

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

Wednesday, April 14, 2010

450 Child Street, Warren Office, 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 6:00 pm, 450 Child Street, Warren Office, Warren, Rhode Island. Executive Director Pasquale DeLise, Legal Counsel Ms. Sandra Mack and the following Directors were in attendance at the commencement of the meeting:

David Dugan, William Gosselin, John Jannitto, Allan Klepper, John McElroy, Lloyd Matsumoto, Frank Sylvania

Director Absent: Frank Nencka, Joseph Rego

HOUSEKEEPING

Minutes of the following meeting were reviewed.

Upon a motion duly made and seconded, it was

VOTED: That the minutes of the Board Meeting of March 10, 2010, be

approved.

Motion passed 5 y 1. Directors Gosselin and McElroy abstained.

AUDIT FINANCE

Director Sylvia reported:

Old Business

- 1. Meter Replacement Program, there are 800 meters in inventory.**
- 2. Committee requests that the following two items be deleted from the agenda, (1) Miscellaneous Line Items O&M Budget y (at the Request of Director Gosselin) (2) Correspondence from Director Gosselin Relating to Miscellaneous Financial Issues.**

New Business

1. Site Lease Agreement: BCWA & Cox TMI Wireless, LLC, Committee recommends approval as presented. In March 2010, Staff y Legal/Cox worked out a 5-year lease agreement for \$2,400/month with 3% annual increase. Director Sylvia thanked Assistant Engineer Mr. Richard Fennessy and Staff for their work with Cox. BCWA will receive approximately \$153,000 after five years. Director Klepper made the following motion

MOTION: To authorize the Executive Director to sign the Lease Agreement with Cox TMI Wireless, LLC, subject to final review by the Executive Director and Legal Counsel.

Director McElroy seconded the motion.

Motion passed unanimously.

2. Rate Structure Revisited, Postponement & cut-back of work due to Providence 9.9% rate increase and additional legal cost. Rehabilitation of Bay View Tank postponed to Fall 2010. FY10 Annual Main Replacement cut by \$276,403.29 (from \$409,467.29 to \$133,064).

Director Sylvia stated that this item remain on the agenda. The Board has taken all precautions to save money until the end of the year.

The Chair recognized Manager of Accounting & MIS Mr. Webster Goodwin who stated that the audit for FY2010 is currently underway.

ENGINEERING COMMITTEE

Director McElroy reported:

Old Business

1. WTP Project Update, Committee request to advise towns/etc. of latest developments. Letters sent on 3/5/2010.

2. Storage Tank Rehabilitation, Rehabilitation of Bay View Tank has been postponed to Fall 2010.

3. Serpentine Road Drainage Project, Distribution Superintendent Mr.

Paul Ramsay stated that the Warren Highway Department is working with DEM.

4. East Providence Emergency Pump Station, The FY11 Capital Budget includes a sum of \$30,000 for an evaluation of options for BCWA to obtain a water supply from East Providence during an emergency. A scope of work is being prepared with CDM which will be presented at May meetings.

New Business

1. Annual Paving FY2011 ¡V Contract Award, Committee recommends approval as presented. Director Klepper made the following motion

MOTION: To award Contract to low bidder, International Paving, Inc. of Pawtucket, RI at a price of \$132,825, as presented.

Chairman Jannitto seconded the motion.

Motion passed unanimously.

PUBLIC RELATIONS/PERSONNEL COMMITTEE

Director Gosselin reported:

Old Business

1. Recent Correspondence from Attorney L. Schneider (Possible Executive Session ¡V RIGL 42-46-5 „» B), Executive Director DeLise

stated that he will be meeting with Attorney Schneider later this month.

2. Employees Health Contribution, Director Klepper asked the Executive Director to discuss this item with Attorney Schneider.

Director McElroy asked what percent the employees contribute to their health coverage. Mr. Goodwin stated that they contribute 15%, new hires will contribute 20%.

3. Correspondence from Director Gosselin Relating to Miscellaneous Personnel Issues, Committee requests this item off agenda.

New Business

1. Tri-Town Meeting of March 20, 2010, Chairman Jannitto stated that Bristol and Barrington Council Chairmen are handling the audit RFP.

Director Sylvia stated he had spoken to the Bristol Council Chairman; the RFP is an important document, a benefit to the BCWA and the towns.

2. Pension Plan of the Employees of Bristol County Water Authority, Committee has requested to obtain legal opinion on whether or not changes to Pension Plan must be negotiated with the Union.

Handout (attached) of legal opinion.

Legal Counsel Ms. Sandra Mack stated that the Pension Plan is a negotiable issue.

3. Proposed Meetings Schedule, Staff proposes for BCWA to meet once a month and hold a Board/Committee Meetings inclusive. Item to remain on the agenda.

Director Gosselin commented on the amount of correspondence from the Attorney General's office and our legal counsel. He asked how BCWA can avoid the expense of complying with these requests.

The Chair recognized Mr. Black.

Mr. Black asked if the Board had adopted the new Access to Public Records Policy.

Executive Director DeLise stated the Board had not.

Ms. Mack stated that the item will be on the agenda for the May meeting.

Mr. Black stated that the policy was illegal.

Executive Director DeLise stated that the existing Policy will be updated.

BCWA in the News

The Executive Director's Report was self-explanatory.

NEXT STEPS

- 1. Audit Finance Committee Meeting, Wednesday, May 5, 2010, 5:15 p.m., Warren Office, Boardroom, 450 Child Street.**
- 2. Engineering Committee Meeting, Wednesday, May 5, 2010, 5:20 p.m., Warren Office, Boardroom, 450 Child Street.**
- 3. Personnel/Retirement Committee Meeting, Wednesday May 5, 2010, 5:25 p.m., Warren Office, Boardroom, 450 Child Street.**
- 4. Annual Meeting, Thursday, May 27, 2010, 6:00 pm, Barrington Town Hall, Council Chambers, 283 County Road.**
- 5. Board of Directors Monthly Meeting, Thursday, May 27, 2010, 6:30 p.m., Barrington Town Hall, Council Chambers, 283 County Road.**

Chairman Jannitto made the following motion which was duly seconded

MOTION: To adjourn the meeting.

Motion passed unanimously.

There being no further business, the meeting was adjourned at 6:55 pm.

John L. McElroy, Jr.

Secretary

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April 12, 2010

Mr. Pasquale DeLise

Bristol County Water Authority 450 Child Street

P.O. Box 447

Warren, Rhode Island 02885

Dear Pasquale:

As a follow up to our telephone conversation, I wanted to write to

confirm that a material change to the pension fund, such as the elimination of the lump sum payment option, is a mandatory subject of bargaining with the union. As such, the Bristol County Water Authority cannot make a unilateral change to that provision without negotiating with the union. Please call me if you have any further questions.

Very truly yours,

Joseph D. Whelan

JDW:cl

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