



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

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**RHODE ISLAND WATER RESOURCES BOARD**

**MEETING #493**

**Monday, November 16, 2009 @ 12:00 Noon**

**MINUTES**

**Members Present**

Pam Marchand, Vice Chair  
Harold Ward  
June Swallow\*  
Jon Schock  
Kevin Flynn  
Jesse Rodrigues  
Samuel Kitchell  
Michael Walker\*  
Allan Klepper  
Elizabeth Scott\*  
William Stamp, III

**Members Absent**

William Penn, Chairman  
Ronnie Gibson

**Guests Present**

Henry Meyer, KWD  
Kyle Stuart, Stuart Nurseries  
Normand Benoit, Partridge Snow & Hahn, LLP  
Galen McGovern, Kent County Daily Times

**Staff Present**

Kenneth Burke, General Manager  
Kathleen Crawley, Staff Director  
Romeo Mendes, Supervising Engineer  
William Rivero, Programming Services Officer  
Peter Duhamel, Principal Planner  
Emily Cousineau, Implementation Aide

\*Member Designees

**CALL TO ORDER**

Vice Chair Marchand called the meeting to order at 12:10pm, noting that a quorum was present.

**OPEN CALL FOR EXECUTIVE SESSION IN ACCORDANCE WITH RIGL SECTION 42-46-5(a)(5): Acquisition or Lease of Real Property for Public Purposes**

Motion by Mr. Klepper, second by Mr. Stamp to go into Executive Session in accordance with RIGL Section 42-46-5(a)(5), for a matter related to the acquisition or lease of real property.

Ms. Marchand called for the vote. The following roll call vote was taken:

Harold Ward - yes  
June Swallow - yes  
Jon Schock - yes  
Kevin Flynn - yes  
Jesse Rodrigues - yes  
Samuel Kitchell - yes  
Allan Klepper - yes  
Elizabeth Scott - yes

William Stamp – yes

And Ms. Marchand voted yes. The Board proceeded into Executive Session at 12:11pm.

## **RETURN FROM EXECUTIVE SESSION**

The Board returned from Executive Session at 1:16pm.

Motion by Mr. Shock, second by Mr. Klepper, to return from Executive Session with no votes taken.

A roll call vote was taken:

Harold Ward - yes  
June Swallow - yes  
Jon Schock - yes  
Kevin Flynn - yes  
Jesse Rodrigues - yes  
Samuel Kitchell - yes  
Allan Klepper - yes  
Elizabeth Scott – yes  
William Stamp – yes

And Ms. Marchand voted yes. The motion carried.

Motion by Mr. Stamp, second by Mr. Rodrigues, to seal the minutes of the Executive Session until such a time that all matters are resolved. The vote in favor was unanimous. The motion carried.

## **APPROVAL OF MINUTES**

Motion by Mr. Ward, second by Mr. Klepper to approve the minutes of the October 19, 2009 Board Meeting # 492 with one adjustment. The vote in favor was unanimous. The motion carried.

### Discussion:

Mr. Ward noted that the draft minutes referred to the Allocation Committee having reviewed the SCWHP applications. The minutes will be corrected to read “Technical Committee”.

## **CHAIRMAN’S REPORT**

Vice Chair Marchand noted that Chairman Penn was not present and had not submitted a report.

## **FINANCIAL REPORT:**

Motion by Mr. Schock, second by Mr. Rodrigues, to approve the Chief Business Officer’s Report for October 2009. The vote in favor was unanimous. The motion carried.

## **GENERAL MANAGER’S REPORT**

Mr. Burke highlighted the progress made in permitting the drilling of wells in the Big River Management Area. Work is currently underway and the wells will be pumping in the first week of December to begin water quality tests.

## **OTHER BUSINESS**

### **Public Commentary**

Mr. Henry Meyer commented to the Board about his concerns for the State’s financial situation. He specifically noted the increase of imported products versus those made ‘in-state’. Mr. Meyer urged the

Board not to overly conserve water through regulations. He stated that this would deter future economic growth.

## COMMITTEE REPORTS AND ACTION ITEMS

### A. Technical Committee

- i. Motion by Ms. Swallow, second by Mr. Ward, to authorize investigation of all sites proposed during executive session, with the caveat that any expenses concerning 'Richmond 2' go before the Finance and Technical Committees for approval. Additional sites may also be recommended in the future. The vote was seven in favor. Mr. Flynn abstained. The motion carried.

#### Discussion:

Mr. Stamp requested that the next meeting include an explanation of the committee's selection process.

**Post Script:** Mr. Burke spoke with Mr. Stamp after meeting adjournment and explained the decision process as requested.

### B. Allocation Committee

- i. Mr. Ward distributed the draft schedule for development of the Interim Allocation Plan. The draft was initially distributed electronically on the morning of the Board meeting. Mr. Ward requested that Board members direct feedback to him, or to Mr. Burke, within the next two weeks.

Mr. Ward noted that the Water Use and Efficiency Act (S 732) had passed through the House and the Senate. Governor Carcieri is expected to sign the act into law within the week.

Mr. Ward stated that the draft schedule is set in accordance to the schedule outlined by the Water Efficiency Act. The deadline for a finalized plan would hence be July 31, 2010.

Mr. Ward requested that approval of the schedule for development of the IAP be an agenda item at the December Board meeting.

## RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Ms. Swallow, second by Mr. Stamp, to recess the Board Meeting and start the Board Corporate Meeting at 1:52pm. The vote in favor was unanimous. The motion carried.

## RETURN FROM BOARD CORPORATE BUSINESS

Motion by Mr. Klepper, second by Mr. Schock, to adjourn the Board Corporate meeting and return to the Board meeting. The vote in favor was unanimous. The motion carried and the meeting adjourned at 2:04pm.

## ADJOURNMENT

Motion by Mr. Schock, second by Mr. Rodrigues to adjourn the meeting. The vote in favor was unanimous. The motion carried and the meeting adjourned at 2:04pm.

Respectfully Submitted,



Emily J. Cousineau  
Implementation Aide

The meeting place is accessible to the handicapped in conformance with RIGL 42-46-2. Individuals requesting interpreter services for the hearing impaired must notify the Board office at tel. 222-1450/TDD 2221454, at least 72 hours in advance of the meeting date. If requested, tapes of the meeting will be made available.