga the water would remain on during the pendency of the dispute. Mr. Sullivan said if the back-flow preventer was installed before the next meeting it would render that portion of the issue moot.

The matter was put over until next month with Mr. Sullivan to look into the matter.

Legal Matters

Mr. Sullivan discussed the litigation entitled *Conservation Law Foundation v. KCWA and Burrillville v. KCWA* (PC2017-1037 and PC2017-1039). He discussed the progress of the case and the 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 Silverstein was to render a decision on a pressing matter prior to his retirement, and he thought it would happen prior to his retirement. He said the matter would likely be transferred to Judge Stern.

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 September 2018 and Statement of Revenues, Expenditures, and Changes in Fund

Balance as of September 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 2018-2019 as of September 2018 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of September 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. Gallucci reported to the board that he tried to docket the pavement policy with the City Council but the Mayor held it. Mr. Gallucci thought they should meet again with representatives of Warwick. Mr. Brown said he would.

Mr. Duckworth asked about any employee issues. Mr. Brown said there was really nothing to report. Mr. Brown lamented that the ability to get and retain qualified workers was difficult. He suggested a winter strategic plan conference of the board may be in order.

GENERAL MANAGER/CHIEF ENGINEER’S REPORT

GENERAL:

Utility Conflict King Fisher & Osprey Drive, Coventry

Mr. Brown indicated that communication with Coventry should wait until a new full time manager was appointed.

Request to purchase KCWA property – Gough Ave.

Mr. Brown explained that there was an offer to purchase property owned by KCWA from clients of Mr. Richardson, Esq., Mr. and Mrs. Paliotta. This piece was the subject of some controversy last year when the abutter/potential buyer thought they had bought the property previously during a transaction with KCWA. The property was surveyed by KCWA it was confirmed that KCWA had fee simple title to the land. At that time, any encroachments were removed by the Paliottas. The board considered the matter and there was discussion about the offer. Mr. Brown indicated his position would be that the board sell no assets of the authority at all.

Mr. Duckworth moved, seconded by Mr. Giusti, to reject the offer to purchase the land.

Motion duly made and seconded, it was unanimously

VOTED: That KCWA rejects the offer to purchase the real property.

INFRASTRUCTURE PROJECTS

East Greenwich Well Refurbishment

Mr. Brown reports that the well is operational. He said it is working very well. He said they tested the generator overnight and it performed well. He asked the board to pass a balancing change order to close the project out at a savings.

Mr. Masterson moved, seconded by Mr. Giorgio, to approve a balancing change order in the amount of \$60,132.57.

Upon motion made and duly seconded, it was unanimously

VOTED: That KCWA approves a balancing change order for the East Greenwich well in the amount of \$60,132.57.

IFR 2015B

Mr. Brown reported that the project is ready for final paving. He said paving contractors are quite busy now but he expects it to be completed.

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 Design

Mr. Brown reported that this would be re bid in January 2018. He reminded the board there was only one bidder and it was much higher than estimated.

CAPITAL PROJECTS

Water Main North/South Interconnection High Service

Mr. Brown reported that the design was done and the project will be sent out to bid in the beginning of January 2019. He said the project was funded with \$8.2 million of \$12 million necessary.

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

Dated: November ____, 2018

Patrick J. Sullivan
Legal Counsel