

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

**Administrative Board Meeting Minutes
September 15, 2020**

The meeting was held at Portsmouth Water and Fire District's office via Zoom for the public.
Meeting ID: 852 2770 8059 Passcode: PWFD

OPENING BY CHAIRMAN AND ROLL CALL

The Administrative Board Meeting was called to order at 7:00 PM by Frederick Faerber.

Present — Frederick Faerber, Andrew Kelly, David Gleason, Theodore Czech and David Reise. Allen Shers joined via Zoom.

Absent – Philip Driscoll

Also Present – Jessica Lynch and David F. Fox

Guests Present – Tom Grieb and Nancy Howard. Gary Crosby joined via Zoom.

Mr. Reise, seconded by Mr. Czech, made a motion to appoint Frederick Faerber as chairman pro tem.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Allen Shers, Theodore Czech and David Reise voting in the affirmative.

GUESTS

Letter from Nancy Howard: Re: Infrastructure Assessment RFP Request to Respond (backup provided at August meeting)

Mr. Grieb noted there is a small group of people who seem desperate for the District to replace Newport Water as the supplier to the Melville area. He also noted that the Navy, under its present contractual obligation, must maintain the water and sewer systems that provide service from Newport to the Melville area. This is not a burden to the Navy because in their property deeds to businesses or stakeholders that use those Navy systems in the Melville area, each are required to pay the Navy a prorated share of the maintenance costs based on their usage. This will end up being a substantial charge to these stakeholders if a major repair or replacement becomes necessary. After almost 50 years of buying water from Newport Water through the Navy system and not paying for any major maintenance, these stakeholders now want to have the infrastructure transferred to the District. If it is transferred to the District, the infrastructure maintenance and/or renewal will become a District responsibility; those maintenance and replacement costs would then be borne by all Portsmouth Water and Fire District customers rather than those businesses. It would be a huge benefit to those businesses but it would come at a substantial cost to current Portsmouth Water customers who get absolutely no benefit of supplying Newport water to the Melville area. The only way it would be fair is if Portsmouth water was prepaid the expected present value of all future repairs and expansions.

Mr. Faerber asked Ms. Lynch if anyone has approached the District about taking over the water system supplying the Melville area. Ms. Lynch responded no one has. She noted right now they received money from RIIB to assess the utilities in the area. The District will be part of the stakeholders meeting after a proposer is chosen and they get the meeting schedule together.

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Ms. Howard noted that the Woodard & Curran report included with the RFP has the District mentioned 6-10 times.

Mr. Gleason asked Mr. Grieb what his suggestion is. Mr. Grieb replied that his suggestion is that the District write to the RIIB, the Economic Development Administration and whoever becomes the company that is going to do the study; he noted that those people need to know what the District's policy is. Mr. Gleason asked Ms. Howard if her request is PWF to send a letter to RIIB and EDA clarifying that the District never agreed to or supports expansion of water service to the Melville area. He asked Ms. Lynch if that is a fair statement. Ms. Lynch responded it is but she cannot draft a letter without input and approval from the Board. Mr. Gleason asked Mr. Fox if it is too premature to send a letter to that effect. Mr. Fox noted that it is too premature; the Board needs to have another meeting to discuss what message they want to send. Ms. Howard noted that she is concerned that once the contract is awarded, that is what the bidder proposed on, what they're expecting they are going to do. Mr. Fox noted that the Board can authorize Jessica to send a history letter stating that they have rejected this before.

Mr. Czech, seconded by Mr. Gleason, made a motion to authorize the General Manager to draft a history letter to the RIIB for David's review.

Mr. Kelly asked for clarification of what would be in the letter. Mr. Fox responded that information about the District's 45-year history of not serving outside its District would be included. This matter was put before the District several years ago when the District was being managed by William McGlinn and the proposal was rejected. The matter has not been before [the Board] again; that there is no information other than anecdotal and what has been transmitted to us by third parties in terms of what this new proposal entails and that we have not addressed it but we have put it down for the October meeting.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Theodore Czech and David Reise voting in the affirmative. Mr. Shers and Mr. Kelly voted in opposition.

Mr. Grieb and Ms. Howard left the meeting.

Mr. Shers left the meeting.

Mr. Crosby thanked the Board for inviting him to listen to the conversation and left the meeting.

Map 12, Lot 54, Re: Landlocked Lot – Distance and Landlocked Lot Exception

Mr. Kelly, seconded by Mr. Czech, made a motion to:

- **Approve an exemption to the District's frontage requirement, as this lot has previously been serviced by the District since 1972.**
- **Approve a 275-foot exception to the 150-foot maximum water service distance requirement for a replacement water service on AP 12 Lot 54, 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.**

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- **Additionally, require the long serviceline to be installed in a conduit and that the owner obtain an easement from lot 52A and 52B should any future maintenance be required on the water service.**

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

McCorrie Lane, LLC, Ferreira Farms, Re: Water Main Extension

Mr. Kelly, seconded by Mr. Czech, made a motion to:

- **Approve a water main extension for the eighteen (18) lot Ferreira Farms Subdivision with a connection to Windrock Acres through an easement on the developer's property.**
- **Developer shall work with the District to update the design as required once final approval from the Portsmouth Planning Board is granted.**
- **Water main extension predicated on final approval of plans by District Staff.**

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Allen Shers, Theodore Czech and David Reise voting in the affirmative.

CORRESPONDENCE

Message from Rhode Island Nurseries; Excellent Customer Service During Agricultural Meter Installation

Ms. Lynch noted that Jesse Rodrigues from RI Nurseries left her a message that Mr. Raposa was amazing during his agricultural meter installation. He said he deals with us all the time but this was by far his best experience.

MINUTES OF MEETINGS

Approve Administrative Board Meeting Minutes of August 18, 2020

Approve Administrative Board Executive Meeting Minutes of August 18, 2020

Mr. Reise, seconded by Mr. Kelly, made a motion to approve the Administrative Board Meeting Minutes.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

Mr. Kelly, seconded by Mr. Czech, made a motion to approve the Administrative Board Meeting Executive Session Minutes August 18, 2020.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

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NEW BUSINESS

Approve Payment of Bills Listed

Mr. Reise, seconded by Mr. Czech, made a motion to approve payment of bills listed in the amount of \$440,084.50.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

Mr. Kelly, seconded by Mr. Czech, made a motion to approve payment of bills in the amount of \$390,421.55 to Biszco Building Systems Inc. out of the USPS loan.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

Approve Transfer of Funds

Mr. Kelly, seconded by Mr. Czech, made a motion to approve the transfer of \$140,000.00 from the ICS Account to the Bank Newport Checking account to cover the payment of bills.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

Budget to Actual – Presented

Summary of Bank Accounts – Presented

Cash Flow Summary – Presented

Water Accounts Receivable Analysis – Presented

Tax Accounts Receivable Analysis – Presented

Sundries Accounts Receivable Analysis – Presented

Financial Statements – Presented

Approve the Electronic Payment for 2002 Bond Interest in the Amount of \$2,690.63

Mr. Kelly, seconded by Mr. Czech, made a motion to approve the Electronic Payment for 2002 Bond Interest in the amount of \$2,690.63.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

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Schedule Administrative Subcommittee – Audit Review

Ms. Lynch noted the financial statements are under review by the partner at the auditing firm and then the District will receive the drafts.

REPORT FROM GENERAL MANAGER

Water Service Application Approvals – Presented

Demand Report – Presented

Operations Report – Presented

AMI Update – Presented

Union Street Pump Station Update

Ms. Lynch noted the new pump station went online last Thursday and has been running since. She noted that Woodard and Curran is working on some programming still.

WSSMP FY – 20 – Presented

Flushing Update – Presented

Leak Detection Update

Ms. Lynch noted that she believes it is a good idea to check the system for leaks again this fall.

Coronavirus Discussion – Continuity of Service – Update – Presented

Insurance Review – Presented

REPORT FROM LEGAL COUNSEL

Mr. Fox noted he had nothing to discuss in Open Session.

EXECUTIVE SESSION 42-46-5 (a) (1) (2)

Mr. Kelly, seconded by Mr. Czech, made a motion to go into Executive Session to discuss:

Litigation: 42-46-5 (a) (2)

Middle Creek Farms, LLC – Update

Failed Water Meter – Customer Damage Incurred

Negotiating the Purchase of Property

Notice of Receivership

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A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

RETURN TO OPEN SESSION

Disclosure of Executive Session Votes and Disposition of Minutes

Mr. Kelly, seconded by Mr. Czech, made a motion to Seal the Executive Session Meeting Minutes of September 15, 2020. Discussed were:

Litigation: 42-46-5 (a) (2)

**Middle Creek Farms, LLC – Update
Failed Water Meter – Customer Damage Incurred
Negotiating for the Purchase of Property
Notice of Receivership**

No votes were taken.

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.

ADJOURNMENT

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

A vote was taken and the motion passed with Frederick Faerber, David Gleason, Andrew Kelly, Theodore Czech and David Reise voting in the affirmative.



Philip T. Driscoll, Clerk