



**State of Rhode Island and Providence Plantations**  
**Water Resources Board Corporate**  
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**PUBLIC DRINKING WATER PROTECTION COMMITTEE**

**MINUTES OF MEETING**

January 9, 2006

**Members Present:**

Robert Griffith  
Frank Perry  
Elizabeth Scott  
June Swallow

**Members Absent:**

William Stamp

**Staff Present:**

Juan Mariscal  
Kathleen Crawley  
Beverly O'Keefe  
William Rivero  
Elaine Maguire

**Guests:**

Lucien Masson  
Ted Garille  
William Bernstein  
James DeCellis  
Pamela Marchand

1. **CALL TO ORDER:** Chairman Griffith called the meeting to order at 11:11 a.m. and noted that a quorum was present.
2. **APPROVAL OF MINUTES:** With a motion by Mr. Perry, seconded by Ms. Scott, the minutes of the December 6, 2005 meeting were approved. Mr. Griffith noted that the posting date on the agenda was January 13, 2006 and asked if the agenda was properly posted. Mr. Rivero said yes that it was posted on Thursday January 5, 2005.

**3. ITEMS FOR ACTION:**

**A. RI PUBLIC DRINKING WATER PROTECTION PROGRAM - PHASE III:**

- (1) **KENT COUNTY WATER AUTHORITY – WATER QUALITY IMPROVEMENT PROJECT – Redevelopment and Rehabilitation of a Well Facility (Construction Phase) - Requested Amount \$17,450.00; Recommended Payment \$17,038.41 - Request for Approval –**

Mr. Griffith introduced the item. Mr. Rivero reported that the project under consideration was approved for eligibility by the Board Corporate at their regularly scheduled meeting on November 8, 2005 and that KCWA maintained that this project would help cease poor production and iron and manganese fouling. He stated KCWA has completed the project and has submitted proper supporting documentation in the amount

of \$17,450.00. He recommended approval for payment of funds in the amount of \$17,038.41, stating that this was KCWA's remaining fund balance. A motion to approve the payment request was called by Ms. Swallow and seconded by Ms. Scott; the committee approved the motion. Mr. Perry respectively recused himself from voting.

**(2) TOWN OF SOUTH KINGSTOWN (SK) – WATER SUPPLY PROTECTION PROJECT – Preparation of Water Supply Systems Management Plans - Requested Amount \$373.00; Recommended Payment \$373.00**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration was approved for eligibility by the Board Corporate at their regularly scheduled meeting on December 13, 2005. He stated that SK has completed the project and has submitted proper supporting documentation in the amount of \$2,900.00 but that they request reimbursement in the amount of only \$373.00, which will satisfy the 55% land acquisition allocation requirement and also meets the 40% requirement allowable from the total cost. He recommended approval. A motion to approve payment was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

**(3) TOWN OF SOUTH KINGSTOWN (SK) – WATER QUALITY IMPROVEMENT PROJECT – Water Tank Refurbishment - Requested Amount \$67,506.00; Recommended Payment \$67,506.00**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration was approved for eligibility by the Board Corporate at their regularly scheduled meeting on December 13, 2005. He stated that SK in their request maintained that a water tank inspection revealed internal paint system blistering in the interior tank on Mautucket Road and that this event triggered a needed restoration. Mr. Riverso stated that SK has completed the project at a cost of \$135,000.00 and has submitted proper supporting documentation. He recommended payment approval of \$67,506.00, relating that it was SK remaining fund balance. A motion to approve payment was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

**(4) PASCOAG UTILITY DISTRICT – WATER QUALITY IMPROVEMENT PROJECT – Security Fencing per Vulnerability Assessment Plan - Requested Amount \$17,540.30; Recommended Payment \$17,524.84 - Request for Approval**

Mr. Griffith introduced the item. Mr. Riverso reported that consideration for the project of security fencing was approved for eligibility by the Board Corporate at their regularly scheduled meeting on October 11, 2005. He stated that in their request, PUD stated that this type of measure was identified as deficient in their Vulnerability Assessment Plans. He reported that the project has been completed and they have submitted proper supporting documentation in the amount \$17,540.30. He recommended approval in the amount of \$17,524.84, relating that it is PUD's remaining fund balance. Mr. Griffith asked Mr. Ted Garille if he would like to add any comments. Mr. Garille thanked the committee and stated that he was very appreciative of the program funds. A motion to approve

payment was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

**(5) TOWN OF WESTERLY WATER DEPT. (WWD) – WATER QUALITY IMPROVEMENT PROJECT – Elimination of Dead End Water Mains - Requested Amount \$11,365.12; Recommended Payment \$11,365.12 - Request for Approval –**

Mr. Griffith introduced the item. Mr. Riverso reported that consideration for eligibility by the Board Corporate was approved at their regularly scheduled meeting on December 13, 2005. He stated that WWD has completed this project and has submitted proper supporting documentation. He reported that the cost of the project is \$11,365.12 consisting of 250' of linear pipe, including in-house labor cost of \$20.01 per foot and a total project cost \$45.46 per foot. He related that compared to an industry standard for outside contacting costs of \$100.00 per foot, the project cost is reasonable. He recommended approval by the Committee for payment of funds in the amount of \$11,365.12. A motion to approve payment was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

**(6) TOWN OF NORTH KINGSTOWN (NK) – WATERSHED PROTECTION PROJECT – Land Acquisition Costs Associated With Corresponding Program Land Acquisition Project – Request for Eligibility and Payment Approval - Requested Amount \$12,586.50; Recommended Payment \$12,586.50**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for acquisition costs associated with their recent land acquisition project, which was an easement acquisition project protecting NK's wellfield at Carr Pond, made up of 9.8 acres in the Pettaquamsett Aquifer. He stated the closing took place in October 2005 and the cost in the amount of \$12,586.50 includes appraisal, survey and legal costs all eligible under Section 3 of the program rules and procedures. He stated that NK has submitted proper supporting documentation and recommend approval by the Committee for eligibility and the payment request of \$12,586.50 for the associated project acquisition costs. A motion to approve payment was called by Ms. Swallow and seconded by Ms. Scott; the committee approved the motion unanimously.

**(7) CITY OF WOONSOCKET (CW) – LAND ACQUISITION PROJECT FOR WATERSHED PROPERTY PROTECTION – Town of North Smithfield Tax Assessor's Plat 17, Lot 47, ACREAGE 78 +/- ACRES, - APPRAISAL VALUE \$420,000.00, PURCHASE PRICE \$420,000.00 - Requested Amount \$420,000.00; Recommended Payment \$420,000.00 - Request for Payment Approval**

Mr. Griffith introduced the item. Mr. Riverso reported that this land acquisition project was approved for eligibility by the Board Corporate at their regularly scheduled meeting on July 14, 2005. He stated this project for reimbursement consideration is for watershed property located within CW's Reservoir #1. He reported that CW had stated that acquisition of this property would preclude future development real and potential and that protection of this property is consistent with their Water Quality Protection Plans. He stated that the

property consists of 78 acres with a highest and best use of two to three house lots. He stated that the value established by the appraiser was \$420,000.00, the purchase price is \$420,000.00 and that Ms. Primiano reviewed the appraisal and recommends approval of a valuation for \$420,000.00. He reported that CW has followed up with its pre-closing documentation; the Class I Survey with its metes and bounds is under review by staff and legal counsel. He stated that Ms. Kay has been in communications from the start with CW's legal counsel in helping develop the restriction language and approves the project. He recommended approval for the payment request of \$420,000.00 subject to final approval by program Legal Counsel and receipt of any necessary documentation as required at closing. A motion to approve payment was called by Ms. Swallow and seconded by Ms. Scott; the committee approved the motion unanimously.

**(8) CITY OF PAWTUCKET (PWSB) - LAND ACQUISITION PROJECT IN THE DIAMOND HILL RESERVOIR WATERSHED; TOWN OF CUMBERLAND PLAT 57, LOTS 2 AND 22; ACREAGE 44 +/- ACRES, - (PRATT PROPERT) – Request for Eligibility Approval to Increase Project Funding Outlay**

Mr. Griffith introduced the item. He congratulated Ms. Marchand on her new position. Mr. Riverso reported that this project was approved for eligibility at the November 14, 2005 Board Corporate meeting with an initial request outlining the use of \$420,000.00 from program funds. He stated that since their initial request, revised negotiations have taken place whereby the PWSB has agreed to increase its contribution to the project by \$75,000.00. He recommended eligibility approval. Ms. Marchand explained that one of the partners to the project decided to reduce their amount of contribution to the project, thus PWSB and the Town of Cumberland agreed to split the difference. She further explained that she has followed up on an issue raised at the previous committee meeting regarding a revised appraisal reflecting the correct project area. She stated that it has just been completed and presented a copy to the committee. Mr. Riverso stated that he will forward the revised appraisal to Ms. Primiano. Ms. Swallow suggested tabling the item for further review by Ms. Primiano. Mr. Griffith agreed since the revised appraisal affected both the amount of acreage and value. Mr. Griffith tabled the item.

**(9) CITY OF PAWTUCKET – WATER QUALITY IMPROVEMENT PROJECT – Engineering Services Towards Renovations of a Settlement Basin and Adding Aeration - Request for Eligibility Approval**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for engineering services to improve the water quality in Robin Hollow Basin. He stated that in their memo, PWSB stated that this basin had historically been used as a settling basin to reduce suspended particulates, prior to the water flowing to the Happy Hollow Pond where the intake to the water treatment system is located and that over the years, the impoundment had deteriorated and the basin filled with sediment. He stated that PWSB seeks to renovate the impoundment structure and add aeration to the pond to improve the water quality. He explained that this project type specifically is not listed on the approved project list, thus reverting to #15 on the list for special project consideration. He recommended approval. Mr. Mariscal pointed out that upon first

review he considered this a deferred maintenance type of project but had not discussed it with Ms. Marchand and hoped to get to a further explanation from Ms. Marchand at today's meeting. Ms. Marchand explained that it has been approved under SRF funding. She stated that it probably hasn't been attended to in over fifty years and we would be adding aeration. Mr. Perry stated this is primarily an engineering project but did have the same concerns as Mr. Mariscal about many of the final aspects which may include maintenance type projects. He stated that the engineering itself qualifies as an improvement but would like to make it clear that by approving the engineering study it would not indicate that all the work recommended by the study would become automatically eligible. A motion to approve eligibility as an engineering project with clear understanding that it does not qualify any of the detailed work to be done was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

**(10) CITY OF PAWTUCKET – WATER QUALITY IMPROVEMENT PROJECT – Water Main Replacements - Request for Eligibility Approval –**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for the replacement of cast iron water mains and other deteriorated water mains within PWSB's water distribution system. He reported that in their memo, PWSB stated that the cast iron mains were replaced due to severe corrosion of the cast iron which resulted in water quality problems and that other water mains were so severely deteriorated they needed replacement rather than being cleaned and lined. He stated that this project type has been approved in the past and is listed as #8 on the Board Corporate approved program project list. He further explained that PWSB relates that they have done a thorough inventory of all potential land acquisition projects and prospective new projects that may qualify and these projects have all been submitted for eligibility approval. He reported that these projects have been approved, qualified or currently under review and at this time PWSB states that they have reviewed their inventory of recently completed projects and thus has forwarded this project for consideration. He recommended approval for potential eligibility. Mr. Griffith asked if this work has already been done. Ms. Marchand said yes. Mr. Griffith reiterated his sentiments regarding after the fact approvals. He stated that we need to get more aggressive in policing this and the word needs to get out to the suppliers that they need to get approval before the fact and in the future this will be made clearer in subsequent phases. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

**C. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):**

**(1) QUONSET DEVELOPMENT CORPORATION (QDC) – WSSMP 5-YEAR UPDATE - Request for Extension Approval**

Mr. Griffith introduced the item. Ms. O'Keefe reported that QDC's WSSMP 5-Year update was due November 14, 2005. QDC submitted a 7-month extension request which was received on December 20, 2005. She stated QDC cited procurement and funding difficulties as the reason for not submitting the Update in a timely manner. She recommended approval of the extension request to be due no later than June 14, 2006. A motion to approve was called by Mr. Perry and seconded by Ms. Swallow; the committee

approved the motion unanimously. Mr. Griffith asked staff to note the four-month delay in submitting a timely extension request.

**D. BIG RIVER MANAGEMENT AREA (BRMA):**

**(1) WARWICK COMPOST MATERIAL TESTING - Contract with VHB, Inc. - Requested Amount \$6,890.00; Recommended Payment \$6,890.00 - Request for Payment Approval**

Mr. Griffith introduced the item. Mr. Mariscal reported that AMGEN has been in the process of restoring the parking lot on BRMA land and in the process of doing that RIDEM initiated an investigation on the materials being used in the restoration. He stated that in August of 2005 the Board was given notice that 8,230 cubic yards of materials considered being solid waste needed to be removed within 90 days. He stated that we worked with AMGEN on this and allegedly the material that was not to be compost material was obtained from Richmond Sand and Gravel. AMGEN worked cooperatively with us and did remove the materials within the 90 days. He reported that while this work was going on RIDEM checked another area of the property where City of Warwick Yard Waste Compost had been used and in their review of that material they became suspect of it and asked to have it analyzed. He reported that Ms. Maguire contacted the Division of Purchases for assistance on this and we requested proposals. We received a proposal from VHB, Inc. in the amount of \$6,890.00. Mr. Mariscal reported that in the meantime he had contacted the City of Warwick about their materials and they indicate that they may have the needed analytical information. He stated that he has requested in writing from the DPW Director that this data be provided to us but have not received anything yet nor know if it would be acceptable to DEM. He stated that at this time he advised DEM that he would go forward with getting approval for this proposal if indeed it would be necessary. He recommended approval. A motion to approve was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

**4) ITEMS FOR DISCUSSION:**

**A. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update**

Ms. O’Keefe reported positive weather conditions continue several precipitation events. She noted this month’s report included several weather condition maps in the body of the narrative report. She reported surface water flows at the end of November were above normal. During the month of the December there was decreased precipitation but the significant moisture totals received in October and November have been sufficient to maintain the levels over 100% of the average precipitation for this time of year. New high groundwater levels in 45 of 125 wells were recorded in November. She reported that the Scituate Reservoir was at 104.6% capacity.

**B. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM - Update**

Ms. O’Keefe reported staff continues to work closely with the water suppliers on

reporting requirements, rules and regulations, and data reporting. She stated two suppliers are overdue in submitting their interim reports. She reported a Source Water Assessment Requirements meeting was held on December 16, 2005. Participants included members from the RI Water Resources Board, Departments of Health, and Environmental Management, and the University of Rhode Island. Participants plan to meet for a second meeting in mid-January. At that time, a draft outline of proposed actions will be reviewed and discussed.

**1). Harrisville Fire District (HFD) Relationship with Pascoag Utility District (PUD) Regarding Future Water Supply Expansion and Needs – Update**

Mr. Mariscal reported he received a letter from PUD regarding their relationship with Harrisville Fire District. Mr. Garille, General Manager, PUD, was asked to update the committee on the contents of the letter. Mr. Garille reported remediation by RI DEM continues on wells #3 and #3A. He stated the area around the gas station has been cleaned up into the high 90 percentile and the North Main Street section in Pascoag is 95% clean. There was a pumping of Well 3A with a non-detect of 5 parts per billion and with continued pumping increased levels of MTBE did creep up again, pumping was stopped. He stated PUD has identified a new well up stream from the contamination that yields up to 100 gallons per minute. This would provide about 25% of Pascoag's needs. Approval has been received from RI DOH to proceed with well development, and PUD is awaiting approval of a RFP for actual construction. He stated PUD has been also invited to explore in Mapleville's District. Mr. Garille asked his counsel Mr. Bernstein for additional comments. Mr. Bernstein reported a water subcommittee has been organized to discuss the general issue of a merger or what to do about an organization the two districts may want to explore. He stated two unresolved issues remain to be answered. One is the how to treat the debt service of each organization in case of a merger and the second is the issue of autonomy. Proposals have been brought forward but rejected by the voters. He stated Harrisville has been contacted to discuss joint venture proposals. Mr. Mariscal stated regionalization is a priority of the Board and he hopes regionalization continues to be an option in that area of the state. Mr. Bernstein stated regionalization is a concept that could be supported.

**C. RI PUBLIC DRINKING WATER PROTECTION PROG. PHASE III – Update**

Mr. Riverso reported that with today's payment approvals six suppliers would have completed the program. He stated that 93% of funds have been reimbursed or committed to. A few more suppliers have nominal balances. He stated that he is concerned with two suppliers getting projects completed; they are Kingston and RIEDC because they are dependent on actions of third parties.

**1). Preparation for Phase IV – Outlining of Criteria, Materials for Review**

Mr. Mariscal reported that a specific proposal or outline has not been prepared for this discussion but nevertheless it is being placed as a continuous bookmark on the agenda to keep us focused on the issue. He stated that going forward we will keep in mind to address the issue of after the fact approvals brought up earlier. He stated that there may be a need to make some changes to enabling legislation. This has been

discussed with staff and Board members in the past and over the next few months proposals would be developed. Mr. Griffith stated that at the beginning of Phase III this committee took a strong position on limiting eligible projects but was not supported by the full Board. He recommended that staff go back and look at the minutes of both the committee and Board discussion and approval actions so we can identify the points of differences and see if there is some middle ground to use as a starting point for future discussion.

**D. GROUNDWATER PROTECTION/ACQUISITION PROGRAM – Update**

Mr. Riverso reported that forward movement is in progress as appraisals are being conducted on sites RIW 405, RIW 458, RIW 481 and CHW 396. He stated that the owner for site RIW 336 is conducting their own appraisal because the siblings are negotiating amongst themselves sale and direction of property and they will contact us when the appraisal is complete to initiate more formal negotiations. He reported that the State Properties Committee Board going forward with negotiations for well sites SNW 1082 and SNW 1085 in South Kingstown. He stated that recently a status meeting was held with program consultants Lisa Primiano and Mary Kay whereby Ms. Primiano reported that the appraisers are working on the respective appraisals and feels positive on closing a few projects this fiscal year. Ms. Swallow asked for the test results for the mentioned well sites. Mr. Riverso stated that he would forward them to her.

**ADJOURNMENT:** On a motion by Mr. Perry and seconded by Ms. Swallow, Chairman Griffith adjourned the meeting at 12:20 p.m.

Respectfully submitted,

Robert Griffith  
Chairman

*Note: The complete proceedings of this meeting are available on audiotape by request.*  
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