

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING  
OF THE BOARD

July 21, 2021

A meeting of the Board of Directors of the Kent County Water Authority was held on the 21<sup>st</sup> day of July 2021, at 3:30 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room and via Zoom with any members of the public.

Chairman Boyer opened the meeting at 3:30 p.m. Board members Russell Crossman, Brian Kortz, Geoffrey Rousselle, Jefferey Giusti 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. Mr. Donovan led the group in the pledge of allegiance.

**APPROVAL OF THE MINUTES**

The minutes of the regular board meeting held on June 16, 2021 were presented for approval. Mr. Rousselle moved the minutes approval, including executive session, seconded by Mr. Donovan. The minutes were approved unanimously.

**Vice Chair Appointment: Approval and Board Action**

The Chairman asked the board for nominations for the open position of Vice Chair. Mr. Rousselle moved the name of Mr. Giusti. Mr. Donovan seconded the nomination. The chairman asked for any other nomination. Hearing none, Mr. Giusti's nomination was put up for a vote. The vote was unanimous.

**Legal Counsel**

**CONE Receivership**

Mr. Sullivan updated the board on the Center of New England receivership. He said the appeal by Mr. Cambio had been withdrawn by his attorneys. Mr. Crossman asked about the appeal,

and Mr. Sullivan said the sale of the lots in the Highlands was appealed. There was a brief discussion about the water mains at the site.

#### Johnsons Blvd land purchase/lease

Mr. Sullivan advised the board about the issue. He said he had received a response from the new town manager from Coventry. The response was referred to Mr. Geremia as there may have been some lot number references on the DEM permit that needed to be corrected. In addition, the response on the valuation was for the entire lot. Mr. Crossman indicated that KCWA make the lot conforming to accommodate both the PRVs and the zoning code would make the idea more compatible. Mr. Simmons said he would accommodate that with a referral to Jim Geremia.

#### Hydrant Tax issue

Mr. Sullivan said he had prepared a petition before the division of taxation to determine the appropriateness to charge a sales tax on the hydrant fees. He said that was pending, and that he had sent a power of attorney to the division. He again said they await a decision.

#### Walker Ridge Memo

Mr. Sullivan said there was an issue dealing with the Walker Ridge Homeowners Association in Coventry and their private hydrants. The issue was resolved by the DPUC and that Mr. Simmons had asked for a legal memorandum for the board. Mr. Sullivan said he had completed this endeavor and discussed its contents with the board and Mr. Simmons. He said he had completed much of research, and said the board should have it over the next day. He said he would do some edits based upon the comments from the meeting. Mr. Simmons said that the Eagle Glen homeowner's association in Scituate would be on the table soon with a related issue.

#### **Director of Finance Report:**

##### Closing Report April 2021 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 2020-2021 as of June 2021 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of June 2021, attached as exhibit "A", and a thorough discussion ensued with regard to the sales and revenue.

Mr. Lanfredi went through the status of collections. Mr. Lanfredi and Simmons went over the procedure for shutoffs and the procedure for payment plans, including default provisions.

Mr. Simmons said they bought more water than usual from PWSB but that the authority was in a strong financial position.

Mr. Rousselle moved, seconded by Mr. Giusti, 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 2020-2021 as of June 2021 and Statement of Revenues, Expenditures, and Changes in Fund Balance as of June 2021, attached as exhibit "A", be approved as presented and be incorporated herein and are made a part hereof.

#### **PUC/DPUC REGULATORY MATTERS:**

##### PUC Docket 5133 Monthly Billing-Tariff Advice Filing RIPUC-Update

Mr. Simmons updated the board on this tariff. He said the this allowed KCWA to revise the tariff so as to eliminate the private hydrant fee and replace it with one fire connection feed based upon the size of the line. He went on to say they went back retroactively to the original tariff approval. He said staff went line by line to calculate the credit.

##### PUC Docket 5161 -Pass-Through filing for PWSB Docket 4994 step increase

Mr. Simmons said that this was the pass through filing. He said it was approximately 4% of the wholesale rate. The increase would be less than \$1.00 per year for the average customer.

##### COVID-19 Updates - Continuity of Operations -PUC Dockets 5026

Mr. Simmons updated the board on this topic. He said they were still tracking data reported to the PUC. He said KCWA was selling quite a lot of water. He said all customers are going onto monthly billing and cautioned the board when comparing last year to this year as the revenue flow pattern and timing will appear differently until a full year of data is accumulated. He went on to say that the annualized revenues would stay the same but the spread will be one bell shaped curve rather than three from summer billings. The chairman asked if there were any complaints regarding the monthly billing. Mr. Simmons said there were a few asking why, but this method remains a better way for the customer.

Point of Personal Privilege & Communication:

Chairman Boyer said he was again displeased with Condyne and their role in the land purchase. He said the authority was almost there, and thanked Mr. Simmons, Ms. Shekarchi, Mr. Sullivan and Mr. Kortz.

**EXECUTIVE DIRECTOR/CHIEF ENGINEER'S REPORT**

**GENERAL:**

Monthly billing preparations- Muni-link Utility Billing/CIS Update

Mr. Simmons advised that this is ongoing.

Meter Change Out Program-Update Status.

Nicole Campagnone advised the board that as of July 16, 2021, 19,614 meters had been installed. 18,854 were installed by Thielsch Engineering and 760 by KCWA staff. She said the job was 81% complete and said the end of 2021 would be the estimated completion date.

Chairman Boyer asked the procedure if a customer refuses the meter change out. Mr. Simmons said they hang notices of those who haven't made an appointment. He said 300 homes are concerned about Covid – 19 fears. Mr. Simmons said they do it piece by piece doing a full survey as well.

**ONGOING PROJECTS:**

CIP- Water Main North/South Interconnection High Service Update.

Chairman Boyer said KCWA needs to be extra cautious that the repaired gantry bridge isn't settling. He suggested to Mr. Simmons to have Mr. Geremia set an elevation every two weeks. Mr. Simmons said he contacted Mr. Geremia and thought monthly.

IFR 2021-North Rd. Extension to service Hope Elementary

Mr. Simmons said this project is ongoing and should start soon.

## **LAND ACQUISITION – Progress Update**

### Due Diligence Progress Report

Mr. Simmons briefly discussed the common area maintenance costs and the ongoing discussions. Mr. Donovan asked if there would be a follow up on this issue and Mr. Simmons said he would send an update out.

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

The board did not go into executive session, as Mr. Sullivan said there was nothing new to report.

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 4:35 p.m.

Dated: August \_\_\_\_\_, 2021

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Patrick J. Sullivan  
Legal Counsel