



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

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**RHODE ISLAND WATER RESOURCES BOARD
MEETING #497**

Monday, March 15, 2010 @ 1:00 PM

MINUTES

Members Present

William Penn, Chairman
Pam Marchand, Vice Chair
Samuel Kitchell
William Stamp, III
Harold Ward
Jesse Rodrigues
Jon Schock
Ronnie Gibson
Alicia Good*
William Parsons*
Kevin Flynn

Members Absent

June Swallow*

Guests Present

Allan Klepper
Rosemary Reay, Greenwich Village Nursery School
Jessica Gilbert
Henry Meyer, Kingston Water
James Decelles, Pawtucket Water
Charles J. Donovan, House Policy
Robert Boyer, Chair, Kent County Water Authority

Staff Present

Kenneth J. Burke, General Manager
Kathleen Crawley, Staff Director
Romeo Mendes, Supervising Engineer
Peter Duhamel, Principal Planner
Emily J. Cousineau, Implementation Aide
*Member Designees

CALL TO ORDER

Chairman Penn called the meeting to order at 12:09pm, noting that a quorum was present.

APPROVAL OF MINUTES

Motion by Mr. Stamp, second by Mr. Flynn, to approve the minutes of the Water Resources Board #496, dated February 26, 2010 as amended. The vote in favor was unanimous. The motion carried.

Discussion

Mr. Ward asked that the reference to 65 gallons per capita per day, from the Allocation Committee report, be clarified to reflect that the number is a median value.

Mr. Schock requested that he be recorded as voting against the motion to investigate the potential of intervening with the permitting of the Mishnock Wells.

He requested additional amendments to page 3 of the minutes. He stated that he recalled that there had been a lengthy discussion of the permit and that he had added the language either as an amendment clarification to the motion that the permit would be for 4.2 mgd 365 days a year and that the DEM Director had agreed to that.

CHAIRMAN'S REPORT & PUBLIC COMMENT

Ms. Rosemary Reay addressed the Board. Ms. Reay is the owner and operator of the Greenwich Village Nursery School, located in the Big River Management Area. She stated her desire to expand the school into the vacant building located in front of her current building. The building is in need of renovations, which she estimated to be about \$50,000. Ms. Reay proposed that she pay for the

renovations and maintenance in exchange for a ten-year extension to the school's commercial lease. The present lease will expire in three years. Ms. Reay presented the Board with a copy of her school's 50th Anniversary Year Book and a paper signed by her kindergarten students. Chairman Penn asked that Ms. Reay work with General Manager Burke to develop a written proposal to the Board. Her proposal would be reviewed at the April meeting. If her request is supported, the Board would develop revisions for the school's lease and present said revisions to the State Properties Committee.

FINANCIAL REPORT

A. Chief Business Officer's Report – February 2010

Motion by Mr. Penn, second by Mr. Parsons, to approve the Chief Business Officer's report for February 2010. The vote in favor was unanimous. The motion carried.

GENERAL MANAGER'S REPORT

Mr. Burke reported on several upcoming meetings at which he has been invited to speak. Specifically, the Land & Water Summit at URI on March 27th and an Atlantic States Rural Water and Wastewater Association meeting concerned with the regionalization of northern Rhode Island water utilities. Mr. Penn inquired if a target date had been set to approve structural revisions to the WSSMPs. Mr. Burke stated that suppliers had assembled a working group to aide the staff's progress. The working group would also be closely tied to the Board's Allocation Committee. Mr. Penn asked for an approximate completion date to be presented at the next Board meeting.

COMMITTEE REPORTS AND ACTION ITEMS:

Finance Committee

- BRMA Divestment Program – Request for Approval

Motion by Mr. Schock, second by Mr. Parsons, to approve the schedule outlined in the plan as distributed and to authorize placement on a future State Properties Committee agenda for final review and approval. The vote in favor was ten (10) for, one (1) opposed (Mr. Rodrigues) , and one (1) abstention (Mr. Flynn). The motion carried.

Discussion

Mr. Penn stated that requests made at the last Board meeting had been incorporated into the new draft. The projected budget amount is \$432,000, based on an estimated cost to demolish all 24 residential structures. The committee suggested that the threshold for acceptable maintenance costs be changed from a maximum of 20% to 5%, relative to a structure's value.

Mr. Flynn asked how their decision regarding the Greenwich Nursery School would affect the Divestment Program. Mr. Penn responded that the plan does not, at this time, address commercial tenants.

Ms. Marchand asked if the timeline was too aggressive. Mr. Burke stated that the timeline will be subject to the actual contractor bids, which will variable in both costs and services. Bids are not scheduled to be solicited for over a year's time.

Mr. Penn added that cost/saving projections will also depend on the amount of funding provided by the State. Specifically, if the entire divestment is not funded from the beginning, but rather in phases, some tenants with children subject to the tuition reimbursement expense would remain.

- Big River Wells Draft Business Plan – Status Update

Mr. Burke stated that concerns raised by the Board at the last meeting had been discussed with the consultant, Weston & Sampson. Mr. Burke noted that he has spoken to Timothy Brown of Kent

County Water Authority. Mr. Burke will be presenting the BRMA well plan at KCWA's meeting on March 18th. He is hoping to run hydraulic models to evaluate how the Big River wells could connect to Kent County and/or how the two wells fields might work in concert. Mr. Burke noted that the hydraulic model is in addition to the original scope of work and would require additional funding. The budget office has been appraised. He also noted that the Board's technical Committee would become involved at the appropriate time. Chairman Penn noted that this agenda item required no action at this time.

Allocation Committee

Mr. Ward reported that several water suppliers offered feedback at the committee meeting on March 9, 2010. Specifically, suppliers are concerned about having the financial and personnel resources as well as the authority to carry out efficiency programs. The committee has investigated the possibility of changing building codes to require efficiency in new construction. Mr. Burke explained that the Board would need to present their concept to the Building Code Commission, which would delegate the decision to a subcommittee, and finally the recommendations would go out for public comment. The process requires approximately one year.

Mr. Ward stated that the current plan is to bring the full draft of regulations to the Board at the April meeting for comment and authorization to move forward with public workshops. Final approval by the board would need to occur at the May meeting in order to meet the statutory deadline.

(2:00pm – Mr. Parsons leaves the meeting.)

Ms. Marchand stressed the importance of considering where and how new rates and/or regulations are implemented. Mr. Penn agreed that the committee will be cognizant of economic impacts of the program.

Nominating Committee

Motion by Mr. Schock, second by Mr. Stamp, to reelect William Penn as Board Chairman, Pamela Marchand as Vice Chair, and Kenneth J. Burke as Secretary/Treasurer. The vote in favor was unanimous. The motion carried.

RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Mr. Penn, second by Mr. Schock, to recess the Board Meeting and proceed into the Board Corporate Meeting at 2:06pm. The vote in favor was unanimous. The motion carried.

RETURN FROM BOARD CORPORATE BUSINESS & BOARD ADJOURNMENT

Motion by Mr. Stamp, second by Mr. Flynn to return from Board Corporate business and to adjourn the Board meeting. The motion in favor was unanimous and the meeting adjourned at 2:08pm.

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.