

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
OF THE BRISTOL COUNTY WATER AUTHORITY**

Thursday, May 28, 2009

514 Main Street, Warren Town Hall, Council Chambers, Warren, RI

Pursuant to proper notice, the regular meeting of the Board of Directors of the Bristol County Water Authority was called to order by Chairman Jannitto at 6:30 pm, Warren Town Hall, Council Chambers, Warren, Rhode Island. Executive Director Pasquale DeLise, and the following Directors were in attendance at the commencement of the meeting:

David Dugan, William Gosselin, John Jannitto, Allan Klepper, Lloyd Matsumoto, Frank Nencka, Joseph Rego, Frank Sylvania

Director Absent – John McElroy, Jr.

HOUSEKEEPING

Minutes of the following meetings were reviewed.

Upon a motion duly made and seconded, it was unanimously

VOTED: That the minutes of the regular meeting of April 7, 2009, be

approved.

Upon a motion duly made and seconded, it was unanimously

VOTED: That the minutes of the Special Meeting of May 6, 2009, be approved.

Upon a motion duly made and seconded, it was unanimously

VOTED: That the Executive Session Minutes of the Special Meeting of May 6, 2009, be sealed and approved.

Director Klepper requested that these Executive Session Minutes be unsealed after the next union contract.

PUBLIC RELATIONS/PERSONNEL COMMITTEE

Director Gosselin reported:

Old Business

1. Recent Correspondence from Attorney L. Schneider, Executive Director DeLise stated our legal counsel recommended that BCWA attempt to negotiate with the union concerning TDI and not to open the union contract.

The Board will assign a negotiating group to negotiate TDI. A hearing is scheduled for July to determine if BCWA should go to arbitration. Executive Director DeLise stated that TDI is not addressed in the

Union Contract.

Director Rego made the following motion

MOTION: Form a negotiating committee with Pasquale DeLise and our labor attorney from Hinckley Allen & Snyder concerning TDI issues.

Director Sylvia seconded the motion.

Director Gosselin stated that he did not see any point in spending money by negotiating; BCWA should just go to arbitration.

Executive Director DeLise stated that our legal counsel would like to settle without going to arbitration.

Director Sylvia stated that a negotiating team could be in place and a report given at the June 3rd sub committee meeting.

Motion passed 7 to 1, Director Gosselin opposed.

New Business

1. Correspondence from Director Gosselin, Director Gosselin discussed the motion that was passed on 4/7/09, contributions to Health and Dental Plans by Retirees. Non-union employees have stated that this motion affects 6 employees and that Director Klepper

had thought this was a negotiated item in the Union Contract, but it is not. Upon a motion duly made and seconded, it was

VOTED: I move that new retirees of BCWA as of January 14, 2009 (except for employees of BCWA who were employed by American Water Works, who are “grandfathered” in under same policy as current BCWA retirees) contribute 20% of their health insurance premiums (health and dental), for any plan in which they are enrolled as an individual, and 50% of the added premium for any family plan.

Director Matsumoto stated that the Board has a right to pass and change policy, having the right to do something doesn't necessarily mean it's the right thing to do. This item should go back to the Public Relations/Personnel Committee, the Board should be in agreement. It is unfair that the employees are now told that things have changed. We have to make this fair. These are our employees, all their hard work and contributions and now we are abusing their goal. We are destroying the moral of this company. Everyone should be in agreement.

Director Rego stated that he agreed with Director Matsumoto, when in doubt we should always do the right thing.

Director Nencka stated that he had no problem in sending this back to sub committee. The contract is closed now.

Director Matsumoto made the following motion, which was duly seconded

MOTION: Table the motion. Send back to sub committee to discuss for the July Meeting.

Director Gosselin stated that legal counsel Ms. Sandra Mack had informed him that TDI was not a negotiated item, if BCWA finds out it is, then what can we expect the Union to give us in return.

The Chair recognized Local 359 Union President, Mr. Brian Mellor. Mr. Mellor stated that the Assumption Agreement from the old company, American Water Works was that all benefits would stay the same unless they were negotiated. Our legal counsel looked into this. The Union has no problem going into arbitration.

Director Klepper stated that the public sector pays 20% and it's appropriate for all our employees to pay 20% and 50% for family. We should not be bound to the old company, changing the co-pay is a business decision because of the time we're in.

Executive Director DeLise stated that Director Klepper's original motion was somewhat confusing.

Director Gosselin stated that today's motion was to clarify the matter,

all employees should pay 20%.

The Chair recognized Mr. John Veader. Mr. Veader stated that during Union negotiations legal counsel stated that the Board can set policy, everything is negotiable. The Board has the power to make policy, if it's a policy decision it does not have to be negotiated.

Director Rego stated that this motion is extremely important to our employees, we must do the right thing. The following motion was duly made and seconded

MOTION: To table the motion that is on the floor to the June and July sub committees and act on it at the July Board Meeting.

Motion passed unanimously.

2. Added Item: Community Gardens, Chairman Jannitto stated that he had received a request from Warren Town Councilman Mr. Joseph DePasquale to use land in BCWA's watershed as a community garden.

Executive Director DeLise stated that there could be a liability involved and that watershed land was purchased with State funds.

The Chair recognized Councilman DePasquale. Councilman DePasquale stated that the town is willing to rent the land for \$1.00

and the land would be covered under the Town's liability policy. The Warren Conservation commission has endorsed this idea. No chemicals would be used, totally organic. Information would be gathered this year, a fence is also needed, and planting would take place next year. Warren's legal counsel would draw up the necessary document and give it to the BCWA for review.

Chairman Jannitto made the following motion, which was duly seconded

MOTION: To grant permission to Warren Town Council, if they meet all necessary guidelines, to go ahead with the project, contingent on information from the Executive Director.

Motion passed unanimously.

Director Gosselin left the meeting at 7:30 pm.

AUDIT FINANCE COMMITTEE

Director Sylvia reported:

Old Business

- 1. Status of Water Resources Board Grant Requests, Received \$9,457.88 for Phase II Improvements to WTP.**
- 2. Meter Replacement Program, Manager of Customer and Commercial Services, Mr. Joseph Granata stated that the program**

was going well, 400 meters were installed last month with a total of 3800 left to install. Meter installation will begin in Barrington in about 30 days.

3. Infrastructure Stimulus Funding, Meeting held on May 21, 2009.

Executive Director DeLise stated that only 15% of the stimulus money is a grant that BCWA does not have to pay back. The remainder would be 85% of \$1.6 million; the Board would have to increase rates to pay this back.

Director Sylvia stated that BCWA should not increase its rates. I don't want to impact the ratepayers.

Director Klepper asked Mr. Goodwin to explain the increase in chemicals. Mr. Goodwin stated that the price of chemicals has gone up substantially.

ENGINEERING COMMITTEE

Director Rego reported:

Old Business

- 1. WTP Project Update, Received \$9,457.88 for Phase II improvements.**
- 2. Storage Tank Rehabilitation (Executive Session), Bid opening conference held on 4/9/09. Four bids received.**

Executive Director DeLise stated that the second low bidder, Amstar has reduced their price by approximately \$238,000 by providing 100% solids paint and reducing price for structural repairs. The low bidder has been notified that its bid will not be considered.

Director Rego made the following motion, which was duly seconded

MOTION: To award contract to Amstar of Western NY at a price of \$1,450,000 provided an Agreement between BCWA and Amstar is reached and executed.

Motion passed unanimously.

Director Rego requested more information from the Executive Director for the June meetings concerning Swansea and the Shad Pipeline.

3. RWU Progress Report, Executive Director DeLise stated that BCWA and RWU are working on a draft agreement.

There being no further business, the meeting was adjourned at 7:40 pm.

John L. McElroy, Jr.

Secretary