

**PORTSMOUTH WATER AND FIRE DISTRICT
1944 East Main Road, Portsmouth, Rhode Island**

**Administrative Board Meeting Minutes
June 20, 2017**

OPENING BY CHAIRMAN AND ROLL CALL

The Administrative Board Meeting was called to order at 7:00 PM by Chairman Philip Driscoll.

Present – Frederick Faerber, Michael Nott, Teri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur

Absent – Allen Shers

Also present – William McGlinn, Jessica Lynch, David Fox and Andrew Kelly

GUESTS

Jim Moore, 217 Indian Ave; May 68, Lot 32 re: Distance Exception and Auxiliary Use Exception

Mr. Faerber, seconded by Mr. Nott, made a motion to approve a 255-foot exception to the 150-foot maximum water service distance requirement for a replacement house on AP 68 Lot 32, as requested by the property owner, since:

- **A water main extension is not necessary to service the existing house.**
- **A main extension is not required to service future customers.**
- **There is adequate fire protection in the area.**
- **Require the long serviceline to be installed in a conduit.**

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Terri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Mr. Faerber, seconded by Mr. Nott, made a motion to approve an exception to the rule that requires a separate meter and curb stop for each building and allow an after-meter extension of the water serviceline at 217 Indian Avenue from the new house to a new green-house type building on the same property, consistent with past practice, and with the proviso that said approval is for auxiliary use only and is not an approval for a separate living unit.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Terri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

James Enos, East Side Plumbing; Re: Tampering; 19 Sloop Dr

Mr. McGlinn explained that Mr. Megna, owner of 19 Sloop Drive, called the office requesting meter installation at the property for water service he had applied for a while ago. It was further explained that the property had an existing curb stop which was installed with the rest of the Sloop Drive subdivision. The property had the serviceline installed and the serviceline was inspected by the District. The operator who inspected the serviceline turned the curb stop off after inspection because there is no meter and therefore no water should be used. Mr. Megna called to have the meter installed, which he had paid for, but when Armand Beaudoin arrived to install the meter, he found the curb stop on and a hose bib of some sort at the end of the pipe coming into the building indicating water had been used. Mr. Beaudoin asked someone on site, (who is believed to be Steven Simcock), about his findings, who told him that water was being used to make concrete. Mr. McGlinn noted that when he spoke to Mr. Megna about the issue, Mr. Megna indicated he would get in contact with the plumber to find out what happened. Mr.

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Megna discovered that the plumber he hired, James Enos of East Side Plumbing, hired a subcontractor, Steven Simcock, who is not a licensed plumber in Rhode Island. The District's standpoint is that Mr. Enos is responsible as the plumber and he passed the work off to someone who did something wrong. Mr. McGlenn further noted that there was a meeting on site with the Portsmouth Plumbing Inspector as well as a representative from the Rhode Island Department of Labor and Training, who was at the site to investigate the violation. It was made clear by the RI DLT that Mr. Simcock cannot work in RI as a plumber without a license. Mr. McGlenn's issue was that no one should touch the curb stop or take water without a meter, which Mr. Enos now seems to understand. He further noted that there have been tampering issues on Sloop Drive in the past, but they didn't involve Mr. Megna.

Mr. Nott asked Mr. Enos if he had worked with the District prior and if he was aware that only District employees are allowed to turn the curb stops on. Mr. Enos replied that he was aware of the rules. Mr. Nott also asked him if he was aware that the employee had turned the curb stop on and Mr. Enos replied that he was not aware.

Ms. Cortvriend inquired as to when the Firefly is put on the house to which Mr. McGlenn replied that they are put on at the time of meter installation. Ms. Cortvriend noted that there is no way to calculate how much water was used.

Mr. Fox wanted to clarify that the owner of the property, David Megna, owns it through a company name (Island Spirit, LLC).

After the motion was made, Mr. Enos stated that he doesn't disagree with anything stated by Mr. McGlenn but wanted to note that this is the first time he has ever had any type of negative mark on a licensed job he has pulled permits on and wanted the Board to be aware of that.

Mr. Nott, seconded by Ms. Cortvriend, made a motion to fine James Enos, East Side Plumbing, for the violation of turning on the PWFd curb stop without approval and water taken, fine of \$100.00 for using an unlicensed plumber unsupervised by the contractor, first offense.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Terri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Steven Simcock, Re: Tampering; 19 Sloop Dr

Mr. McGlenn noted that this violation is the same as the above stated violation for Mr. Enos.

Mr. Nott, seconded by Ms. Cortvriend, made a motion to fine Steven Simcock of Swansea, MA, for the violation of turning on the PWFd curb stop without approval and water taken for construction, fine of \$200.00; \$100.00 for being deliberate and \$100.00 for advantage sought or gained, first offense.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Terri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

After approval of May 16, 2017 Meeting Minutes, discussion continued about tampering. Mr. Nott inquired whether the District is in line with other water systems as far as fining for tampering. Mr. McGlenn responded that the District is ahead of other water systems; others don't generally bother

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chasing those who tamper. He further noted that fining creates a record of offenses and fines can be increased if they violate the rules again. Mr. McGlinn also noted that he changed the letter to say that the Board prefers to handle these matters directly instead of reporting them to the Police. Mr. Faerber inquired if the violators don't pay the fine, do we then approach the Police about the violation. Mr. McGlinn responded that the Board would have to decide on that. Ms. Cortvriend inquired what happens if Mr. Simcock and Mr. Enos don't pay the fines. Mr. McGlinn responded that they have not been pursued in the past. Mr. Faerber noted that if they are not chased for payment, they were not penalized. Mr. McGlinn responded that they may lose other jobs because of the fines and they will not be tampering in the future.

Mr. Fox noted that you don't see many repeat offenders which indicates that both the fine and bringing the violation to their attention does work. He further noted that in regards to any tampering cases, the Board should review the policy and always involve the owner, even if they are not involved, because typically the owner is looking to sell the property. Mr. Fox thinks they should make the meter dependent upon compliance from whoever the District finds at fault.

CORRESPONDENCE – Nothing Presented

MINUTES OF MEETINGS

Approve Administrative Board Meeting Minutes of May 16, 2017

Approve Administrative Board Executive Session Meeting Minutes of May 16, 2017

Mr. Faerber, seconded by Ms. Cortvriend, made a motion to approve the Administrative Board Meeting Minutes and Administrative Board Meeting Executive Session Minutes of May 16, 2017.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Terri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

ADMINISTRATIVE BOARD 2017 ELECTION

Certification of Election Results

Mr. Faerber, seconded by Ms. Cortvriend, made a motion to certify the results of the June 14, 2017 Administrative Board election:

- **For the position of Clerk for a Three-Year Term:**
 - **Philip T. Driscoll**

- **For the Position of Water Commissioner for a Three-Year Term**
 - **Andrew V. Kelly**

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Terri-Denise Cortvriend, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

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Swearing in of New Members

Mr. Molleur swore in Mr. Driscoll and Mr. Kelly.

Teri-Denise Cortvriend departed.

ADMINISTRATIVE BOARD ORGANIZATION

Election of Chairperson

Mr. Faerber, seconded by Mr. Kelly, made a motion to elect Mr. Driscoll as Chairperson.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Assignment by Chairperson of Subcommittee Members and Chairpersons

Mr. Driscoll assigned the following Board Members to Subcommittees:

Administrative Subcommittee

Michael Nott – Chairman
Frederick Faerber, III
Allen Shers

Engineering Subcommittee

Theodore Czech – Chairman
Ronald Molleur
Andrew Kelly

UNFINISHED BUSINESS

Commercial Package Insurance Renewal

Mr. McGlenn requested that discussion regarding this topic be moved to the end of the meeting.

Mr. Faerber, seconded by Mr. Nott, made a motion to move discussion of the Commercial Package Insurance Renewal to the end of the meeting.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Replacement General Manager Contract

Mr. Faerber, seconded by Mr. Nott, made a motion to approve the Replacement General Manager Contract as presented.

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A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

NEW BUSINESS

Approve Payment of Bills Listed

Mr. Faerber, seconded by Mr. Kelly, made a motion to approve Payment of Bills Listed in the amount of \$275,710.57.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Approve Interim Payments – Nothing Presented

Request Authorization to Transfer Funds – Nothing Presented

Budget to Actual – Presented

Summary of Bank Accounts

Mr. Driscoll noted that as of June 16, 2017, the District has \$1,175,000.00 in bank accounts.

Water Accounts Receivable Summary – Presented

Cash Flow Summary – Presented

Open Government – Appoint Filing Coordinator

Mr. Nott, seconded by Mr. Kelly, made a motion to appoint Lauren Bagues, Office Manager, as Filing Coordinator for our Overseeing Body.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Quarterly Fire District Reports for Period Ending 4/30/17 per RIGL 45-12-22.2 – Presented

Possible Engagement of Auditor to Review Newport Water Cash Flow – P. Driscoll

Mr. Driscoll noted that he requested for a provision to be added to the budget to use a CPA to review the positive cash flow and the relationship between budget and approved rates and actual in the case of Newport because they are generating some serious cash surpluses. Mr. Driscoll plans on speaking to the District's auditors when they are here in July.

REPORT FROM GENERAL MANAGER

Water Service Application Approvals – Presented

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Demand Report – Presented

Operations Report

Mr. Driscoll noted there are some outstanding items that need to be discussed such as more seasonal meters removed than installed and AMI readers that are not running. Mr. Nott inquired about hydrants that are in need of painting.

Disposal of Assets

Mr. Faerber inquired why the iPhone 5s was being disposed of since it is still supported by AT&T. Mr. McGlinn answered that the phone has worn out, doesn't hold a charge, and "Home" button isn't functioning. He also noted that the phone's chip will be destroyed.

Water Quality – Update TTHMs

Mr. Driscoll asked why the Navy didn't have readings for certain periods of time. Mr. McGlinn noted that the Navy at Fort Adams was only required to do an annual TTHMs test; in the 3rd quarter of 2016, they started doing quarterly tests. He further noted that this is the first Navy full four-quarter running average, which was 64.2 ppb, coming from Station 1, which is a good number for that location.

Leak Detection – Update

Mr. McGlinn noted that the leak detection of the whole system has been completed and eight leaks were found. He believes the last of the repairs is complete or close to it. Mr. McGlinn also noted that there were two spots where the leak detector sensed there was something, but a leak couldn't be pinpointed. He further noted that the District will keep an eye on those spots using the leak loggers; he reminded the Board that the leak loggers are electronic devices that are placed in the gate valve boxes near an area where leaks are suspected that listens to and records data around 2:00am. The data is analyzed on the computer to determine whether or not a leak is present and can be pinpointed. Mr. Nott inquired if the Sakonnet River Pipeline is quiet; Mr. McGlinn responded that the pipeline is quiet.

Legislation – Update

Mr. McGlinn noted that the original legislation only allowed water companies that produce water to get the surcharge money, which was primarily used to buy land around the reservoirs. He further noted that after all the land that was available for purchase was acquired, some of the money was allowed to be used for the distribution systems. Mr. McGlinn stated that the State bonds have been paid off but the revenue stream is still there and that the money goes to the Infrastructure Bank, not the Water Resources Board. He noted that the Infrastructure Bank is looking to get the money back out into the systems, but the way the law is set up, the money would only go to those systems that own or control the supplies. He also stated that the other water systems were able to convince them that it is unfair now because there is no land to buy and if Newport, Pawtucket and Woonsocket, can use the money in their systems to fix pipes and improve water quality, the other systems should also be able to do that. He noted that the District has two hundred dead ends which they would like to loop in and that would be considered a water quality improvement. The bill revision has been proposed with the help of the District's attorney working with the Infrastructure Bank's attorney, and with the help of Cumberland, whose Senator sponsored the bill. Mr. Kelly asked if Mr. McGlinn has been in contact with Jim Seveney.

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Mr. McGlinn replied that he has and Mr. Seveney was the one who got the attention of the other Senators on this issue.

RIDOT – Update

Mr. McGlinn noted that the District is monitoring RIDOT's major project on East Main Road from Cozy Corner to Route 24. He stated that the area has been leak detected and the District is keeping an eye on the project to make sure nothing is damaged and that curb boxes are raised to grade before RIDOT pours the concrete sidewalks.

Retain Woodcock and Associates as Rate Expert

Mr. Faerber, seconded by Mr. Kelly, made a motion to retain Chris Woodcock of Woodcock and Associates, Inc. at \$225 per hour as the District's consultant expert witness for the next Newport rate filing with the PUC and for District rate matters generally.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Retain Merithew Office of Suez/Utility Services Co., Inc. to Inspect Three Steel Water Storage Tanks

Mr. Faerber, seconded by Mr. Kelly, made a motion to retain the Merithew office of Utility Service, Co., Inc. as a sole source contractor to perform a comprehensive cleaning and AWWA Inspection of the three steel tanks at a cost of \$21,250 predicated on the Merithew Office's:

- **Familiarity with the tanks**
- **Familiarity with the District's operations and expectations**
- **Prior demonstrated expertise for this type of work**
- **Ability to perform minor repairs while the tanks are out of service**
- **Fair and reasonable price for the required work**

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Retain Woodard and Curran to Upgrade SCADA Computers and Software

Mr. Faerber, seconded by Mr. Kelly, made a motion to retain Woodard & Curran as a sole source contractor to upgrade the District's SCADA system to current technology for a cost of \$12,589.00, predicated on:

- **Familiarity with the District's SCADA system**
- **Prior demonstrated expertise for this type of work**
- **Fair and reasonable price for the required work**

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

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Move Scheduled Meeting for September 19, 2017 to September 13, 2017 to Accommodate Management Staff Schedule

Mr. Faerber, seconded by Mr. Kelly, made a motion move the scheduled meeting for September 19, 2017 to September 13, 2017 to accommodate management staff schedule.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Carry Over Operating Funds

Mr. Faerber, seconded by Mr. Czech, made a motion to approve the carryover of previous years' operating funds to FY-18 as follows:

- 1. \$88,000 of unspent FY-01 operating funds for the Fractured Bedrock Groundwater Study.**

A vote was taken and the motion passed with Frederick Faerber, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative. Mr. Nott voted in opposition.

Commercial Package Insurance Renewal

Mr. McGlinn noted that three insurance proposals were reviewed; Paragon, Glatfelter and Grundy (who the District has used for about ten years). He additionally noted that Grundy's premium is a little higher this year than it was last year. Mr. McGlinn noted that Mr. Curtin does not sell insurance but he reviews it to make sure the District is getting the best overall value. He also noted that Mr. Curtin believes Glatfelter is the best value for the District. Mr. McGlinn further noted that the policy is a one year policy.

Mr. Nott, seconded by Mr. Kelly, made a motion to approve Daniel Abraham of HUB International New England, LLC as the District's agent, with the General Agent Glatfelter Insurance Group for an annual premium of \$21,397, based on best overall coverage and value.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

REPORT FROM LEGAL COUNSEL

Mr. Fox noted he had nothing to discuss.

EXECUTIVE SESSION 42-46-5 (a), (2) – No Executive Session

RETURN TO OPEN SESSION

Disclosure of Executive Session Votes and Disposition of Minutes

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ADJOURNMENT

Mr. Kelly, seconded by Mr. Faerber, made a motion to adjourn.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Theodore Czech and Ronald Molleur voting in the affirmative.

Philip T. Driscoll, Clerk