



State of Rhode Island and Providence Plantations

Water Resources Board

100 North Main Street, 5th Floor

Providence, RI 02903

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MINUTES OF BOARD CORPORATE MEETING # 295

March 13, 2007

(Meetings of the Board Corporate convene immediately after the Board meetings.)

Members Present:

Daniel W. Varin, Chairman
William Penn
Robert Griffith
June Swallow
Frank Perry
William Stamp, III
William Parsons*
Jon Schock
W. Michael Sullivan

Staff Present:

Juan Mariscal, P.E.
Kathleen Crawley
Romeo Mendes, P.E.
Beverly O'Keefe
William Riverso
Regina Frisby

Members Absent:

Ian Morrison

Guests

Ken Payne, Senate Policy Advisor
Alicia Good, RIDEM
Vasilios Harritos, QDC
Eugenia Marks, Audubon Society
Heidi Green, Quonset Development Corporation
Carissa Richard, Providence Water Supply Board
Peter LaPage, Providence Water Supply Board
Paul Gadoury, Providence Water Supply Board
John Conti, House of Representatives
John Reiner, North Kingstown Town Planner
Tim Brown, Kent County Water Authority
Pasquale Delise, Bristol County Water Authority

CALL TO ORDER and APPROVAL OF MINUTES:

With a quorum present Chairman Varin called the meeting to order at 1:47 pm.

Motion by Mr. Griffith second by Mr. Stamp to approve the minutes of Board Corporate meeting # 294, February 13, 2007. The vote in favor was unanimous.

REPORTS

Motion by Mr. Penn second by Mr. Schock to accept the Chief Financial Officer's Report for February 2007. The vote in favor was unanimous.

COMMITTEE REPORTS AND ACTION ITEMS RESULTING

Public Drinking Water Protection Committee - Chair Robert Griffith

Motion by Mr. Griffith second by Mr. Perry to pay Requisition # 10 in the amount of \$7,477.94 to Stone Bridge Fire District for a Water Quality Improvement Project to install a Venturi Electronic Flow Transmitter. Mr. Penn noted that the Finance Committee had reviewed the request and concurs. The vote in favor was unanimous.

Motion by Mr. Griffith second by Mr. Perry to pay City of Pawtucket Water Supply Board Requisition # 11 in the amount of \$36,760.25 for a Water Quality Improvement Project (Engineering Services for A Replacement Well). Mr. Penn noted that the Finance Committee had

reviewed the request and concurs. The vote in favor was unanimous.

Motion by Mr. Griffith second by Mr. Perry to pay City of Pawtucket Water Supply Board Requisition # 12 (final invoice) in the amount of \$115,272.71 for a Water Quality Improvement Project (Replacement of Deteriorated Water Mains). Mr. Penn noted that the Finance Committee had reviewed the request and concurs. The vote in favor was unanimous.

Motion by Mr. Griffith second by Mr. Perry to pay City of Newport Water Department Requisition # 3 in the amount of \$25,000.00 for a Watershed Protection Project (Land Acquisition; Town of Portsmouth Plat 60, Lot 1; Acreage 5.5 Acres) subject to legal counsel review and receipt of all required documents as outlined in the staff memorandum. Mr. Penn noted that the Finance Committee had reviewed the request and concurs. The motion carried on a vote of six to one with Mr. Stamp opposed.

Motion by Mr. Griffith second by Mr. Schock and Ms. Swallow to pay City of Newport Water Department Requisition # 4 in the amount of \$49,999.95 for a Water Quality Conservation Easement Project in the Gardner's Pond Watershed (Town of Middletown Plat 131, portion of Lot 1; Acreage 4.11 Acres). Mr. Penn noted that the Finance Committee had reviewed the request and concurs. The motion carried on a vote of six to one with Mr. Stamp opposed.

Motion by Mr. Griffith second by Mr. Stamp to pay Kingston Water District Requisition # 1 in the amount of \$51,100.00 for a wellhead protection/land acquisition project in the Town of South Kingstown (A.P. 22- 3, Lot 16; Acreage - 11.7 acres) subject to the completion and approval of the Class I Survey, legal counsel review and receipt of all required closing documents. Mr. Penn noted that the Finance Committee had reviewed the request and concurs. The vote in favor was unanimous

Motion by Mr. Griffith second by Mr. Perry to grant an extension on the payment of funds to Quonset Development Corporation for the purchase of a Conservation Easement in the Town of North Kingstown with the following conditions and understandings:

- ❑ The amount of funding will be in the amount of \$109,827; the remaining balance of Phase III funds if the request for \$6,434 is approved;
- ❑ That the project meets the deadline for committing funds by March 31 evidenced by:
 - A letter of commitment to be received by March 31, 2007 signed by appropriate parties from North Kingstown and Quonset indicating that a purchase and sale agreement is forthcoming by April 16.
- ❑ A signed purchase and sale agreement by April 16, 2007.
- ❑ Closing by June 30.

The vote in favor was unanimous.

Motion by Mr. Griffith second by Ms. Swallow to commit Water Quality Protection funds in the amount of \$6,434 to reimburse a portion of the costs to produce the Water System Supply Management Plan dependent upon the submittal of a progress report to be received by April 16 from QDC which details efforts taken since November on the water quality protection element of the updated plan as well as any future activities to be undertaken subject to:

- ❑ The expectation that the conveyance to the Board will contain at least an enumeration and clarification of anticipated steps to obtain compliance with the requirements including a description of how they will respond to each of the deficiencies.
- ❑ The understanding that the submission of the report does not excuse QDC from completion of a plan that addresses all of the deficiencies.

- The report will be reviewed by staff and distributed to the Public Drinking Water Protection committee for a recommendation to the Board for disbursement of payment. Chairman Varin stated that he will be recorded as voting in favor of the motion but that he is very concerned about enforcement.

Discussion of Quonset Request

Discussion centered on the nature of the plan deficiencies and the fact that this was a progress payment for an eligible expense; that the deficiencies must be addressed by November whether or not the effort is partially funded with Water Quality protection funds. The water quality protection component of the plan was a main concern. The November deadline aligns QDC's effort with North Kingston in the interest of coordinating water supply planning in the Hunt aquifer. Members recognized the limited enforcement options regarding Water System Supply Management Plans. They also discussed the timing issues related to program funding. Mr. Griffith noted that if the program were not ending on March 31 there would be no problem with the extension. The dilemma is the closeout of the program and the need to demonstrate progress in addressing the water quality protection component of the plan.

Mr. Payne suggested that WRBC report to the joint Senate committees so that the committees could take this matter under advisement.

Motion by Mr. Griffith, second by Mr. Stamp approve payment of \$7,043 United Water for the cost of retrofit kits and conservation materials subject to receipt of formal supporting documentation and an interim distribution analysis report on or before April 16, 2007. The motion carried on a vote of six to one with Mr. Schock recusing.

Finance Committee - Chair William Penn

Motion by Mr. Schock second by Mr. Stamp to approve B & E Consulting, LLC, Invoice # 350 in the amount of \$437.50 for the preparation of the Chief Financial Officer reports. The vote in favor was unanimous.

Nominations Committee - Chair William Parsons

Motion by Mr. Parsons second by Mr. Stamp to retain the existing slate of officers - Mr. Varin, Chair, Mr. Penn, Vice Chair and Mr. Mariscal, Secretary-Treasurer. The vote in favor was unanimous.

With no new business or other business to consider the Board Corporate adjourned at 2:40 pm.

Respectfully Submitted,

Kathleen Crawley
Staff Director