

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING
OF THE BOARD

February 21, 2019

A meeting of the Board of Directors of the Kent County Water Authority was held on the 21st day of February 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, Frank Giorgio and Jeffrey 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 led the group in the pledge of allegiance.

APPROVAL OF THE MINUTES

The minutes of the regular board meeting held on January 17, 2019 were presented for approval. Mr. Giorgio moved, seconded by Mr. Duckworth, to approve the minutes. The minutes were approved unanimously.

Review Division Docket D-18-37, 8 Carlson St., Coventry – Frozen Meter – Current details of Hearing and Direction from Board

Mr. Brown moved the agenda item up with permission of the chairman. He said he asked Atty. Shekarchi to speak to the board. They each discussed the merits of the frozen meter currently pending before the DPUC. He said the hearing officer was questioning the authority in an unusually extreme manner. Mr. Brown said the questions dealt with 2017 meters going forward, when it was replaced, refrigeration issues, etc... They both said an order by the hearing officer may potentially violate the rules and regulations of the KCWA. Mr. Brown thought if a decision came down, there may not be enough time before the next meeting in the event there was an adverse ruling and the filing of an appeal within the required time.

Mr. Giusti discussed a potential paper trail in the installation and related matters.

Mr. Duckworth moved, seconded by Mr. Crossman, to vest the chairman with the authority to file an appeal in the event of an adverse order from DPUC.

Motion made and duly seconded, it was unanimously

VOTED: That the board authorizes the chairman with the authority to file an appeal from an adverse order from DPUC between meetings.

Legal Matters

Mr. Sullivan again discussed the litigation entitled Conservation Law Foundation v. KCWA and Burrillville v. KCWA (PC2017-1037 and PC2017-1039). He discussed the still 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 that there were several hearings before the superior court and that the promises of the trial judge, that the case will move along a lot faster, were coming to be accurate. He discussed the developments of Coventry and their efforts to get approval of a consent order, which is currently pending, along with other motions, before the court.

He then discussed the first agenda item, Utility Conflict King Fisher & Osprey Drive. He said he requested, via letter, to appear before the Coventry Town Council through their solicitor. He hadn't heard back, Mr. Sullivan reported, despite the promise of Mr. Gorham the previous month.

Mr. Crossman said he had met with the acting town manager. He reported that the manager thought the cost sharing was appropriate. There was some agreement and it was to be further explored. Mr. Brown said in light of the developments, a meeting with Council might not be necessary after all. Mr. Crossman promised a report at the next meeting.

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

Mr. Gallucci 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 2018-2019 as of January 2019 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of January 2019, 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. Crossman had questions regarding KCWAs consultant C&E Engineering. There was some discussion of the consultant going out of business, and whether we owned the model and data. Mr. Brown assured the board that KCWA owns both the model and the data.

GENERAL MANAGER/CHIEF ENGINEER'S REPORT

GENERAL:

National Grid Proposal for Payment of Shared Paving Cost. Action requested.

Mr. Brown said he billed National Grid fifty percent of the paving cost in Warwick. He said they wouldn't pay because there was no agreement to pay. They pay Warwick because of an agreement, they said. Mr. Brown said there is no agreement. Mr. Gallucci said there had been problems with National Grid since it was sold. There was a general discussion of curb to curb paving policies across Kent County. There was also discussion about the proposed statewide requirement to pave curb to curb. Mr. Crossman thought a letter from Mr. Sullivan may move somewhat, as the attorney letter has to go to their legal department. Mr. Sullivan was asked to send correspondence in an effort to collect the full amounts.

Meter Installation Services, Proposal Review and Award

Mr. Brown introduced the proposals from four companies. He said the hardware was already selected by the board, and this was the installation. He said he recommended Thielsch Engineering for a total of \$1,719,047.70 with a per unit award dependent upon the final number of units.

Mr. Duckworth moved, seconded by Mr. Giusti, to award the proposal for installation of new water meters to Thielsch Engineering for a total of \$1,719,047.70 with a per unit award dependent upon the final number of units.

Motion made and duly seconded, it was unanimously

VOTED To award the proposal for installation of new water meters to Thielsch Engineering for a total of \$1,719,047.70 with a per unit award dependent upon the final number of units.

Water Supply System Management Plan

Mr. Brown said the RFP is out for the revisions to the water supply management plan. It is required every 5 years. He said the proposal was due March 6, 2019.

Fire Services Charges – Limits of Reimbursements - Discussion

Mr. Brown previously delivered a list of discovered fire lines not in the database along with the billings and the payments made. He discussed the issue and the board had some questions about limits of recovery. Mr. Brown said as the larger meters are tested, more will be discovered.

The board took no action.

INFRASTRUCTURE PROJECTS

IFR 2016 Design – 3 Phase Project – Design Complete On Hold Pending Funding

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

IFR 2018 Construction Bid Award

Mr. Brown reported that this project is the Hilltop area in Warwick as well as the Veterans Square bridge in West Warwick. He recommended the project be awarded to Boyle and Fogarty for \$2,978,741.70.

Mr. Duckworth moved, seconded by Mr. Crossman, to award the project to Boyle and Fogarty for \$2,978,741.70.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA awards the project to Boyle and Fogarty for \$2,978,741.70.

CAPITAL PROJECTS

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

Mr. Brown reported that this project is slated for two years in Coventry. He said this would connect the north and south mains. He said he recommended D’Ambra Construction be awarded the bid in the amount of \$9,153,473.60.

Mr. Duckworth moved, seconded by Mr. Giusti, to award the project to D’Ambra Construction be awarded the bid in the amount of \$9,153,473.60.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA awards the project to D’Ambra Construction in the amount of \$9,153,473.60.

Mr. Brown asked the board to amend the agenda for discussion purposes only, to speak about bills affecting the board that had been filed at the state house.

Mr. Duckworth moved, seconded by Mr. Giorgio, to amend the agenda to speak about bills affecting the board that had been filed at the state house.

The motion unanimously passed.

Mr. Brown discussed a bill introduced by Sen. Raptakis to shorten the terms of board members after September 2019 to three years. There was a general discussion among the board members that it was unnecessary. There was limited discussion about the PWSB bill as being unnecessary as well. The lack of oversight by the PUC was discussed as being dangerous to the ratepayers.

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

The board did not go into executive session.

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: March ____, 2019

Patrick J. Sullivan
Legal Counsel