

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING
OF THE BOARD

November 16, 2017

A meeting of the Board of Directors of the Kent County Water Authority was held on the 16th day of November 2017, 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, and Mr. Crossman 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 October 19, 2017 were presented for approval. Mr. Giorgio moved, seconded by Mr. Crossman, to approve the minutes. The minutes were unanimously approved.

GUESTS:

No guests appeared.

Legal Matters

Mr. Sullivan advised the board of his work on the Valley Country Club matter. He said he and Mr. Brown met with counsel and member representatives of Valley CC. Various scenarios were discussed, including leaks and poorly performing meters. At the end of the day, however, there was no resolution. Mr. Brown advised them where they could get the meter tested and that KCWA would assist in turning the water on in the street if needed.

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 Mr. Brown's attendance at a 30(b)6 deposition for KCWA. Mr. Sullivan said the

deposition went exceptionally well and although there was no errata sheet, he would attempt to get the steno to correct the errors identified by Mr. Brown. He also said two communities filed motions to remove themselves from the litigation. The hearing was scheduled and the Judge denied their request and suggested that the law relating to indispensable parties required their continuing in the case.

Mr. Sullivan said that the Cardi matter is ongoing and the State just delivered its discovery to his office that week, with the DOT moving at a snail's pace.

Mr. Sullivan advised he filed a lawsuit against the town of West Warwick, served the town clerk, and he awaits their answer which was to be due the week after the meeting.

Mr. Sullivan then discussed Rite Aid on Main St. and their requirements for insurance indemnification. He didn't think the certificate fulfilled the obligations under the policy. He was to follow up.

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 October 2017 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of October 2017, 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 October 2017 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of October 2017, attached as exhibit "A", be approved as presented and be incorporated herein and are made a part hereof.

Point of Personal Privilege & Communication

Mr. Masterson said he visited the EG Well and was disappointed with some of the work. He said the fence had rust stains on it and that the gate on the fence wasn't straight. Mr. Brown said they were told to replace the fence. He said there was a punch list including not only the fence issue, but also some paving issues, and some aggregate exposed. Mr. Brown also said there were operational issues including control issues with the transfer of power to the generator as well as pump issues that need to be resolved with the contractor.

GENERAL MANAGER/CHIEF ENGINEER'S REPORT

GENERAL:

Utility Conflict King Fisher & Osprey Drive, Coventry, Action Required

Mr. Brown updated the Board on this matter. He said there had been no progress. He said they were waiting for the Town of Coventry to dig a test pit.

Valley Country Club

Mr. Brown advised that in addition to what Mr. Sullivan said in legal matters, they did ask for additional time to investigate and pay.

Step Increase Rate Filing - Review

Mr. Brown explained this agenda item and said KCWA filed its paperwork. He said the Division and any intervenors had until December 11, 2017 to file their positions. He said the PUC was scheduled to vote on December 20, 2017.

Staffing Issues KCWA

Mr. Brown discussed this item. He said four people were out on various forms of leave. Mr. Brown also stated he posted four positions for hiring on Indeed.com. He discussed the hiring challenges KCWA faces.

INFRASTRUCTURE PROJECTS

East Greenwich Well Refurbishment

Mr. Brown reported that the well is up and running. It was in full production. Work is ongoing on a punch list finalization and continues to be monitored by KCWA. It will be re chlorinated next week.

IFR 2015A

Mr. Brown reports that construction in the Rt. 2 area is shutdown for winter and will be paved in the spring. He said there was a dispute where Warwick asked the KCWA to delay paving in the Commonwealth Ave. area. He said there was concern as the cost of paving may increase.

IFR 2015B

Mr. Brown reported that this project is ongoing off New London Avenue and should be finished by the end of November.

Mr. Gallucci said he has received complaints about Brito’s work in the East Ave. area. He said they didn’t complete what they say they are going to do. Chairman Boyer agreed saying that the paving work is a mess in that area.

IFR 2016 Design (Project Status)

Mr. Brown updated the Board that design services when finalized will be broken into separate pieces.

Chairman Boyer asked about 2018 projects. Mr. Brown said that 2015A and 2015B should finish. He said that the biggest project would be meter replacement. He said all residential meters will be replaced.

CAPITAL PROJECTS

Mishnock Area Transmission Main, Design Revision (Spring Start)

Mr. Brown indicated that this was fully installed.

Water Main North/South Interconnection High Service

Design services almost complete.

Mr. Brown asked the board to amend its agenda to add the Bradford Soap matter to the agenda for discussion purposes only. Mr. Masterson moved, seconded by Mr. Giorgio, to add the Bradford soap to the agenda.

Chairman Boyer held a roll call vote on the motion.

VOTED:	Mr. Giorgio	yes
	Mr. Masterson	yes
	Mr. Crossman	yes
	Mr. Gallucci	yes
	Mr. Boyer	yes

Mr. Brown said he received a call from Atty. Revens representing Bradford Soap. He updated the board on the status of the matter before the Division and gave the board a historical perspective on the dispute. He said there was some procedural maneuvering after the attorney attempted to get the matter postponed to late January. The hearing officer instructed counsel to get together for an agreeable date before January. Attempts for rate counsel to do so were unsuccessful and there was no response. Meanwhile, Mr. Brown said that Attorney Revens called the Chairman. Mr. Revens requested to appear before the board in an attempt to resolve the dispute. Chairman Boyer said he told the attorney that once the matter lands before Division, a board appearance isn't consistent with protocol. There was discussion about putting a master meter for all their water use. The discussion the concluded.

Mr. Crossman moved, seconded by Mr. Gallucci, to adjourn the meeting. The vote was unanimous in the affirmative.

Dated: December ____, 2017

Patrick J. Sullivan
Legal Counsel