



**State of Rhode Island and Providence Plantations  
Water Resources Board**

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**RHODE ISLAND WATER RESOURCES BOARD**

**MINUTES OF BOARD MEETING # 478**

September 15, 2008

**Members Present:**

William Penn, Chairman  
William Stamp, III  
Daniel W. Varin  
Harold Ward  
Ian Morrison  
Jesse Rodrigues, Jr.  
June Swallow\*  
Robert Griffith\*  
Mike Sullivan  
Mike Walker for Bill Parsons\*

**Staff Present:**

Juan Mariscal, General Manager  
Kathleen Crawley  
William Riverso  
\*Member designee

**Members Absent:**

Frank Perry  
Pamela Marchand, Vice Chair  
Richard Mignanelli

**Guests:**

Matt Wojak – Office of the Governor  
Kelly Mahoney – RI Senate Policy  
Eugenia Marks – Audubon  
Anthony Caliri – CCJ, LLP  
Carissa Richards – Prov Water  
Alicia Good - RIDEM

**Call To Order:**

Chairman Penn called the meeting to order at 12:10 p.m. noting that a quorum was present.

Chairman Penn by consensus amended the agenda to adjourn to the Board Corporate meeting prior to the Committee Reports.

**Approval of Minutes** for August 18, 2008 Board Meeting #476

**Motion** was made by Mr. Sullivan, second by Mr. Morrison to approve the minutes subject to certain corrections. The vote in favor was unanimous. The motion carried.

\* Distributed and received draft September 8, 2008 Board Meeting #477 minutes. Chairman Penn recognized the minutes but deferred action to the next scheduled Board meeting.

**Chairman's Report**

Chairman Penn thanked the members for their participation in the meeting held on Monday September 8<sup>th</sup>. He reported that the Board Corporate Audit reveals very good news in that all the issues of concern that were identified last year have been completely resolved. He thanked staff for their hard work in this matter.

## **General Manager's Report**

Mr. Mariscal reported the Drought Steering Committee meeting was cancelled after forecasts of a hurricane were reported. He added we did get substantial rain this month compared to average precipitation. He reported discussions with water suppliers show that the state of the economy is having an affect on their revenue stream with all the foreclosures taking place. He reported the Town of East Smithfield and the Town of North Kingstown will be implementing an increasing block rate structure for their water rates. He reported the City of Pawtucket is in the process of implementing a large scale meter replacement program with radio read capabilities. He reported meeting with Ridgefield Power Company who runs a power plant in Johnston. They discussed the expansion of their plant which will require using an additional 600,000 gallons of water per day. Mr. Mariscal reported that although he believes we do not have jurisdiction on this matter but will research the Board's authority and will get back to the Ridgefield Power Company with a final determination regarding Board authority, if any. Mr. Penn stated the Board should encourage the use of non-potable water wherever it can be used and this is a prime example.

## **Reports - Financial Report: Chief Business Officer's Report – August 2008**

Mr. Penn stated the Finance Committee did have a quorum, the report was reviewed and recommends approval of the report as submitted.

**Motion** by Mr. Penn, second by Mr. Morrison to approve the August 2008 Chief Business Officer's Report as presented. The motion passed unanimously.

## **Recess Of Board For Board Corporate Business**

**Motion** by Mr. Sullivan second by Mr. Ward to recess the Board meeting and start the Board Corporate Meeting at 12:29 pm. The vote in favor was unanimous. The motion carried.

## **Return From Board Corporate Business**

**Motion** by Mr. Morison second by Mr. Rodrigues to return from the Board Corporate to the Board meeting at 12:35 p.m. The vote in favor was unanimous. The motion carried.

## **Committee Reports and Action Items:**

### **Finance Committee - Chair William Penn**

No items for action or discussion.

### **Water Resources Protection & Use Committee– Chair Robert Griffith**

No items for action or discussion.

### **Properties Committee – Chair Frank Perry**

No items for action or discussion.

## **Big River Groundwater Development Project Ad Hoc Committee**

Overseeing Body: RI Water Resources Board Corporate  
Public Body: RI Water Resources Board Corporate

Public Contact Information: Kathleen Crawley  
Posting Date: October 20, 2008

[www.wrb.ri.gov](http://www.wrb.ri.gov)

Chairman Penn reported the RFP/RFQ is moving through the Purchasing process.

### **Construction, Engineering & Operations Committee – Chair Pamela Marchand**

No items for action or discussion.

### **Legislative & Regulations Committee - Chair Daniel W. Varin**

Mr. Varin reported the City of Providence City Council will be receiving a report in less than 90 days from its' committee on selling their system which will have legislative implications such as continuation of the surcharge for the land acquisition program and there may be other things to look at. Mr. Mariscal stated this issue was brought up by Mr. Perry at a previous Board meeting noting the Board should be following this issue. Mr. Sullivan stated we should acquire a copy of the report and suggested the Board should be proactive in this matter. outcome of legislation that was presented last month still stands as the General assembly is currently in recess.

**Motion** by Mr. Sullivan, second by Ms. Swallow to direct the General Manager to get a copy of the report, distribute it to the Board members and that the Board create an AdHoc review committee to review the report and report back to the full Board. The vote in favor was unanimous. The motion passed unanimously.

### **Strategic Committee - Chair William Penn**

Mr. Penn reported that discussion for today's meeting will be on a draft priorities and business plan time frame for FY 2009 – FY 2010 and a draft of a staff allocation worksheet discussed. Chairman Penn proceeded to review the "High Priority" projects with expected outcomes and program approaches, namely the Big River Development Project and the Water Allocation Program. He asked for member consensus. Also, Chairman Penn asked the General Manager to turn this draft into a spreadsheet. Mr. Mariscal also provided clarification of the expected outcomes noting further defining of the scope of work for certain projects is needed. Mr. Sullivan suggested adding a pilot application plan by the FY09 3<sup>rd</sup> quarter on the Chipuxet watershed. The members agreed.

Chairman Penn proceeded to review the "Medium Priority" projects with expected outcomes and program approaches, namely Emergency Interconnection program, Water System Supply Management Plan and Water Use Reporting program, Bristol County Water Authority Projects and South County Well Sites Acquisitions program. Mr. Varin suggested modifying the WSSMP program to require a two page report thus ensuring timely reporting by the suppliers. Mr. Mariscal stated he will be meeting with the DOA IT department this week to see how we can facilitate online reporting by the suppliers.

Chairman Penn proceeded to review the "Low Priority" projects with expected outcomes and program approaches, namely Supplemental Water Projects, New Regulations for WSSMP, Water Data and Atlas and BRMA Land Use Plan.

Chairman Penn proceeded to describe the draft staff time allocation report, which staff will be asked to complete. Mr. Penn asked the general manager to develop the worksheet into two

components; one showing current staff time allocation and two, showing staff time allocation corresponding to the new draft business plan.

Mr. Griffith asked the general manger when he believes he could complete the staff time schedule. Mr. Mariscal reported staff time will be spent on preparing the budget which needs to be ready for the next Board meeting but does intend to present this information at the next Board meeting.

### **New Business**

Mr. Mariscal distributed a copy of the final operational audit performed by the Bureau of Audits with a response memo to the findings. He stated the findings were one; that are rules and regulations do not properly account for 15 Board members reflecting earlier legislation and recommends that it be changed. He stated that he responded the change would be made sometime in the fall. Secondly; that we did not submit our annual reports for the past two fiscal years. He responded we will include financial data in our annual report to be completed this year.

### **Other Business**

Mr. Mariscal stated that in the documents that were distributed at the Strategic Meeting was a three page summary of the legislative hearings as well as legislation introduced including our own. He stated we need to be mindful that going forward we need to include the legislative process as a priority for Board initiatives and be proactive.

### **ADJOURNMENT**

**Motion** by Mr. Sullivan second by Mr. Walker to adjourn the meeting. The vote in favor was unanimous. The motion carried. The Board meeting ended at 1:20 pm.

Respectfully Submitted,

William Riverso  
Program Services Officer

*Note: The complete proceedings of this meeting are available on audiotape by request.*