

KENT COUNTY WATER AUTHORITY

BOARD MEETING MINUTES

September 21, 2005

The Board of Directors of the Kent County Water Authority held its monthly meeting in the Joseph D. Richard Board Room at the office of the Authority on September 21, 2005.

Chairman Perry opened the meeting at 3:30 P.M. Chairman Perry, Board Members, Mr. Gallucci, Mrs. Graham, Mr. Masterson and Mr. Boyer were present together with the General Manager Timothy J. Brown, Technical Service Director John Duchesneau, System Engineer, Kevin J. Fitta, Legal Counsel, Joseph J. McGair, and other interested parties, including Howard Cohen from Economic Development Corporation.

The minutes of the Board meeting of August 17, 2005 were moved for approval by Board Member Boyer and seconded by Board Member Masterson and the minutes were unanimously approved.

Guests:

High Service Requests

The Chairman for the benefit of all present read aloud all of the standard conditions in lieu of a moratorium as attached as "A" and further he explained the water shortage in detail.

58 Robin Lane, West Warwick

Mr. Larry Lachance appeared concerning the necessity of obtaining Kent County Water Authority Supply for the property at 58 Robin Lane, West Warwick. The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and the applicant did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same.

Mr. Lachance was represented by John S. Brunero, Jr. regarding construction of a single family home and stated that in May, 2004 the property was granted a hook-up which lapsed. The home will be built on a small lot which can not support a well since the proximity to other homes could cause health problems. The plat is 25 years old and was never intended for wells. Board Member Boyer stated that it was the last lot on the plat and all other lots have been tied in and together with the health issues he believes the same to be appropriate.

It was moved by Board Member Boyer and it was seconded by Board Member Graham to approve water service connection to 58 Robin Lane, West Warwick subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.
4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.
5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.
6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return

the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to 58 Robin Lane, West Warwick subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the

public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective

20 Marion Drive, Coventry

Mr. and Mrs. Howard Dulude appeared and had written a letter concerning their hardship which is attached as “**B**” and the necessity of obtaining Kent County Water Authority Supply. The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and they did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same.

It was moved by Board Member Masterson and it was seconded by Board Member Boyer to approve water service connection to 20 Marion Drive, Coventry subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be

predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to 20 Marion Drive, Coventry subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this

project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

385 Moosehorn Road, East Greenwich

Jane Revkin appeared and had written a letter concerning her hardship which is attached as “C” and the necessity of obtaining Kent County Water Authority Supply and was represented by Judy Assad, Esq. It was stated that the well is inconsistent and runs out of water periodically. The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and they did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same.

It was moved by Board Member Masterson and it was seconded by Board Member Graham to approve water service connection to 385 Moosehorn Road, East Greenwich subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant’s sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.
4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.
5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.
6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to 385 Moosehorn Road, East Greenwich subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.
4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit

application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

335 Shippeetown Road

Mr. Ken Hendrickson appeared had written a letter which is attached as “D” concerning the necessity of obtaining Kent County Water Authority Supply. Mr. Hendrickson stated that the well runs out of water and he has to hook up to Kent County Water Authority. He has a daughter who is a Registered Nurse and needs a dependable water supply and the house is 55 years old. The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and they did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same.

It was moved by Board Member Masterson and it was seconded by Board Member Graham to approve water service connection to 335 Shippeetown Road subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to 335 Shippeetown Road subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

5. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

6. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water

Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

Carriage House Condominiums

David Igliozzi, Esq. appeared for the applicant concerning the necessity of obtaining Kent County Water Authority Supply. The proposal is for a 12 unit condominium (three (3) buildings) on Reservoir Road, Coventry. The owner, Brian Bamford of RAM Development was present as well.

Mr. Igliozzi stated that there was better than adequate water pressure and that there would be ground water recharges and they still needed to finish a site suitability for Department of Environmental Management.

John R. Duschesneau stated that the technical portion has been reviewed concerning water demand for 12 residential two bedroom units with two persons per bedroom and 100 gallons per person. There was a letter from Joseph A. Casali, P.E. which is attached as "E". Mr. Casali explained the project in detail to the Board and will take approximately sixteen (16) months to build out. Board Member Boyer opined that the gallonage required would not stress the system.

The Chairman asked if the applicant understood the standard conditions in lieu of a moratorium and he did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same.

It was moved by the Chairman and it was seconded by Board Member Boyer to approve water service connection to Carriage House Condominiums subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof,

at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to Carriage House Condominiums subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

Grandville @ Greenwich

John Pagliarini, Esq. who represents LeCesse Development Corp. of Florida, John Caito, PE for Centre of New England, Stephen Izzi, Esq. and Nicholas Cambio, owner of Centre of New England were present.

The General Manager stated that there were outstanding technical review issues. Mr. Caito explained that the August 26, 2005 letter of Kent County Water Authority was favorable, except for existing Kent County Water Authority easement in relation to Centre of New England Boulevard. He gave the breakdown of the units as follows: 66 - 1 bedroom, 208 – 2 bedroom and 26- 3 bedroom units. He stated that the average daily usage would be 44,000 gallons per day and that Centre of New England had commissioned C & E Engineering Partners, Inc. to run the modeling which was favorable and was presented to Kent County Water Authority. He stated that permitting has been completed and they were awaiting the closing for these market rate apartments. Nicholas Cambio, owner of Commerce Park Realty LLC stated that he learned of the easement issue three months ago when the title company had listed the Kent County Water Authority easement as an issue. The General Manager and the Chairman pointed out that Kent County Water Authority had been diligently attempting to obtain technical data including “as builts” for years from Centre of New England without success. Mr. Cambio stated that some day he will become his own private

water company with heavy storage capacity and would, then, terminate his relationship with Kent County Water Authority. He was willing to grant Kent County Water Authority an easement which would terminate upon his own private system becoming approved and activated.

The Chairman again reminded Mr. Cambio that water line easements were requested from Centre of New England to Kent County Water Authority at the inception of this project and easements were to be prepared by Centre of New England and the Authority has continued pressing for them.

Mr. Cambio stipulated that 200 units would be built between September, 2005 and September, 2006 and 100 units to be built out from September, 2006 to September, 2007.

Board Member Graham stated to Mr. Cambio that many letters were sent for the "as built" over the years with no response from Centre of New England. Mr. Cambio responded he had assumed that they were done and he had nagged John Caito about them and Mr. Cambio stipulated that the "as-builts" for Centre of New England will be produced to Kent County Water Authority by December 31, 2005. Mr. Cambio acknowledged that he brought up the fact for the first time at this meeting that the existing Kent County Water Authority easement from predecessors in title (Warwick and Coventry Water Co.) represents a title problem for Centre of New England since it was listed in June, 2005 by the title company. Legal Counsel for Kent County Water Authority asked that a title report with any other information be forwarded to him for review albeit this issue is not part of the application and that Kent County Water Authority will have to conduct its due diligence concerning the easement.

The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and they did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same. It was stipulated that the build out is 200 units September, 2005 to September, 2006 and 100 units from September, 2006 and September, 2007.

It was moved by board Member Boyer and seconded by Board Member Graham to approve water service connection to Grandville @ Greenwich subject to the standard conditions in lieu of a moratorium and provisions of an easement as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the

existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

8. Developer shall provide an easement for Centre of New England Boulevard acceptable to Kent County Water Authority legal counsel.

9. The availability of Kent County Water Authority service is strictly in accordance with the build out schedule as: 200 units can be served water for occupancy between September 2005 and September 2006. The remainder of the units can be served between September 2006 and September 2007.

10. Previously demanded and overdue "as-builts", for the Centre of New England Boulevard, shall be delivered in an acceptable form to Kent County Water Authority on or before December 31, 2005.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to Grandville @ Greenwich subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.
4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public

water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

8. Developer shall provide an easement for Centre of New England Boulevard acceptable to Kent County Water Authority legal counsel.

9. The availability of Kent County Water Authority service is strictly in accordance with the build out schedule as: 200 units can be served water for occupancy between September 2005 and September 2006. The remainder of the units can be served between September 2006 and September 2007.

10. Previously demanded and overdue "as-builts", for the Centre of New England Boulevard, shall be delivered in an acceptable form to Kent County Water Authority on or before December 31, 2005.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must

execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

Gentry Glen Condominiums, East Greenwich/West Warwick

William Landry, Esq. and Kevin Morin, PE appeared and stated that they had been before the Board in 2004 and pursuant to letter dated September 8, 2005 asked to appear before the Board concerning the necessity of obtaining Kent County Water Authority Supply.

The Chairman disqualified himself from consideration since he had previously performed engineering services on the said property. Board Member Boyer stated that his children were the previous owners of this property who sold this property in 2004 but expressed that it did not conflict him in any way from consideration.

Mr. Landry stated that the property consisted of 62 units with no construction until June 30, 2006 and would limit the first phase to 30 units until June 30, 2007 and balance of the units would be constructed no earlier than June 30, 2008. The Kent County Water Authority technical review was accomplished. Mr. Landry stated that the only part of the project located in East Greenwich is the boulevard entrance and that the remainder of the development is in West Warwick. Board Member Masterson inquired of the build out schedule to ensure it was accurate. Board Member Boyer stated the phasing is helpful in granting the water and the average daily water use was within the norm.

The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and they did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and would abide by the same.

It was moved by Board Member Graham and it was seconded by Board Member Gallucci to approve water service connection to Gentry Glen Condominiums subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be

predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

8. The availability of Kent County Water Authority service will be strictly in accordance with the build out schedule as: 30 units can be serviced between June 30, 2006 and June 30, 2007 and the remainder of the units can be served between June 30, 2007 and June 30, 2008.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

And it was unanimously,

VOTED: To approve water service connection to Gentry Glen Condominiums subject to the standard conditions in lieu of a moratorium as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

8. The availability of Kent County Water Authority service will be strictly in accordance with the build out schedule as: 30 units can be serviced between June 30, 2006 and June 30, 2007 and the remainder of the units can be served between June 30, 2007 and June 30, 2008.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

Dana Carlow, 7 Rejean Street

It was moved by Board Member Masterson and seconded by Board Member Graham to add the matter of Dana Carlow, 7 Rejean Street, Coventry to the Agenda for discussion only and it was unanimously,

VOTED: To add the matter of Dana Carlow, 7 Rejean Street, Coventry, to the Agenda for discussion only.

Dana Carlow was before the Board previously and the next door lot is for sale by his former wife, Karen Carlow, and he was attempting to speak for her regarding this issue. The Chairman stated that she would have to make application to come before the Board in person or through a lawyer and he will see to it that the matter will be placed on the October 19, 2005 Agenda for the appearance of Karen Carlow.

Retail Development Pad A, CNE

John Caito, P.E., Stephen Izzi, Esq. and Nicholas E. Cambio, owner of Centre of New England were in attendance. Mr. Caito explained that there would be two components: 1) a fast food restaurant with less than full service and 2) a low volume retail store and that the water volume would be low at 1,950 gallons per day.

The Chairman asked if the applicants understood the standard conditions in lieu of a moratorium and they did acknowledge the same and heard the Chairman read the standard conditions in lieu of a moratorium and provisions of an easement and would abide by the same.

Nicholas A. Cambio, owner, stated that the Centre of New England/John Caito would produce the "as-builts" for Centre of New England to Kent County Water Authority on or before December 31, 2005 and that easements for Kent County Water Authority will be to Kent County Water Authority will be to Kent County Water Authority satisfaction. The Chairman and the General Manager reminded the owner that Kent County Water Authority had been demanding these documents for years.

It was moved by Board Member Graham and seconded by Board Member Gallucci to approve water service connection to Retail Development, Pad A, Centre of New England subject to the standard conditions in lieu of a moratorium and provisions of an easement as follows.

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.
4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project

and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

8. Developer shall provide an easement for Centre of New England Boulevard acceptable to Kent County Water Authority legal counsel.

9. Previously demanded and overdue "as-builts", for the Centre of New England Boulevard, shall be delivered in an acceptable form to Kent County Water Authority on or before December 31, 2005.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

VOTED: To approve water service connection to Retail Development, Pad A, Centre of New England subject to the standard conditions in lieu of a moratorium and provisions of an easement as follows:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments,

contracts or agreements are at the applicant's sole risk if additional water supply is not available as stated infra.

2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be adversely impacted by continuing to expand water supply to the project.

3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.

4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and the potential impact on the existing public water supply system. Upon review of formal application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.

6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.

7. Xeriscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparations shall be employed.

8. Developer shall provide an easement for Centre of New England Boulevard acceptable to Kent County Water Authority legal counsel.

9. Previously demanded and overdue “as-builts”, for the Centre of New England Boulevard, shall be delivered in an acceptable form to Kent County Water Authority on or before December 31, 2005.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect the public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forego any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of these conditions and return the fully executed conditional approval to Kent County Water Authority within twenty (20) days in order to be effective.

George Luther – Seven Mile Road

An easement deed was given to the Chairman and is attached as “F”. This matter was previously on the Agenda at the May 19, 2004 meeting. This easement is an older Kent County Water Authority 40 foot easement located across from the Providence Water Supply Board treatment plant and has not been in use for a substantial period of time. Several neighboring families are, however, tied into a private booster station for water and Mr. Luther would desire to tie into that private booster station for his water source and his neighbors will not grant him permission.

The General Manager stated that a booster pump would be necessary for Mr. Luther’s project and it could be a violation of the Kent County Water Authority rules and regulations for 30 pounds pressure and PUC potability is a potential problem.

The Chairman stated that more information is necessary and cautioned Mr. Luther that he would be better served by obtaining service of an engineer and possibly an attorney since the issues are highly technical and complex. Board Member Boyer stated that engineering would be necessary and since the neighbors have decided not to let him on the private booster pump.

Board Member Masterson and Board Member Boyer echoed the statements of the Chairman.

Earl Colvin of 390 Seven Mile Road and Laura Graffert of 380 Seven Mile Road explained their positions with regard to the history of the matter and that there are significant pressure problems with the four homes tied in and if you add someone it would make it worse and they were there to object.

Paul Sprague – Town of Coventry Paving

The matter was held.

Legal Matters

John Rocchio Corporation – (Monies Owed)

Both Superior Court and District Court cases settled for a total of \$9,500 and the Chairman directed that Legal Counsel finalize the same with the Court.

Bald Hill Pumping Station Easements

Research regarding the status of easements at the subject site has been conducted by Petrarca and McGair, Inc. and forwarded to Kent County Water Authority for review. The station is located on a parcel of land designated as Lot 31 on AP 241. The City of Warwick along with abutting lots 20, 29 and 33 granted easements to Kent County Water Authority for the purposes of a pumping station. More specifically, abutting lot owners (AP 241, Lots 29 and 20) granted easements to Kent County Water Authority for ingress/egress and water line. Kent County Water Authority shares ingress/egress easement rights with abutting lot owners. There is a storm drain easement front Kent County Water Authority site. A 20' sewer easement affects Lot 29 for the benefit of Lot 20.

Setian Lane Tank/Frenchtown/Allstate Boiler

The attorney for Allstate Boiler sent a letter regarding a final payment after lien releases filed within the week. However, C & E Engineering Partners, Inc. sent a letter that the releases were deficient and a subsequent letter was received on July 19, 2005 with releases which will be reviewed. This has been concluded.

Relocation of Tank Site – Read School House Road

The General Manager and Legal Counsel met with the Acting Town Manager, Town Solicitor and the Department of Public Works and the Town has agreed to the relocation of the tank site. Kent County Water Authority will convey the prior tank site to the Town in consideration for the relocation. Upon receipt of engineering/surveying for preparation of a legal description for the new site, Legal Counsel will prepare deeds and see to the conveyance of the respective sites. Legal Counsel is awaiting engineering and legal description.

Town of Coventry Cost Share Agreement (Re: Paving)

Acting Town Manager and Solicitor have approved the form of agreement and the contract has been forwarded to the Department of Public Works for execution, but as yet is unsigned and there may be other issues as infra this meeting.

Director of Finance Report:

Mr. Brown explained and submitted the financial report and comparative balance sheets, statements of revenues, expenditures, and cash receipts, disbursements through August, 2005 which is attached as “G” in the absence of Finance Director, Arthur Williams, who was on vacation and after discussion, Board Member Graham moved and seconded by Board Member Boyer to accept the reports and attach the same as an exhibit and that the same be incorporated by reference and be made a part of these minutes and it was unanimously,

VOTED: That the financial report, comparative balance sheet statement of revenues, expenditure, cash receipts and disbursements through August, 2005, be approved as presented and be incorporated herein and are made a part hereof as “G”.

POINT OF PERSONAL PRIVILEGE & COMMUNICATIONS

Board Member Gallucci stated that he has not sought re-appointment and Legal Counsel opined that he serves until his replacement is appointed and sworn in. Board Member Gallucci stated that it was strictly for personal reasons and he has enjoyed sitting on the Board. The rest of the Board was pleased to see Mr. Gallucci at the meeting.

Board Member Graham stated that everyone should take pride in their jobs and stressed that language restraints should be used at all times and civility is the key. Board Member Boyer countered that he often comes upon the employees in the field and speaks with them on the job and is impressed with their dedication to the Authority and this was echoed by Board Member Masterson.

GENERAL MANAGER/CHIEF ENGINEER’S REPORT **OLD BUSINESS:**

Supplemental Water Supply

(1) The Chairman and the General Manager met with the Providence Water Supply Board which will respond within a few weeks in regard to possible additional water which might be available for an additional connection.

(2) The Department of Health will be sending a letter on the PILOT study of existing Mishnock wells which will be performed in the Spring of 1006 and will be

expensive. The General Manager stated that wells numbered 4, 5 and 3 will be redeveloped during the winter and should be ready for the pilot work to progress.

(3) The Bald Hill Pumping Station update is still in the discussion stages.

The Chairman reminded all that water is a finite resource and all of our efforts are merely “bandaids” without the Big River Reservoir, especially since Scituate it is reaching its maximum. Additionally, he stated that Kent County Water Authority needs wellfields on line as well as the expanded wellfield.

The General Manager stated that more water may be forthcoming from Warwick but the Authority may not have the funds to transmit that water but does have finances for improvements to the Bald Hill tank. The General Manager stated that the system was close to drought conditions several times this summer. The Scituate Reservoir was at 75% capacity and is currently 10 feet below the spillway as it was in 2004. This reality is seldom mentioned in the press or by those who do not research the issues.

The Chairman stated that this was not the worst summer for water usage and not like the problem in the past and we dodged a bullet. The General Manager opined that the Board should have C & E Engineering Partners, Inc. review water availability which it would cost \$2,800. It was the sense of the Board to have C& E Engineering Partners Inc. determine the amount of water which can be allocated in the future by the next Board meeting.

Regulation – Master Metering – Large Commercial

The General Manager presented preliminary amendments to the regulations on pages 2-4 and 2-5 as attached as “H”. These amendments would have the effect of allowing large projects flexibility as to the projections versus the real water used. This would also be helpful for Kent County Water Authority to keep close watch over water expended and would allow for quick adjustments.

New Business

Review System Demands

The General Manager stated that most customers heeded the conservation measures and a small fraction were scofflaws but were appropriately dealt with. The overcast days saved the system because customers did not water on those days. The system did perform well with the improvements. The newsletter has been removed by the Public Utilities Commission and it will be difficult to notify the customers of system changes which is unfortunate.

General Discussion – Water Main Extension

The matter was held.

Berkeley Road Extension

Steve Benedetto of 80 Sophia Drive who will be moving after a recent purchase to Berklerly Road, Warwick and was led to believe that the property was connected to City water. He did not know he would be responsible to put the water main in. He believed that a routine curb stop could cure it but because of insufficient pressure he would need to extend the pipe and dig up the road 125 feet which would cost \$15,500 without engineering. He wanted the Authority to share in construction costs with the benefit to Kent County Water Authority as well as all five (5) existing homes would benefit from the extended line. Board Member Gallucci stated that the regulations say that the homeowner must do the project.

The Chairman stated that it is on the IFR list and it would be replaced but it is not a priority. Board Member Gallucci stated that this would benefit the system to get rid of a potential problem.

The General Manager stated that the 2 foot service is galvanized and is over 100 years old. The Chairman stated that the Authority can not contribute but it might be able to work with him but Mr. Benedetto stated that he could not split the job up.

This matter is on hold for further study.

D.E.M. Permit Discussion

The Chairman reviewed the file and stated that there were five issues outstanding.

The Chairman and the Board examined the permit line by line and all members participated in the thorough review and discussion of the 00-0090 Department of Environmental Management permit dated May 18, 2004.

It was the sense of the Board that Legal Counsel submit a response to the Director of the Department of Environmental Management to make a final attempt to resolve the matter.

KPMG Engagement Letter Approval

One year engagement for KPMG was discussed by the Board.

It was moved by Board Member Masterson and seconded by Board Member Graham to approve the engagement letter of KPMG attached as "I" for the period of one year and it was unanimously,

VOTED: To approve the engagement letter of KPMG attached as "I" for the period of one year.

Town of Scituate Paving Agreement Approval

The General Manager stated that this was similar to the other contracts with other municipalities in the amount of \$36,400 and the Kent County Water Authority was without responsibility for the project and he recommends the same.

It was moved by Board Member Masterson and seconded by Board Member Graham that the Chairman is authorized to execute the Agreement attached as "J" and it was unanimously,

VOTED: To authorize the Chairman to execute the Agreement attached as "J".

Large Meter Test Program (Shut off Review)

The General Manager stated that shut off notices have been sent to 13 large users who have refused or ignored having their meters tested as attached as "K" and that action is imminent.

Clinton Avenue P.S. Electrical Problem Resolution

This matter should be corrected within forty-five (45) days and is progressing.

Maude Avenue Re-Service

The General Manager gave an overview of the Maude Avenue (Coventry) area to prevent iron build up and will refit and install blow-offs to keep that area flushed and concomitantly it will tax the negative supply in High Service Gradient. It was the sense of the Board to remedy this situation because it is a water quality issue and the General Manager will implement the same.

CAPITAL PROJECTS:
INFRASTRUCTURE PROJECTS :

All Capital Projects and Infrastructure Projects are addressed in an exhibit attached as "L" as prepared and described to the Board by the General Manager with general discussion following.

Personnel Review/Centre of New England

The Chairman stated that the two employees affected were notified in writing that a discussion of job performance was to be held in executive session (closed) by the Kent County Water Authority Board on September 21, 2005 at 5:30 pm. unless the persons affected required the proceeding to be held at an open meeting. The two employees affected desired the meeting to be in executive (closed) session.

After the statement by the Chairman, the Chairman declared that it be noted in the minutes of the meeting that R.I.G.L. 42-46-5(a)(1) has been fully complied with.

Board Member Boyer moved and Board Member Graham seconded the motion to move into executive session for the discussion of personnel matters and Centre of New England lawsuit against the Board pursuant to R.I.G.L. 42-46-4, 42-46-5(a)(1) and 42-46-5(a)(1) respectively and it was unanimously,

VOTED: To enter into executive session for discussion of personnel matters and Centre of New England lawsuit against the Board pursuant to R.I.G.L. 42-46-4, 42-46-5(a)(1) and 42-46-5(a)(1) respectively.

Board Member Graham moved and Board Member Boyer seconded to exit executive session and to keep the executive session minutes closed and that the minutes shall remain under seal pursuant to R.I.G.L. 42-46-4 and 42-46-5 and it was unanimously,

VOTED: To exit executive session and to keep the executive session minutes closed and that the minutes shall remain under seal pursuant to R.I.G.L. 42-46-4 and 42-46-5.

Board Member Graham made a Motion to adjourn, seconded by Board Member Masterson and it was unanimously,

VOTED: To adjourn the meeting at 8:10 P.M.

Secretary Pro Tempore

EXHIBIT A

September 21, 2005

[Date]

[Name]

[Company]

[Street]

[City, State Zip]

Re: Service Conditional Approval
[Ref. for each project]

Dear [Addressee]:

As you are aware, through your attendance at the Kent County Water Authority Board meeting on _____ that accelerated development has caused a deficient condition in the high service gradient that supplies water to this project. The Authority has been studying potential initiatives to increase water supply but these initiatives will take at least three to five years to be operative as long as adequate funding can be made available and construction can move forward without any delays, including permitting. After considering these factors the Kent County Water Authority Board has reviewed your request for service and all pertinent data presented during the _____ Board meeting, and based upon representations made by you and/or your company at the Board meeting and by certain findings by the Board at the _____ Board meeting, the Kent County Water Authority Board voted to conditionally approve your request [add in specific project or phased schedule] with the following stipulations:

1. The Kent County Water Authority is not a guarantor of water supply for this approval and any construction or third party commitments, contracts or agreements are at the applicants sole risk if additional water supply is not available as stated infra.
2. The obtaining of additional water supply by the Kent County Water Authority is necessary to adequately service the full potential of this project and the Kent County Water Authority may at its discretion void or revoke this approval or any portion thereof, at any time, by virtue of its sole interpretation that the health, welfare or safety of the existing customers may be impacted by continuing to expand water supply to the project.
3. Delays in construction of Kent County Water Authority system supply improvements necessary to adequately service the needs of this project cannot be predicted, thus, the Kent County Water Authority shall as it deems necessary and in its sole discretion void or revoke this approval or any portion of this conditional approval if this expansion of this service results in adverse conditions beyond the current consumption or by allowing additional consumers to be served which will injuriously withdraw water from the Kent County Water Authority wholly or in part from those who have already been supplied by the Authority.
4. A formal application with the necessary design drawings, flow calculations including computer hydraulic modeling must be provided to fully evaluate this project and their potential impact on the existing public water supply system. Upon review of formal

application, the Kent County Water Authority may void this approval or any portion thereof in its sole interpretation if it appears that expanding service or allowing additional consumers to be served will injuriously withdraw water from the Kent County Water Authority supply wholly or in part from customers already being supplied by the Authority.

5. Approval automatically becomes void by failure of the applicant to start construction within six months of the approval of the permit application or failure to complete construction within twelve (12) months of the construction commencement date or due to failure to comply with any condition imposed by the permits.
6. Only conservation-wise plumbing fixtures are to be installed, including, but not limited to low flow shower heads, low flow toilets and low flow aerators on faucets.
7. Xeroscape landscaping shall be employed on the property and (outside) irrigation systems may not be installed or connected to the public water system. Proper planting bed (high water holding capacity) soil preparation shall be employed.

This approval does not give the applying parties any specific rights or legally binding entitlement to water service and the Kent County Water Authority shall be held harmless by the applicant from any issue or lawsuit coincident hereto including costs and attorney fees to this conditional approval. Notwithstanding any other provision of law or regulation, approval of water service hereunder shall not be deemed to prevent the future exercise of the Kent County Water Authority power to protect public health, safety and general welfare as it relates to the public water supply. The owners, applicant, agents and assigns agree to forgo any claims of entitlement or litigation, whatsoever, in conjunction with acceptance of this conditional approval. The owner and applicant must execute the acknowledgement and receipt of the conditions and return the fully executed conditional approval to Kent County Water Authority within ten (10) business days in order to be effective.

Very truly yours,
Kent County Water Authority

[Name]
[Title]

Applicant Acknowledging Signature

Signed _____ Date _____

Acceptance of approval for water service and all stipulation as written. Acknowledges that the owner/applicant holds harmless the Kent County Water Authority from any legal claims pertaining to this approval and all stipulations for approval.

EXHIBIT B

September 21, 2005

**Howard M. Dulude
40 Sharon Drive
Coventry, RI 02816
(401) 828-1479 (home)
(401) 499-6328 (mobile)**



August 19, 2005

Mr. Timothy Brown
General Manager, Chief Engineer
Kent County Water Authority
P.O. Box 192
West Warwick, RI 02893-0192

RE: Residential water service for 20 Marion Drive in Coventry.

Dear Mr. Brown:

I received a letter today from John Duchesneau, Director of Technical Services for KCWA indicating that "staff of the Kent County Water Authority is unable to consider approval of the domestic supply necessary to service your lot until the deficient condition can be resolved and will require Kent County Water Authority Board Action". My wife and I were shocked to hear this since there is already a water hook-up on the edge of the property for this lot.

We formally request being placed on the Board Meeting Agenda to discuss this as soon as possibly. We are planning to build a retirement home on the lot. The water connection approval is the last thing we need to start construction and we can not build unless we have approval from KCWA for the connection.

We would appreciate it if we could meet with you and your Board on this issue as soon as possible. We have experienced a number of delays on this (which your agency had nothing to do with) and are pushing us up against a DEM permit deadline to complete the project by February of 2006. We will be unable to build the home if we can not complete it by February of 2006.

We hope you will consider this request as soon as possible. We are more than willing to agree to the stipulations KCWA has placed on other recent connectors to the system. Since it is intended to be a retirement home and we are quite a few years away from retirement, the initial water use should be minimal.

EXHIBIT C

September 21, 2005

Jane K. Revkin

385 Moosehorn Road East Greenwich, RI 02818

(401) 884-7546

September 6, 2005

Kent County Water Authority
PO Box 192
West Warwick, RI 02893-0192



Dear Mr. Brown,

I would like to request to be placed on the Board Meeting Agenda on September 21 at 3:30. This is a health matter as my cesspool is failing and this necessitates installation of a septic system. The septic needs to be 100 feet from the well. I don't have this area so need to connect to water service. I am selling my house and closing on October 28, 2005. All work needs to be complete for a successful closing.

Thank you for your attention in expediting this time sensitive matter.

Sincerely,

A handwritten signature in cursive script that reads "Jane Revkin".

Jane Revkin

EXHIBIT D

September 21, 2005

September 7, 2005
General Manager, Chair Engineer Timothy Brown
Kent County Water Authority
P.O. Box 192
West Warwick, RI 02893-0192



Re: Rejection of application for water service at 335 Shippeetown Road,
East Greenwich, RI

Dear Sir,

This letter is in response to the application I applied for water service at 335 Shippeetown Road address. The letter that I received from your authority dated August 25, 2005 rejected my request at this time due to a deficient condition in the service gradient.

It is at this time I would formally request that my application be placed on the board meeting agenda for discussion. Let me state the following reasons for my request at this current time. In the preceding 6-8 weeks the well from which home draws last if we are very careful one day and this is for only taking showers and toilet usage; no laundry and limited drinking usage. It is unknown to how long before the well runs dry. The hardship is I have five people in the household, one who is in the medical field and must have a shower before she goes to work. Also, in the near future I have just learned that my elderly mother will be coming to live with us. This will only add to the already pressing problem. It is to this issue that I address the need for a dependable source and supply of water.

I would like to take this opportunity to thank you for your consideration and cooperation in receiving my application before the board.

Sincerely,

Kenneth A. Hendrickson

EXHIBIT E

September 21, 2005

JOE CASALI ENGINEERING, Inc.

Civil • Site Development • Drainage • Wetlands • Floodplain • ISDS

136 Uxbridge Street • Cranston, RI 02920 • (401) 944-1300 • (401) 944-1313 (fax) • joe@joecasalengineering.net



September 2, 2005

Mr. Timothy Brown, PE
General Manager
Kent County Water Authority
1072 Main Street
PO Box 192
West Warwick, RI 02893-0192

RE: Carriage House Condominiums

Dear Mr. Brown

Joe Casali Engineering, Inc. respectfully requests to appear at the next available Kent County Water Authority Board of Director's meeting (September 21st) in regards to the proposed Carriage House Condominiums project in Coventry, Rhode Island.

Our purpose is to discuss the connection to the Authority's High Service area for the proposed development. As shown on the plans, the applicant proposed to utilize an 8"x 8" tapping sleeve and valve to connect to the existing 8-inch asbestos cement water main. An 8-inch ductile iron pipe will then enter an above ground heated enclosure utilized to store the water meter assembly and reduced pressure zone assembly. The proposed 8-inch pipe will continue for approximately 400-feet to the terminus of the proposed road. The domestic service connections will consist of 3/4-inch copper tubing. A 6-inch ductile iron pipe will service the proposed fire hydrant (location approved by the Coventry Fire Department).

Based on hydraulic modeling performed by C&E Engineering Partners, Inc. dated April 13, 2005, the development will experience adequate domestic pressures of 67psi - 70psi or greater. These pressures are well above the required minimum of 35psi. Fire flow rate of 1,848gpm will be available at 20psi, which is above the required minimum of 1,000gpm as required by the Coventry Fire Department.

Should you have any questions please contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Casali'. The signature is written in a cursive style with a large, sweeping loop at the beginning.

Joseph A. Casali, P.E., MBA
President/Owner

XC: Brian Bamford, RAM Development Corp.
David Igliazzi, Esq. Attorney at Law
Kirk Andrews, PLS, K. Andrews Associates

EXHIBIT F

September 21, 2005

00017

I, MARION V. LUTHER, of Scituate, Rhode Island, widow of Albert R. Luther, late of said Scituate,

for consideration paid, grant to KENT COUNTY WATER AUTHORITY, a Rhode Island Corporation,

with WARRANTY COVENANTS (DESCRIPTION, AND INCUMBRANCES, IF ANY)

the perpetual right and easement to enter upon and to construct, erect, maintain, replace, repair, patrol and remove a line of pipe with valves, fittings and usual appurtenances to convey water and a low voltage electric wire circuit all buried underground within a strip or parcel of the grantor's land in Scituate, Rhode Island, twenty feet in width and bounded and described as follows:

Beginning at the northeasterly corner of the right of way, which point being on the westerly side of Seven Mile Road and ninety (90) feet south of the northeasterly corner of the land of this grantor, thence westerly through land of this grantor five hundred sixty-four (564) feet, more or less, to and now or formerly of Harold S. Colvin; thence southerly by land of said Colvin twenty (20) feet, thence easterly through land of this grantor five hundred sixty three (563) feet, more or less, to said highway; thence northerly on said highway twenty (20) feet to the place of beginning, and containing one quarter (1/4) acre, more or less.

This right of way being on the land conveyed to Albert R. and Marian V. Luther from Thomas A. and Ruth C. Whittaker by deed dated June 14, 1926 and recorded in the Land Records of the said Town of Scituate, R. I. in Deed Book 52 at Page 129.

Notwithstanding this conveyance the grantor, her heirs and assigns shall have and retain the right to use the surface of said twenty foot strip of land for any purpose that does not interfere with the grantee's access to its pipes and wires at all times. Grantor and her heirs and assigns may remove loam from said right of way upon the condition however that they replace such excavation with gravel or other similar material, so that the water in grantee's pipes shall not be exposed to freezing in cold weather.

Should grantor plat her land she may maintain a highway running east and west over said right of way and should the grantee have occasion to excavate any part of such a highway it shall resurface such excavations to compare with the remainder of said highway.

The grantor, her heirs and assigns, and any purchasers of lots on such plat may obtain water from the grantee upon the same terms and conditions that apply to other customers of the grantee.

Witness my hand and seal of the grantor

Witness my hand and seal of the grantor

Witness.....hand.....this..... 14th day of..... May..... 19 51

State of Rhode Island, Etc. }
COUNTY OF Providence

In Scituate on the 14th day of May, 19 51
before me personally appeared MARION V. LUTHER

to me known and known by me to be the part... Y executing the foregoing instrument, and she acknowledged said instrument, by her executed, to be her free act and deed.

EXHIBIT G

September 21, 2005

EXHIBIT H

September 21, 2005

2.2.9 Request For Service:

Application for water supply to service any residential or commercial property must be made by the owner and approved by the Kent County Water Authority prior to commencing construction on the property. Kent County Water Authority shall consider any development under construction without formal public water supply approval to be constructed with the intent of private well supply. Application shall be as prescribed in Part III of these regulations.

2.2.10 Request For Serviceability:

- 2.2.10.1 Large multi-user commercial, industrial park development or multiunit residential proposal may be eligible to receive a preliminary serviceability letter based on conceptual build-out and phased construction of the project. To be eligible for this each proposal must have a projected average daily flow of 500,000 gallons per day or more. Owner shall request serviceability consideration and provide an evaluation of proper infrastructure needs for the Kent County Water Authority system improvements to facilitate the anticipated full build-out demands of the site. Computerized hydraulic modeling utilizing the current Kent County Water Authority hydraulic model will be required along with conceptual drawings and all projected flows by phase for conceptual evaluation of supply availability. The modeling shall consider current infrastructure within the Kent County Water Authority system and all necessary infrastructure and supply augmentation requirements.
- 2.2.10.2 All Kent County Water Authority system improvements and supply augmentation are solely the responsibility of the property or development owner. Serviceability letter is valid for a period of one year from the date of issuance. A letter of serviceability does not guarantee water at any pressure, specified rate or volume and is contingent upon a complete design application and its concurrent approval by the Kent County Water Authority.
- 2.2.10.3 Final approval for water service shall be on a case by case basis for each proposed user within the commercial, industrial or multi-unit residential proposals. A formal application is required for each proposal. Additional modeling may be required on a case by case basis to properly evaluate any change proposed from the conceptual build-out provided under the serviceability application for any large demands or fire flow requirements.
- 2.2.10.4 Final approval of each project application shall be in compliance with all requirements of Kent County Water Authority. It is the responsibility of the owner requesting a serviceability letter to provide project update at a

six month interval. Said update shall include progress to date, changes from the initial concept and expected filing of application with Kent County Water Authority for review.

2.2.10.5 All proposals for serviceability letter consideration must be master metered in order to comply with this requirement. Master metering will allow for ease of phasing the proposal and allow the Authority to monitor flow usage through each of the phase build-outs.

2.2.11 Refusal To Provide Service:

2.2.11.1 Water service turned off to any property for non-payment of a bill shall not be reinstated until all debt obligations to Kent County Water Authority for water service, meter charges and/or other normal water service debts in connection with water service to the property have been paid in full.

2.2.11.2 Under no circumstances will water service be supplied to any property located in areas of the system in which system pressure at the point of connection is currently less than 35 PSI under the average day condition or currently less than 20 PSI under any system flow condition.

2.2.11.3 Water service shall not be supplied to any property located in an area of the system in which system pressure at the point of connection will in the future be less than 35 PSI under the average day condition or in all probability be less than 20 PSI under any system flow conditions.

2.2.12 Acceptable Service Area:

2.2.12.1 The Kent County Water Authority will only accept applications for new water services, or water service extensions or change to water use consumption in areas of the water system that meet the minimum standards of pressure and supply set forth in 2.2.10 above.

2.2.13 Booster Pumps:

2.2.13.1 Residential

2.2.13.1.1 The utilization of a privately owned individual hydro-pneumatic booster pump to support water service to a single residence may be approved on a case by case basis subject to meeting the minimum system pressure requirements of section 2.2.10. The Kent County Water Authority shall not authorize the use of an individual booster pump where minimum system pressure requirements cannot be met.

EXHIBIT I

September 21, 2005



KPMG LLP
99 High Street
Boston, MA 02110-2371

Telephone 617 988 1000
Fax 617 988 0800
Internet www.us.kpmg.com

August 22, 2005

Timothy J. Brown, P.E.
General Manager/Chief Engineer
Kent County Water Authority
P. O. Box 192
West Warwick, Rhode Island 02893

Dear Mr. Brown:

This letter will confirm KPMG LLP's (KPMG) understanding of our engagement to report upon our audit of the financial statements of the Kent County Water Authority (the Authority) as of and for the year ended June 30, 2005.

As outlined in the Request for Proposals ("RFP"), KPMG will conduct the audit in accordance with generally accepted auditing standards and will conduct an audit of the Water Protection Fund in accordance with the Rules of Procedures, R.I. Water Resources Board Corporate, The Public Drinking Water Protection Program, Section 2.4, g.ii and 2.4, g.iii. At the conclusion of our audit we will issue the following reports:

- An opinion on the Authority's financial statements;
- An agreed upon procedures report related to the Water Protection Fund reconciliation;
- An agreed upon procedures report relative to compliance with bond debt covenants; and
- A management letter containing our comments and recommendations regarding the Authority's internal control structure.

Our fees for the audit will be \$35,050. If unforeseen circumstances are encountered during the performance of the audit that warrant additional time or expense or that could cause us to be unable to complete the audit within the above estimates, we will endeavor to notify you promptly to discuss the circumstances with you before performing any additional work.

It should be understood that management of the Authority has responsibility for the financial statements and all representations contained therein. Management of the Authority is also responsible for the adoption of sound accounting policies and the implementation of record keeping and an internal control structure to maintain the reliability of the financial statements and to provide reasonable assurance against the possibility of errors and irregularities that are material to the financial statements. An audit is designed to obtain reasonable assurance about whether the financial statements are free of material misstatement. Even a material misstatement may remain undetected, however, by an audit performed in accordance with generally accepted auditing standards.



Timothy J. Brown, P.E.
General Manager/Chief Engineer
Kent County Water Authority
August 22, 2005
Page 2

* * * * *

We look forward to working with the Authority. For your convenience in confirming these arrangements, we enclose a copy of this letter. Please sign and return it to us.

Very truly yours,

KPMG LLP

Shawn Warren
Partner

Kent County Water Authority

Authorized Signature

Title

Date

EXHIBIT J

September 21, 2005

MEMORANDUM OF AGREEMENT

Agreement made and entered into this 3rd day of August, 2005 by and between KENT COUNTY WATER AUTHORITY (hereinafter KCWA), a Rhode Island Public Benefit Corporation existing and operating pursuant to R.I.G.L. 39-16-1 et seq., as amended, with an address of 1072 Main Street, P.O. Box 192, West Warwick, RI 02893 and the TOWN OF SCITUATE, (hereinafter SCITUATE), a Rhode Island Municipal Corporation, with an address of 195 Danielson Pike, Scituate, Rhode Island 02857, for valuable consideration paid and received, the receipt of which is herewith acknowledged by each of the parties hereto, KCWA and SCITUATE, covenant and agree as follows:

1. That KCWA, its contractors, agents, servants and employees shall be installing waterlines within the following road: Route 115, Main Street, located in the Town of Scituate, Rhode Island.
2. That in connection with said installation of water lines, SCITUATE shall be solely responsible for final paving of said road as delineated below:
 - a. Route 115, Main Street - Approximately 1,550 feet from Route 116 to Jackson Flat Road.
3. That KCWA shall pay to SCITUATE an amount equal to \$36,400.00 on or before August 31, 2005 and in consideration therefor, SCITUATE shall indemnify and hold KCWA harmless after August 31, 2005 from any and all claims arising out of the performance or nonperformance of SCITUATE with respect to any acts performed or omissions by SCITUATE in connection with this Agreement.
4. KCWA shall maintain temporary trench patch for a period of 90 days from the date of installation. Should SCITUATE conduct any final paving work prior to the termination of this 90 day period then SCITUATE shall assume responsibility for the pavement from that point forward.

5. KCWA shall be permitted to complete the installation of water mains and related appurtenances in said streets. Should SCITUATE complete final paving prior to KCWA completing said work, KCWA shall only be responsible for installation of trench patch at any new excavation.
6. SCITUATE shall be responsible for raising all gate boxes and manhole frames and covers to the final grade.
7. SCITUATE shall be responsible for any damage to KCWA facilities as a result of the final paving (i.e. gate boxes and manhole frames).
8. Both parties shall indemnify and hold the other party harmless from any and all injury or damage to person or property, including death, arising out of the performance of their work.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the date above written.

KENT COUNTY WATER AUTHORITY

By: _____

Witness

TOWN OF SCITUATE

By: _____

Dale H. Langlais

Witness

EXHIBIT K

September 21, 2005

LARGE METER PROGRAM
SHUT-OFF NOTICES ISSUES

ACCT #	Company Name	Service Location Street No.	Service Location Street	Service Location City	Meter Size	Date 1st letter sent	Date 2nd letter sent	Shut-off Date 3rd letter sent	Shut-off Final Letter Sent
115411	CENTREVILLE MILL		BRIDAL AVE	WEST WARWICK	6	10/5/2004	11/12/2004	12/15/2004	8/30/2005
115457	PEP BOYS	375	QUAKER LN	WEST WARWICK	6	10/5/2004	11/12/2004	12/15/2004	8/30/2005
116323	BJ'S WHOLESALE CLUB INC	790	CENTRE OF N E BLVD	COVENTRY	10	10/5/2004	11/12/2004	12/15/2004	8/30/2005
203149	SACRED HEART PARISH	840	PROVIDENCE ST.	WEST WARWICK	3	10/5/2004	11/12/2004	8/31/2005	
206268	L & L ASSOCIATES		MAIN ST	HOPE	6	10/5/2004	12/15/2004	3/16/2005	8/30/2005
206843	RIVER BEND CONDO ASSOC	450	PROVIDENCE ST	WEST WARWICK	8	10/5/2004	11/12/2004	12/15/2004	8/30/2005
312183	STANLEY BOSTITCH INC	10	BRIGGS DR	EAST GREENWICH	10	10/5/2004	11/12/2004	3/31/2005	8/30/2005
312419	STANLEY BOSTITCH INC	10	BRIGGS DR	EAST GREENWICH	4	10/5/2004	11/12/2004	3/31/2005	8/30/2005
312727	OFF PUB SAFETY-MAINT FED BLDG		SO. COUNTY TR	EAST GREENWICH	8	10/5/2004	11/12/2004	12/15/2004	8/30/2005
312758	OFF PUB SAFETY-MAINT FED BLDG		SO. COUNTY TR	EAST GREENWICH	8	10/5/2004	11/12/2004	12/15/2004	8/30/2005
312875	KENT HOTEL ASSOC	14	JAMES P MURPHY HWY	WEST WARWICK	6	10/5/2004	11/12/2004	12/15/2004	8/30/2005
305533	EXCHANGE ST ASSOCIATES	5	DIVISION	WARWICK	4	10/5/2004	11/12/2004	3/16/2005	9/21/2005
313061	WALGREEN STORE #3704	3320	POST ROAD	WARWICK	4	10/5/2004	11/12/2004	12/15/2004	9/21/2005

EXHIBIT L

September 21, 2005

PLANNING DOCUMENT \$25,000/YEAR ALLOCATION

PROJECT	STATUS
Water Supply System Management Plan WSSMP	Approved & completed 5 year update due 2007
Clean Water Infrastructure Plan	Approval June 13, 2003. 5 year update due 2008
Vulnerability Assessment Bio-Terrorism Bill	Submitted December 19, 2003
Revised Emergency Response Plan	By June 19, 2004
Simplified EFP Topic Sheets/Employee distribution	December 2004

UPDATED CIP PROJECTS BOND FUNDING

PROJECT	STATUS
Mishnock Well Field (new wells) CIP - 1A	Project closed out.
Mishnock Transmission Mains CIP - 1B	Project closed out.
Mishnock Treatment Plant CIP - 1C	Project closed out.
R-CIP 19 Tiogue Avenue Main	Project closed out.
East Greenwich Well Treatment Plant - CIP-2	Draft Sequestering Pilot Study
Blackrock Road Transmission Main - CIP-4	Main Line Construction Completed. Clean up & Paving.
Clinton Avenue Pump Station Rehabilitation CIP - 7A	Construction On-going
Read School House Road Tank CIP - 7B	Negotiations for Site Movement
Read School House Road Main CIP 7c, 7d, 8a	Final Review Completed Set Bid Date
Mishnock 4 Well Installation	On hold. RFP 4 & 5 plus control facility / T.P.

IFR FUNDED PROJECTS

PROJECT	STATUS
IFR 2003	Construction completed.
IFR 2004	Contract Split Up
Geographic Information System Base Map	Completed.
Geographic Information System Second Phase	Mapping Feature Review October Completion
Knotty Oak Road, Old CIP 5	Construction completed.
Tiogue Tank Modified Service Area	Project closed out.
Setian Lane new pumping station and Frenchtown vault rehabilitation	Completed.
Setian Lane Tank painting	Completed.
Oaklawn Meter Replacement IFR	Completed.
PWSB 78" / Johnson Blvd. P.S. Modification	Winter 2005/2006
Rehabilitation Mishnock #3	Redevelopment completed.
Revised Hydraulic Model	
Color Study Mishnock Wells	Piloting Study Submitted to RIDOH
Cleaning & Lining Greenwich Avenue	Design Status Gas Company Conflict - Need Resolution
Spring Lake Well Redevelopment	Ongoing
PROJECT	STATUS
Web site preparation	Up and running.
Strategic Plan	Sub-committee to develop plan.
CCR 2003	Mailed.
Colvintown Road	Completed.