

KENT COUNTY WATER AUTHORITY

MINUTES OF THE REGULAR MEETING  
OF THE BOARD

August 18, 2016

A meeting of the Board of Directors of the Kent County Water Authority was held on the 18<sup>th</sup> day of August 2016, at 3:30 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room.

Chairman Boyer opened the meeting at 3:30 p.m. Board members Vice Chairman Masterson, Treasurer Joseph Gallucci, Mr. Duckworth and Mr. Giorgio were all present together, along with the General Manager/Chief Engineer Timothy J. Brown, Legal Counsel Patrick J. Sullivan, Esq., Director of Administration, Treatment Manager/Water Project Engineer Dave Simmons and Finance Director Jo-Ann Gershkoff. Mr. Masterson led the group in the pledge of allegiance.

**APPROVAL OF THE MINUTES**

The minutes of the regular board meeting of July 21, 2016 were presented for approval. Mr. Gallucci amended a passage on page 3 and Chairman Boyer amended a typographical error. Mr. Duckworth moved passage of the amended minutes, seconded by Mr. Giorgi and the minutes were approved.

**Guests**

No guests appeared before the board.

**LEGAL MATTERS**

Legal Counsel Mr. Sullivan reported on the Center of New England ongoing receivership. There was no activity to report on this other than the fact that in the Receiver's Interim Report, there were passages regarding Kent County Water Authority and the replacement and expansion of water infrastructure within CONE.

He then reported that the Cardi lawsuit. He indicated that he had served the initial discovery to the defendant Cardi Corp. that involved their defenses contained in their answer to the complaint and to the third party claims against the state. They were still within their time to answer.

He then spoke of the KCWA v. Colbea matter. He said the motion to amend the complaint was granted by the court. The new amended complaint must be answered by Colbea and thereafter, their new defenses against the new count will be taken into consideration in the

summary judgment motion. Furthermore, Mr. Sullivan served Request for Admissions to Colbea that deal with the new count as well.

Mr. Sullivan also outlined his interactions with Ms. Noonan, Esq., who represents Mr. Soscia, regarding the Toll Gate Hill Farm project. He said he would meet, along with Mr. Brown, the week following the meeting.

### **Director of Finance Report:**

Ms. Gershkoff explained and submitted the financial report. Cash Receipts and Disbursements FY 2015-2016 and Statement of Revenues, Expenditures, and Changes in Fund Balance, both as of July, 2016, and Statement of Cash Location 2015-2016, attached as exhibit "A", were submitted and a thorough discussion ensued with regard to the sales and revenue.

Mr. Gallucci moved and seconded by Mr. Masterson 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.

Upon Motion duly made and seconded, it was unanimously,

VOTED: That the Cash Receipts and Disbursements FY 2015-2016 and Statement of Revenues, Expenditures, and Changes in Fund Balance, both as of July, 2016, and Statement of Cash Location 2015-2016 attached as exhibit "A", be approved as presented and be incorporated herein and are made a part hereof.

The Chairman asked if sales had picked up and Mr. Brown reported that sales remained well below normal. Mr. Masterson asked about a drought advisory and Mr. Brown again attributed to the drop in sales to the business departures and large companies leaving the area.

### **Point of Personal Privilege and Communication**

Mr. Gallucci addressed the Toll Gate Hill Farms Road matter. He discussed the ability of this developer to excavate the portion of Toll Gate Road area. He said he spoke to representatives of the city and they indicated this developer could indeed excavate, so long as he restores to its original state. He also added that the city water department would not allow the proposed stubs either without a plan.

The Chairman addressed the main bridge on Rt. 2 in North Kingstown. He commended the staff in their efforts to make the necessary repairs and how smoothly the repairs went. Mr. Masterson also complimented the efforts of the workers. He indicated he visited the site and the bridge was in poor condition.

Mr. Brown then asked the board to amend the agenda to add Highland Hills for discussion only and no action.

Mr. Masterson moved, seconded by Mr. Duckworth, to amend the agenda to add Highland Hills for discussion only.

Upon motion made and duly seconded, it was unanimously

VOTED: That the agenda is amended to add Highland Hills for discussion purposes only.

Mr. Brown began the discussion by illustrating to the board on the map where the project was. He said it was in the CONE but not part of the receiver's jurisdiction. He said the Highlands condo development was serviced by wells. He added that there are no as-built drawings and that the residents want KCWA water. He added there are problems with fire service in the area. He said he attended a meeting the day before the KCWA meeting with the homeowner's association, the receiver, The Chairman and Mr. Duckworth. He said Crossman Engineering obtained the hard drive from Caito Engineering, and they have searched the hard drive for potential as-built drawings. He added that they had been on this issue for a couple of years, but nothing has materialized. Ultimately, he added, the question is one of a financial one. He added a lot of work has to be done, there are dead ends that need looping, and potential problems with chlorination.

Chairman Boyer added that he and Mr. Duckworth attended the meeting. He said Mr. Peter Alviti, a resident spokesman for the residents, made it seem it was doable without many problems. The Chairman said it may be doable, but there were significant problems that have to be dealt with, including what is even in the ground for infrastructure.

Mr. Duckworth also said Mr. Alviti said they would perform a percentage of sampling. He didn't think the residents understood the scope of the problem.

Mr. Brown added that he thought Mr. Hansen may have knowledge of the locations of the pipes if they are there. He said there was talk of videotapes and didn't think the as-built drawings existed.

Mr. Masterson wondered if there was ever any water in the pipes. Mr. Brown added that he didn't even know if they were ever pressure tested. He said it will be very difficult, but not impossible, to chlorinate them now. Mr. Masterson suggested the KCWA should help the residents out if they are able to.

## **GENERAL MANAGER/CHIEF ENGINEER'S REPORT**

### **GENERAL:**

#### **PUC Docket #4461 KCWA Rate Case Status**

Mr. Brown updated the board on the case. He said the division testimony was due on the 25<sup>th</sup> of August. He said there was a motion to compel, and KCWA had ten days to respond. He

said the response is already answered.

### PUC Docket #4618 PWSB Intervention of Rate Case - Status

Mr. Brown updated the board that KCWA has no position on that filing as of yet. He said a motion to pass through may be filed, but nothing until the PUC acts on the PWSB case.

### Report on Rt. 2 Bridge Leak and Repair Status

Mr. Brown reported that the repair was made using a slip line that was inserted in the existing pipe. He outlined the procedure of installation and added that the repair was done quickly as there was no other water source for that area. He was pleased with the work. He said it was done in a three-week turnaround and that the system is performing very well. He said the temporary connections remain in case of any future problems.

### Truck Bid – Replacement of Truck #2 – Action Required on Bid Impropriety

Mr. Brown explained that two companies bid on the truck. Tri Center and RI Truck Center. When the bids were opened, RI Truck Center didn't have everything that was required. They wanted an additional \$2,500.00 to add the items. He believed it to be a bid impropriety. He said the options are to award to the next lowest bidder or throw all the bids out and rebid. Mr. Brown recommended that the truck be re-bid.

Mr. Giorgio said rather than pay \$6,000.00 more, KCWA should re-bid the truck.

Mr. Gallucci moved, seconded by Mr. Masterson, to reject all bids and re-bid replacement of truck #2.

Upon motion made and duly seconded, it was unanimously

VOTED: That KCWA will reject all bids and re-bid the replacement of truck #2.

## **INFRASTRUCTURE PROJECTS**

### **Apponaug Circulator Water Main Replacement**

Mr. Brown informed the board about an issue at Gilbane Street. He said the contractor took the shoulders down by 18". He said that the contractor said if KCWA wanted to do anything about it, we had one week to do it as it was getting paved. Mr. Brown said one week wouldn't allow enough time for anything to be done. He said it should stay at the same elevation, but one week wasn't enough time.

### **East Greenwich Well Refurbishment**

Mr. Brown reported that the contract was signed that week. The project is moving forward with a completion date of 10-15-2017. He said they were waiting for submittals for the pumps, motors, etc.

Chairman Boyer though one year's time seemed long. Mr. Brown indicated that it was bid previously at \$600,000.00 more.

**IFR 2014A**

Mr. Brown informed the board that this construction is ongoing and at its last stages.

**IFR 2014B**

Mr. Brown informed the board that construction is ongoing in the New London Tpk. area.

**IFR 2015A**

Mr. Brown informed the board that the construction is ongoing by Brito Construction in the area of Commonwealth Ave. and the Pawtuxet River area. He said there were many boulders and concrete found at the site.

**IFR 2015B**

Mr. Brown said the project was just awarded and the contractor just began laying pipe in the area of the mills and houses near the WW Civic Center. Mr. Brown advised that this project is begun with Factory St. and the contractor has promised to be out of the area before school starts.

**IFR 2016 Design (Project Status)**

Mr. Brown updated the board that the design services are ongoing but the bid would be on hold for funding reasons.

**CAPITAL PROJECTS**

**Mishnock Area Transmission Main, Design Revision (Current Project Status)**

Mr. Brown indicated that the bid was out on the street as of the day before the meeting and he hoped for at least six bids. He updated the board that the project is 12,000 feet on Mishnock Road and the biggest challenge is the dewatering at Mishnock Pond.

There being no further business before the board, Mr. Giorgio moved, seconded by Mr. Duckworth to adjourn the meeting.

Dated: September \_\_\_\_, 2016

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Patrick J. Sullivan  
Legal Counsel