



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

Foundry Office Building, 3rd Floor, suite 394
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(401) 222-1450 • FAX: (401) 222-1454

**RHODE ISLAND WATER RESOURCES BOARD MEETING #507
Monday, December 20, 2010 @ 1:00 PM**

**Kingston Free Library
2605 Kingstown Road
Kingston, RI 02881**

MINUTES

Members Present

William Penn, Chairman
Pamela Marchand, Vice-Chair
Michael DeFrancesco
W. Michael Sullivan
Ronnie Gibson
Kevin Flynn
Samuel Kitchell
Susan Licardi
Thomas Boving
Jesse Rodrigues
Jon Schock
William Stamp, III
Harold Ward
Clay Commons*
Michael Walker*

Staff Present

Kenneth J. Burke, General Manager
Kathleen Crawley, Staff Director
Romeo Mendes, Supervising Engineer
Peter Duhamel, Principal Planner
William Riverso, Program Services Office
Emily J. Cousineau, Implementation Aide

*Member Designee

Members Absent

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Guests Present

Rebecca Brown, University of Rhode Island
Bob Cook, Kingston Water District
Charles J. Donovan, House Oversight Committee
John Faile, Lincoln Water Commission
Alicia Good, Dept. of Environmental Mngmnt.
Pat Hogan, SODCO Inc.
Ted Jakubowski, Kingston Water Commissioner
Diane Johnson, ASRWWA
Eugenia Marks, Audubon Society
Henry Meyer, Kingston Water District
Dan O'Rourke, Warwick Water Division
Leanne Peckham, Kingston Water District
Larry Ross, Kinston Water District
Bryan Sanderson, Irrigation Association of N.E.
Susan Sosnowski, State Senate
Dave Wallace, RI Turfgrass Foundation

CALL TO ORDER

Chairman Penn called the meeting to order at 1:01 pm, noting that a quorum was present.

APPROVAL OF MINUTES

Motion by Dr. Sullivan, second by Mr. Walker to approve the minutes of the November 15, 2010 Board Meeting as submitted. The vote in favor was unanimous. The motion carried.

CHAIRMAN'S REPORT & PUBLIC COMMENT

A. Draft Lawn Watering Policy – Introduction and Discussion

Chairman Penn reported that the RI Nursery and Landscape Association had been very helpful in crafting the draft policy document. The final draft would now be referred to the Policy Committee. The Board will vote on the policy's adoption in January. Mr. Penn asked that Board members bring their suggestions and comments to the Committee.

B. Public Comment

- i. Henry Meyer (Kingston Water, District Manager) – Mr. Meyer noted the attendance of members of the Kingston Water Board of Commissioners. He further noted the presence of State Senator Susan Sosnowki. He thanked the Board for allowing his district to host their meeting and invited Board members to attend a tour afterwards.

FINANCIAL REPORTS

Chief Business Officer's Report

Motion by Dr. Sullivan, second by Ms. Licardi to approve the Chief Business Officer's report for November 2010. The vote in favor was unanimous. The motion carried.

GENERAL MANAGER'S REPORT

Mr. Penn asked if a completion date had been established for the revisions of the WSSMP Program. Mr. Burke stated that Peter Duhamel, staff Principal Planner, is in talks with the departments of Health and State Wide Planning. A schedule for the revision process could be provided at the Board's January meeting. Mr. Ward asked if a formal notice of noncompliance would be issued to URI concerning their WSSMP. Mr. Burke replied that staff would be meeting personally with any suppliers found in noncompliance.

Ms. Marchand asked about the finding of "no impact" issued by EDC for the WUEA regulations. Mr. Burke explained that this is now a legal requirement for any new regulations. It is an analysis of potential impacts on small business, though it does not include non-profit water suppliers. The staff spoke with EDC's Small Business Ombudsman, who determined no direct impact would be felt by small business, as narrowly defined in the flex analysis. Mr. Burke offered to distribute the documents sent to EDC so that Board members might better understand the analysis.

COMMITTEE REPORTS AND ACTION ITEMS:

Finance Committee

Mr. Penn reported that for the fiscal year 2011 – 2012 operating budget, staff had worked to reduce costs in certain areas in order to make funds available for a seventh staff person. The Budget Office accepted the suggested reductions, but also denied the request for additional staff. Mr. Burke has talked with the Budget Office and requested that their department be more explicit through statutory citations.

Allocation Committee

Draft Water Use & Efficiency Rule

Motion by Dr. Sullivan, second by Mr. Ward to schedule a public hearing for the Water Use and Efficiency Act Rules and Regulations by the end of January 2011. The vote in favor was unanimous. The motion carried.

Discussion:

Mr. Ward made a motion, seconded by Mr. Commons, to rescind the Board's motion made November 15, 2010 to change the due date for suppliers to submit status-update reports. Mr. Ward stated that it was not necessary to make the reports due in August 2012, rather than August 2011. Ms. Marchand stated that the due date was moved to 2012 in order to provide suppliers with time to post plans, receive comments, respond, and create a legal document. Mr. Schock added that South Kingstown just submitted its Budget for 2012. If

the due date were reestablished to 2011, rather than 2012, his budget would need to have reflected the costs of funding the programs. Ms. Licardi concurred that North Kingston Water would be in a same situation. Mr. Walker commented that due dates, as well as other items in the regulations, can still be addressed during the public comment period. Rescinding the motion made at the November meeting will require staff to resubmit the rules to EDC and State Budget for a second review. The public hearing would, thus, be further delayed. Mr. Ward withdrew his motion to rescind the Board's motion made November 15, 2010 to change the due date for suppliers to submit status-update reports. The Board requested that Mr. Burke and the staff finalize the fiscal note and schedule the public hearing period.

Nominating Committee

Chairman Penn appointed Mr. Flynn, Mr. Stamp, and Mr. Walker (for Keith Stokes) to serve on the committee. He requested that the Nominating Committee return in March to recommend candidates for Chair, Vice-Chair, and Secretary/Treasurer.

RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Mr. Sullivan, second by Mr. Flynn to recess the Board Meeting and begin the Board Corporate Meeting. The vote in favor was unanimous. The motion carried and the Board Corporate Meeting began at 1:50 pm.

RETURN FROM BOARD CORPORATE BUSINESS

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

ADJOURNMENT

Motion by Dr. Sullivan, second by Mr. Stamp to adjourn the Board Meeting. The vote in favor was unanimous. The motion carried and the meeting adjourned at 2:04 pm.

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.