



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

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RHODE ISLAND WATER RESOURCES BOARD

MINUTES OF BOARD MEETING # 484

February 23, 2009

Members Present:

William Penn, Chairman
Pamela Marchand, Vice Chair
William Stamp, III
Frank Perry
Harold Ward
Jesse Rodrigues, Jr.
Michael Sullivan
Bill Parsons*
June Swallow*

Staff Present:

Kathleen Crawley, Acting General Manager
Romeo Mendes
William Rivero

*Member designee

Members Absent:

Robert Griffith*

Guests:

Pasqual Delise – Bristol County Water Authority
Robert Breault - USGS
Eugenia Marks – Audubon Society
Alicia Good – RIDEM
Kenneth Burke
Ames Colt – Bays, Rivers, Watersheds
Coordinating Team

Call To Order:

Chairman Penn called the meeting to order at 12:06 p.m. noting that a quorum was present.

Approval of Minutes for January 26, 2008 Board Meeting #483

Motion was made by Mr. Sullivan, second by Mr. Stamp to approve the minutes. The vote in favor was unanimous. The motion carried.

Chairman's Report

Chairman Penn reported that a “temp” has been hired and is assisting with filing. He stated that the principal planner and implementation aide positions should be filled within three weeks.

He stated there has been no progress regarding approval of the new Board member appointments. Mr. Sullivan reported he has received indications that appointments to different Boards and Commissions will be approved in a few weeks.

Mr. Penn reported Mr. Simeone of the Clean Water Finance Agency will be meeting with his Bond Counsel to decide on taking on the administrative functions of the Board Corporate.

Ms. Swallow updated the Board on the status of the Federal Stimulus Fund monies allocated for Rhode Island. Mr. Penn distributed a letter in response from Mr. Chobanian of RI DOH regarding the WRB request to place the Big River Groundwater Development project on the SRF project priority list. Mr. Penn stated the determination is that the Board itself is not eligible for financing but suggested we find a conduit water system for projects. He added, the determination included recommended protocols.

Mr. Penn commended Ms. Crawley on her recent management of the agency.

Acting General Manager's Report:

Ms. Crawley stated she will report through the project reports. She stated it has been her pleasure to serve as Acting General Manager.

Financial Report: Chief Business Officer's Report – January 2009

Mr. Penn stated the Finance Committee reviewed the report and recommends approval.

Motion by Mr. Penn second by Mr. Sullivan to approve the report as presented. The vote in favor was unanimous. The motion carried.

Project Reports:

Big River Well Development RFP – Update

Mr. Mendes reported the certain members of the Technical Review Committee were given more time to review the three proposals for final consideration and interviews have been rescheduled for March 3, 2009. He added outside reviewer comments were received from Frank Perry and Dr. Gold with others forthcoming. He stated when all comments were received and taken under advisement and after the interviews were completed a final ranking of the proposals will be established and the selected vendor chosen. Mr. Penn asked if a chosen vendor will be recommended for approval in time for the next Board meeting. Mr. Mendes said yes.

Bristol County Water Authority RFP – Update

Mr. Mendes reported work is being done on the agreement to outline the scope of work and any special terms and conditions. A draft has been prepared for the CEO Committee.

Big River Management Area – Update

Mr. Mendes updated the Board on ongoing tasks underway in the management area, which included gravel removal restoration project, lead mitigation and brush removal. He reported certain existing tenants have been asked to consider relocating in other vacant houses within the BRMA. He reported the field office pipes had burst which required work from a plumber and

that damage was done whereby a recommendation for future use as an office be canceled and the building be cleared out. He stated the tenant leases are being returned and will be processed accordingly.

Supplemental Water Supply Study Phase II – Update

Ms. Crawley reported copies of the executive summary were distributed to the legislature, water suppliers and other appropriate constituencies'. Mr. Penn stated we should do a press release. Ms. Crawley stated she has not heard from the Governor's office and will follow up.

Water Management and Allocation Program: HAP Pilot – Update

Mr. Penn reviewed the enclosure. He noted that in the minutes a recurring theme is establishing a statewide policy on summer lawn watering which is something we need to focus on and follow up on. Ms. Crawley reported work is being done to formulate an action plan by the end of March. Mr. Ward reported that Massachusetts has a good policy established for lawn watering and he will start from their approach.

WSSMP - Update

Mr. Penn introduced the item and referenced the memorandum submitted by staff. Mr. Penn reported that the WSSMP enabling legislation put forward by this agency has received communication from the Governor's office with a recommendation to modify it with a specific time frame and that the clock starts when the principal planner is engaged.

Committee Reports and Action Items:

Finance Committee - Chair William Penn

WATER SUPPLY AUDITS - David Bebyn, CPA, B & E Consulting - Briefing & Request for Acceptance

Mr. Penn reported that five audits have been completed showing these water suppliers are administering their surcharge programs correctly. He stated the finance committee has reviewed the specific audits completed for Cumberland, East Smithfield, Harrisville, Pascoag and Warwick and recommends acceptance of the five audits as presented.

Motion by Mr. Rodrigues second by Mr. Stamp to accept the five completed audits as presented. The vote in favor was unanimous. The motion carried.

B & E Consulting, LLC, Invoice # 667 – Water Quality Protection Surcharge Audits - Requested Amount \$17,500.00; Recommended Payment: \$12,500.00 for Audits Completed and Received to Date - Request for Approval

Mr. Penn reviewed the item and clarified that the recommended payment is for the completed audits.

Motion by Mr. Rodrigues second by Mr. Perry to approve the payment of \$12,500.00 for the five completed audits as presented. The vote in favor was unanimous. The motion carried.

WRB/USGS/FY 2009 Budget and Projections – Robert Breault, USGS, Deputy Director -
Briefing & Request for Approval

Mr. Penn introduced the item. He explained this is a proposal to reallocate water allocation program funds for this fiscal year to match USGS funds [\$53,153.00] in conjunction with USGS, which basically allows us the opportunity to receive additional matching monies from USGS if we can reallocate funds from the allocation program to the Big River Ecological Study. He stated before us is a recommendation to take over \$50,000.00 we originally budgeted for the Pawtuxet HSPF and the model application programs and reallocate it to the Big River Ecological Study which is currently underway with USGS and USGS will match us dollar for dollar.

Motion by Mr. Penn second by Mr. Perry to authorize the redistribution of water allocation program budget in the following manner; \$30,000.00 from the Pawtuxet and \$20,000.00 from the model applications and reallocate these monies to the Big River Ecological Study to match USGS funds [\$53,153.00] subject to verification of progress to date. The vote in favor was unanimous. The motion carried.

Water Resources Protection & Use Committee – Chair Robert Griffith

Construction, Engineering & Operations Committee – Chair Pamela Marchand

Properties Committee – Chair Frank Perry

Mr. Perry reported he and Mr. Mendes are working on the research transformation project.

Legislative & Regulations Committee

Personnel Search Committee:

Ms. Marchand introduced Mr. Ken Burke who was the selection of the Search Committee for our new Chief of Staff/General Manager's position. She stated he stood out from the group of interviewee's. She stated Mr. Burke was asked to provide a general business plan on what he thought the direction of the agency should be. She passed out the plan and his resume to the members.

Motion by Mr. Sullivan second by Mr. Penn to adopt the recommendation of the Search Committee and engage Mr. Burke as our Chief of Staff/General Manager. The vote in favor was unanimous. The motion carried.

Mr. Burke introduced himself and thanked the Board for the opportunity. He looks forward in bringing his collective experience to bear and getting back into public service to provide a true value to the Board working collaboratively with all the members and gladly accepts this challenge.

Mr. Penn stated that at the next meeting he will ask for the authorization to form a standing committee of personnel. A committee that will be the interaction of our Board and Mr. Burke. A committee that will establish performance objectives and review those performance objectives.

Mr. Sullivan stated that he would make available RI DEM's human resources personnel to assist the committee as they look to develop protocols.

Nominations Committee – Chair June Swallow

Ms. Swallow reported the committee had met and are prepared to make a recommendation or motion for the Board Chair, Vice Chair and Secretary for Board and Board Corporate. She stated the committee recommends Mr. William Penn for Chair and Ms. Pamela Marchand for Vice Chair.

Motion by Mr. Sullivan second by Mr. Stamp to accept the nominations for both the Board and Board Corporate as follows: Mr. William Penn for Chair, Ms. Pamela Marchand for Vice Chair. The vote in favor was unanimous. The motion carried.

Ms. Swallow reported the committee had met and recommends the nomination of Mr. Ken Burke both for the Secretary of the Board and Secretary Treasurer of the Board Corporate.

Motion by Mr. Sullivan second by Mr. Stamp to nominate Mr. Ken Burke as the Secretary of the Board and Secretary Treasurer of the Board Corporate. The vote in favor was unanimous. The motion carried.

Recess of Board For Board Corporate Business:

Motion by Mr. Perry second by Mr. Stamp to recess the Board meeting and start the Board Corporate Meeting at 12:59 pm. The vote in favor was unanimous. The motion carried.

Return From Board Corporate Business:

Motion by Mr. Stamp second by Mr. Perry to return from the Board Corporate to the Board meeting at 1:01 p.m. The vote in favor was unanimous. The motion carried.

Adjournment:

Motion by Mr. Stamp second by Mr. Rodrigues to adjourn the meeting. The vote in favor was unanimous. The motion carried. The Board meeting ended at 1:09 pm.

Respectfully Submitted,

William Riverso
Program Services Officer

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

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

Public Contact Information: Kathleen Crawley
Posting Date: May 5, 2009

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