

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING
OF THE BOARD

March 21, 2019

A meeting of the Board of Directors of the Kent County Water Authority was held on the 21st day of March 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 Frank Giorgio 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 David L. Simmons. Mr. Gallucci led the group in the pledge of allegiance.

APPROVAL OF THE MINUTES

The minutes of the regular board meeting held on February 21, 2019 were presented for approval. Mr. Duckworth moved, seconded by Mr. Giorgio, to approve the minutes. The minutes were approved unanimously.

Legal Matters

Mr. Sullivan again discussed the litigation entitled Conservation Law Foundation v. KCWA and Burrillville v. KCWA (PC2017-1037 and PC2017-1039). He summarized the status of the case and there was no activity at all. He again told the board that the case was heard and that he still awaits a decision.

He then discussed the CONE receivership. He updated the board on the status of the CONE matters that were pending before the court, and said there was a hearing on April 15, 2019. He promised a report to the board thereafter.

He updated the board on the *Pinga v. KCWA* (3SC-2018-01004) matter in small claims court. He said that case was scheduled for April 16, 2019.

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 February 2019 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of February 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 February 2019 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of February 2019, attached as exhibit “A”, be approved as presented and be incorporated herein and are made a part hereof.

GENERAL MANAGER/CHIEF ENGINEER’S REPORT

GENERAL:

City of Warwick Backflow Preventer – Action Required

Mr. Brown updated the board on the lack of progress with the City of Warwick in their installation of the required back flow preventers. Mr. Duchesneau said he wrote officials asking for a status with no reply. He said KCWA receives no return telephone calls. Mr. Brown said KCWA should consider a shutoff notice. Mr. Gallucci promised to look into the issue, and made a telephone call during the meeting.

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

Mr. Brown said Mr. Sullivan had sent a letter to no avail. Mr. Sullivan said he did not receive the courtesy of any reply whatsoever. The board discussed the matter and directed Mr. Sullivan to follow up with a second letter.

Water Supply System Management Plan, Proposal Review, Recommend Award

Mr. Brown introduced the proposals from three companies. He said C&E, Geremia Associates and PAR Engineering each submitted proposals for this work. He said C&E was the low bidder at \$18,450.00. Chairman Boyer expressed concern regarding the low bidder, and said he heard they were out of business. Mr. Crossman echoed the concerns and asked if the board could conduct interviews. Mr. Giorgio expressed concern over the disparity between the bids (Geremia was \$26,980.00 and PAR was \$57,500.00) and asked about the differences in the product. Mr. Duckworth asked about the budget item for the work. Mr. Brown said it was approximately \$25,000.00 per year. Chairman Boyer asked Mr. Brown to negotiate the prices and potentially present the companies before the board for interviews.

Fire Services Charges – Limits of Reimbursements - Discussion

Mr. Brown reintroduced the matter to the board. He said all parties in violation had paid except two. One was in litigation (Ping). Chairman Boyer said he spoke to 3661 W. Shore Rd. and he explained to the owner that all others had paid and that they would be required to pay. Mr. Brown recommended a shutoff notice.

Meter Replacement Project, Start Up, Kick Off Meeting

Mr. Simmons addressed the board. He showed the board a new map of the installation project. He said the first meter order should arrive in 2-3 weeks. They will be stored at Thielsch Engineering. He detailed a timeline for testing and installation. He also summarized the value of the information that will be available to KCWA post installation.

Mr. Duckworth then moved, seconded by Mr. Crossman, to amend the agenda to add Letter of Protest from B. S. Winsupply, Inc. for discussion only.

Motion made and duly seconded, it was unanimously

VOTED: That the agenda is amended to add Letter of Protest from B. S. Winsupply, Inc. for discussion only.

Mr. Brown and Mr. Simmons began the discussion. They said they received a letter of protest from the bidder, who was the second lowest bidder, at nearly \$100K more. There was a demand for certain demonstration and for production of certain documents under the freedom of information act (FOIA). They referred it to Mr. Sullivan for review. Mr. Sullivan said the FOIA does not apply to states, only to the federal government. Even if it did, Mr. Sullivan said the act only deals with documents that currently exist. There is no requirement to produce documents, nor does it require a demonstration by KCWA or its successful bidders.

Mr. Giusti appears at the meeting from a Dr. Appointment at 4:05 p.m.

Review Division Docket D-18-37 8 Carlson St. – Frozen Meter

Mr. Brown updated the board and said they responded to the data request. He said it is in the hands of the hearing officer now.

Approval to Extend International Paving Contract for Sidewalk & Roadway repairs for add'l. 2 years.

Mr. Brown said they were very happy with this vendor and they were exercising their right under the contract to add an additional 2 years to the existing contract.

Mr. Duckworth moved, seconded by Mr. Giorgio, to extend International Paving's Contract for 2 additional years.

Motion made, duly seconded, it was unanimously

VOTED: That KCWA votes to extend International Paving's Contract for 2 additional years.

Approval and Execution of Water Quality Protection Charge Supplier Agreement

Mr. Brown introduced the topic to the board. He said it is administered by the RI Infrastructure Bank and that KCWA collects funds from customers. He explained how the bank worked to the board. He said the agreement was reviewed by Mr. Sullivan and he recommended approval by the board.

Mr. Duckworth moved, seconded by Mr. Giorgio, to approve the Water Quality Protection Charge Supplier Agreement for signature.

Motion made, duly seconded, it was unanimously

VOTED: That KCWA votes to approve the Water Quality Protection Charge Supplier Agreement for signature.

Employee Handbook Revisions

Mr. Brown discussed the proposed revisions to the handbook. He discussed a spike in accidents and property damage by KCWA employees as well as loss of equipment. He said they were working on language to address these matters. He also said he was to ask Mr. Sullivan to update the drug policy in light of today's society. There was a general discussion of the board members' experiences and the need to address both matters.

There was a discussion by the Chairman that he would at some point like to appoint a sub committee of the board to look at compensation of the new position or positions, with a recommendation back to the full board. He said he would like to appoint Mr. Giusti, Mr. Gallucci and himself. He said they might meet informally.

**EXECUTIVE SESSION Pursuant to RIGL 42-46-5(a)(1) related to Job Performance
Nicholas Campanile**

The Chairman then asked that employee Nicholas Campanile appear before the board. Prior to moving into executive session, the Chairman asked Mr. Campanile if he wanted to conduct the meeting in open session. Mr. Campanile said he wanted open session, so there was no executive session.

Mr. Brown then discussed the allegations against Mr. Campanile. He said the employee was suspended for not showing up twice to work. Furthermore, he failed to pass the treatment 1 license. All employees are required to pass these tests. Mr. Brown recommended termination by the board.

Mr. Campanile said there was no excuse for being late and missing work. He said he was not a great test taker.

Mr. Giorgio moved, seconded by Mr. Crossman, to terminate Mr. Campanile's employment.

Motion made, duly seconded, it was unanimously

VOTED: That KCWA votes to terminate Mr. Campanile's employment.

**EXECUTIVE SESSION Pursuant to RIGL 42-46-5(a)(1) related to Job Performance
Michael Lanfredi**

The Chairman then asked that employee Michael Lanfredi appear before the board. Prior to moving into executive session, the Chairman asked Mr. Lanfredi if he wanted to conduct the meeting in open session. Mr. Lanfredi said he wanted open session, so there was no executive session.

There was discussion of Mr. Lanfredi's job performance. Mr. Brown said he was very pleased with Mr. Lanfredi. He said Mr. Lanfredi finished his probationary period and he recommended Mr. Lanfredi be offered full employment.

Mr. Duckworth moved, seconded by Mr. Giorgio, to extend an offer of full employment to Mr. Lanfredi.

Motion made, duly seconded, it was unanimously

VOTED: That KCWA votes to extend an offer of full employment to Mr. Lanfredi.

INFRASTRUCTURE PROJECTS

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

Mr. Simmons updated the Board that this remains on hold for funding and was a three-phase project. He said he may put the tank demolition back on the street for bidding.

IFR 2018 Construction Bid Award

Mr. Simmons reported that construction should commence by April 1, 2019. He asked the board to approve task order #3 to award Geremia and Associates Construction Administration and Residential Inspection Services.

Mr. Duckworth moved, seconded by Mr. Crossman, to approve task order #3 to award Geremia and Associates Construction Administration and Residential Inspection Services.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA approves task order #3 to award Geremia and Associates Construction Administration and Residential Inspection Services.

CAPITAL PROJECTS

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

Mr. Simmons reported that this project is slated for two years in Coventry. There was a general discussion of a schedule proposed by D'Ambra.

Mr. Simmons asked the board to approve task order #4 to award Geremia and Associates Construction Administration and Residential Inspection Services.

Mr. Duckworth moved, seconded by Mr. Crossman, to approve task order #4 to award Geremia and Associates Construction Administration and Residential Inspection Services.

Motion made and duly seconded, it was unanimously

VOTED: That KCWA approves task order #4 to award Geremia and Associates Construction Administration and Residential Inspection Services.

Final Transition General Manager/Chief Engineer Position

Mr. Brown said he was leaving active employment on the 12th of April. He said he was transferring duties to Mr. Simmons for the next meeting. He said he transferred financials already, and had letters out to DOH and various other entities. He began a general discussion of the workforce needed for the future, and that GED candidates may no longer be able to handle the technology. Mr. Brown thanked the board and the customers for a great period of service to the KCWA.

Chairman Boyer read prepared remarks honoring Mr. Brown on behalf of the entire board.

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: April ____, 2019

Patrick J. Sullivan
Legal Counsel