

JOINT MONTHLY MEETING OF THE
NEW SHOREHAM SEWER COMMISSION and BOARD OF WATER COMMISSIONERS

July 15, 2008 Minutes

Present were members Robby Brown, Ann Cunningham, Frank Leslie, Rally Migliaccio, Bob Pokraka, and District Clerk Janet Ziegler.

Also present were Public Works Director Nancy Dodge, Finance Director Amy Lewis, Superintendents Ray Boucher and Dave Simmons, Counsel Elliot Taubman and Sewer Principal Operator Chris Blane and Martha Ball.

R. Migliaccio called the meeting to order at 4:31 PM.

1. Appointments to Sewer Commission and to Water Board, Election of Officers.

- Welcomed were Bob Pokraka and Robby Brown, newly appointed members to the New Sewer Commission and to the Water Board. Kudos were also extended to Ann Cunningham and Frank Leslie who volunteered, and were appointed, to become full members, rather than alternates.

MOTION: by A. Cunningham to appoint R. Migliaccio as Chair of the Sewer Commission. The motion was seconded, a quorum was present and the vote to appoint was unanimously affirmed by all members.

MOTION: by R. Migliaccio to appoint A. Cunningham as Chair of the Water Board. The motion was seconded, a quorum was present and the vote to appoint was unanimously affirmed by all members.

MOTION: by A. Cunningham to appoint R. Pokraka as Vice Chair of the Water Board. The motion was seconded, a quorum was present and the vote to appoint was unanimously affirmed by all members.

MOTION: by R. Migliaccio to appoint R. Brown as Vice Chair to the Sewer Commission. The motion was seconded, a quorum was present and the vote to appoint was unanimously affirmed by all members.

R. Migliaccio requested that those wishing to speak during the meeting were to raise their hand and the Chair would recognize them in a systematic manner.

- Discuss Any Potential Conflict of Interest. Details regarding conflict will be sent out.
- A. Cunningham read a prepared Statement into the minutes (attached).

2. Request of M. Ball, Plat 3 Lot 118, to Dismiss TNS Wastewater Fines Paid.

M. Ball stated that she was fined by the Wastewater office for not meeting installation dates set by the Sewer Commission. The reason that the date was not met was due to delays from the installer. The delay was not willful and beyond her control and she asked that the paid fines be rebated according to the Wastewater Regulations.

MOTION: by A. Cunningham to rebate the Wastewater fines paid based on the recommendations of the Wastewater Inspector, that the delay was circumstantial, and not under her control. The motion was seconded, a quorum was present and the vote to rebate was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

3. Act on Draft Changes to "Management Agreement" Between Town of New Shoreham and New Shoreham Sewer Commission.

N. Dodge reported that the Town Council granted the Sewer Commission's request to extend the Agreement for 90 days (from the end of the fiscal year to September 30) so that there was time to mutually concur on changes.

E. Taubman said that the draft of changes from the Sewer Commission was made in January 2008 and there have been changes to the Commission membership since then. There followed a discussion regarding which parties the Agreement should name, having a separate financial audit for sewer and water, agreeing that the Sewer Commission would be the hearing officials for Wastewater and clarifying that utility charges are assessments.

4. Reports from Officials.

DIRECTOR OF PUBLIC WORKS AND ENGINEERING.

- Report from Town Council: Management Agreement. Reported on earlier in the meeting.
- Report on Revisions to New Shoreham Wastewater Management Ordinance, Regulations and 506 Ordinance. Wastewater Reports. The drafts are completed and will be released at tomorrow's Town Council meeting; they will then be put out for a Public Hearing and Comment time. Marked-up copies will be made available for all members.

- Review and Award Bids for Service Building Improvements and Old Harbor Pump Station Renovations. BID***Service Building Renovations for Two Apartments.

N. Dodge reported that four (4) bids had been received, three for construction and one for electrical. Bids and bidders were reviewed by sewer superintendent R. Boucher and Commissioner B. Pokraka. Their recommendation was to go with the low bid from William Lambert for \$63,562. Another recommendation was to make a Change Order to Adams Electric bid by foregoing 200 amp services and provide two meters with 100 amp services. It was generally agreed that if Sewer Commission employees became tenants, rent and utility charges would be based on the income of the individual; the rental agreements will be determined by the Commission and Board at a later date. B. Pokraka volunteered to act as Administrator to oversee the apartment rentals. Estimated time to complete the renovations was by the end of December.

MOTION: by B Pokraka to award the bid for Service Building Improvements to William Lambert, the low bidder, for the sum of \$63,562. The motion was seconded, a quorum was present and the vote to award was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

N. Dodge recommended the Commission/Board appoint B. Pokraka as Project Manager to oversee both construction projects, to ascertain their progress and completion and report to the Commission/Board.

MOTION: by A. Cunningham to appoint Bob Pokraka as Clerk of Works (CoW) to supervise the construction projects for the Service Building Improvements and Old Harbor Pump Station renovations. The motion was seconded, a quorum was present and the vote to appoint was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

B. Pokraka stated that some work in the apartments remains incomplete. Blocking and bridging needs to be installed before any renovations are continued. Estimated time to complete the work was eight (8) hours.

MOTION: by A. Cunningham to add additional blocking and bridging in the Service Building as recommended by B. Pokraka, materials to be supplied by the Commission, labor costs not to exceed \$800. The motion was seconded, a quorum was present and the vote to add was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

BID***Old Harbor Pump Station

N. Dodge announced that four (4) bids had been received which ranged from \$13,050 to \$82,504.00. Average bid, minus extremes, was ~\$26K. There was an extended discussion of the low bid whether labor or materials had been left off. Old Harbor Pump Station is the center nerve of sewer's operations and the repairs must be reliable and completed with integrity. The Chair asked B. Pokraka to scrutinize the bids and recommended holding off awarding the bid until the figures and work can be substantiated.

A special meeting will be called for revisions to the electrical bid and reassessment of Pump Station bids.

- Committee to Set Policy for Disposal of Surplus Sewer and Water Property.

N. Dodge said that the Town's Charter does not deal explicitly with the type of equipment from water and sewer and should be updated to deal with the scrap metal. A discussion regarding used motors ensued. A Committee was appointed (R. Migliaccio, R. Brown and the two superintendents) to draw up a Sewer and Water Policy Guidelines for surplus property.

- Authorize Change to Benefits for Sewer Commission Employees.

In an e-mail received June 28, the Commission was notified that the sewer employees dental coverage was being transferred from Delta Dental to Blue Cross/Blue Shield (BC/BS). N. Dodge said that BC/BS proposal came very late with a deadline of June 30; cost savings for combining Dental and Health care under BC/BS saved the town \$8,000 over three years and further reduced medical plan costs. The BC/BS offers the same benefits as does Delta Dental. The Teachers are required to vote on any changes and voted not to change. The Sewer Commission employees may also vote to remain with Delta Dental. R. Boucher said that his personal service Contract with the Sewer Commission specifies Delta Dental, but that if the benefits were the same he would not object.

- Time Frame for a New Sewer Employee.

N. Dodge said that money was allocated in the new budget for an employee, but there was no time frame discussion. R. Boucher suggested that a seasonal employee (May – October) would be desirable, but felt that people will only want year-round employment. B. Pokraka and R. Brown suggested that rather than hire someone now, when summer is already underway, why not put the money into over-time for the already qualified people working at the plant. C. Blane agreed that summer was labor intensive, but that the current staff could handle the extra work with overtime – which would also be greatly appreciated.

A. Cunningham suggested that next year advance planning for a summer intern should be discussed in the spring.

MOTION: by A. Cunningham to advertise for a full-time seasonal employee for sewer with a pay rate of \$14. to \$16. per hour depending on skills; employment time would extend to November 1, 2008. The ad is to run for two weeks. The subject of temporary employees should be on the March 2009 agenda, well before the season starts.

The motion was seconded, a quorum was present and the vote to advertise was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

MOTION: by A. Cunningham, that because of the late planning to find summer help, that if none materializes, to authorize that funds originally budgeted for a new employee be applied to overtime for the current employees.

The motion was seconded, a quorum was present and the vote to fund was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

- N. Dodge noted that US EPA (Environmental Protection Agency) issued a Final Approval of TMDL (Total Maximum Daily Load) for Sands Pond restoration. The report will be mailed out to the Water Board.

FINANCE.

- Balance Sheet May and June.

A. Lewis distributed the end of the fiscal year draft June financials. Changes to the draft usually involve expenditures as items are reclassified. For example, some items in 'system maintenance' will change into other accounts; the line item will still be over budget, but not as aggressively. Generally, water's position at the close of the year is in better shape than sewer's.

- Aging Reports. Several accounts have been newly municipal liened. Past Due notices are sent to customers at 30, 60, and 90 days. Depending on responsiveness, some accounts are put on payment plans, but some accounts wait until a shut off notice is posted at the door.
- Progress on Energy Surcharge Implementation. No new information.
- Utility Software - Rate Design. Software packages are under going evaluations; a final decision will be made when all the answers are made.

(6: 28PM ET & AMY LEAVE)

SEWER PLANT OPERATIONS.

R. Boucher reported that DEM (Department of Environmental Management) performed their Annual inspection of the plant and only found minor items to correct: replace weights for the analytical balance and require lab sheets to be bound. A formal Report will be issued. Boucher predicted that the FY 2009 fuel line would be over budget if rates continue to rise. Budgeted at ~\$40K is the replacement of the main building's roof.

A late night high level alarm was set off at Ocean Avenue 1 due to a failed pump. Brown Septic Service was called to pump down the wet well to avoid a sewer overflow while a rebuilt pump was installed. A new pump will be order for backup.

A letter was sent to Block Island Power Company (BIPCO) reminding them that two transformers needed to be upgraded to match the other two transformers installed by BIPCO last spring. The mismatch causes a phase imbalance which is intolerable to some solid state equipment. The sewer plant normally returns to BIPCO's grid in October.

C. Blane was given extra compensation for obtaining a "collections system operator" license and P. Miro has just passed his test for the same license. The issue will be agended for the next meeting.

- Report on Sewer Lateral for Abutter C. Damm, Plat 17 Lot 41.
- C. Damm's property abuts the sewer line, but no lateral was ever installed. R. Boucher reported that the Sewer Commission is responsible to install a lateral to the property. The Damms are working with an engineer to design the sewer connection; the sewer will be parallel with a water line and require a pressurized line. The lateral will not cross McGinnes's property.

WATER PLANT OPERATIONS.

D. Simmons reported that DEM's new discharge PERMIT has been posted for a public hearing on July 22. The wastewater lab is State certified to run coliforms, BOD (biological oxygen demand), chlorine and TSS (total dissolved solids) on the discharges required by DEM. Water will pay sewer to run the tests.

MOTION: by A. Cunningham have the new DEM Permit requirements for BOD (biological oxygen demand) and TSS (total suspended solids) performed by the State Certified sewer laboratory. The motion was seconded, a quorum was present and the vote to perform testing was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

The GIS (geographic information system) project by summer intern D. Lewis is progressing extremely well and the Board was invited to visit the plant for a demonstration. Ecology in Sands Pond has improved very much.

5. Report on 2008 Parking Lot Permit Sales. Permits sold to date was 84% of the lots capacity.

6. Change of Posted Meeting Dates: September 9 (Primary) and November 4 (Elections).

MOTION: by A. Cunningham to change two of the posted dates for regular monthly meetings because of elections, to September 10 and to November 5 and that beginning with the August meeting, all future monthly meetings be held on the second Wednesday of the month with the agenda closing at noon the previous Thursday. The changes are to provide members more time to receive and review meeting materials and reports; the two superintendents were in agreement. The motion was seconded, a quorum was present and the vote for meeting changes was:

AYE: 5 (Brown, Cunningham, Leslie, Migliaccio, Pokraka). NAY: Ø. ABSTAIN: Ø.

The motion carried.

7. Approve Minutes of Special Meeting June 10, Monthly Meeting June 10, Annual Sewer Financial Meeting, and Annual Water Financial Meeting. Continued to the next meeting.

8. Correspondence and Public Comment.

- June 17, Memo from TNS Shellfish Commission regarding their disappointment with the sewer commission's wavier of wastewater violation fines.
- July 8, Sewer Commission copied on a second Notice of Violation by the Wastewater Inspector.
- July 12, a copy of a letter send to Town Council from S. Draper requesting consideration to be appointed to the Sewer Commission and/or Water Board was received.

Adjourn

MOTION: by B. Pokraka to adjourn the meeting. The motion was seconded, a quorum was present and the vote to adjourn was approved unanimously by all members present.

The meeting adjourned at 7:15 PM.

Respectfully submitted,

Janet Ziegler

District Clerk

Approved: August 13, 2008

(ATTACHMENT FOLLOWS)

The New Shoreham Sewer Commission and Water Board are an equal opportunity providers and employers.

STATEMENT FOR JULY 15, 2008 MONTHLY SEWER AND WATER JOINT MEETING

We are a new commission - The era of decisions made in the back room by limited numbers of members is over. We will have transparency and participation by all members. We will support all persons we oversee including superintendents, but will want accountability.

There has been some inconsistency when we functioned as the Hearing Board for the Wastewater Office. We will support enforcement of wastewater issues to maintain the goals established under the EPA Grant and Zoning Ordinance 506 for the protection of our sole source aquifer.

Ann Cunningham
July 9, 2008