

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

December 10, 2008 Minutes

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

Absent were member Bob Pokraka and Jason Howarth.

Also present were Public Works Director Nancy Dodge, Finance Director Amy Land Superintendents, Superintendents Ray Boucher and Dave Simmons, and Counsel Elliot Taubman.

4:00 PM Tour of BI Water Company (BIWC) Facilities.

A. Cunningham called the meeting to order at 4:05 PM inside the BIWC facility. D. Simmons, J. Bruenig and D. Lewis were present to give a brief history and tour of the production plant; also included was a GIS demonstration of the water distribution's infrastructure data base just completed.

4:25 PM Recess to Town Hall

A. Cunningham called a temporary recess at 4:45 PM for travel to Town Hall to continue the meeting.

4:35 PM Reconvene the Regular Monthly Meeting.

R. Migliaccio reconvened the regular monthly meeting at 4:59 PM and offered apologies to the audience for the tardiness.

1. Reports from Officials.

SEWER COMMISSION

- Vacation Policy, Job Descriptions, Performance Review, Superintendent's Contract.

Vacation Policy.

A. Cuningham explained at the meeting that, although Sewer Commission employees were recently given permission to use a moderate amount of vacation during the summer months, there was still a time crunch to use accrued personal and vacation time before the end of the calendar year (December 31). The superintendents agreed that by the time significant vacation is accrued, there was a small window where it must be used before it is lost. Being conscientious, the staff seldom requests vacation during the labor intensive/high production times of May through October.

MOTION: A. Cunningham to change the vacation accrual schedule to a fiscal year base; i.e. that the current policy of allowing 80 hours of roll-over be moved from a calendar year to a fiscal year basis, effective immediately. The superintendents fully supported the move which would not force employees into taking vacation time during the month of December and would allow greater flexibility during the off-season months. Personal time will remain on a calendar basis as with the rest of the town. The motion was seconded, a quorum was present and the vote for a fiscal year vacation base was:

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

The motion carried.

Job Description, Performance Review, Superintendent's Contract.

A compilation of water and sewer job descriptions (mostly dated ~2003), along with several 2000 – 2007 job postings, were distributed to the members. A. Cunningham asked that updating of the descriptions be on going by each employee with review by the supervisor. Responding to a question as to the function/purpose of the descriptions, she responded that they would be used internally for job performance/evaluations reviews. She asked the superintendents to determine what type of form would be best for operators.

DIRECTOR OF PUBLIC WORKS AND ENGINEERING.

- Authorize Signature of Department of Environmental Management's (DEM) Consent Agreement.

N. Dodge reported that although DEM had sent the Consent Agreement for signing, it was premature since Geremia, Simmons and herself would be meeting with DEM shortly to discuss its details. The document would likely be ready for signing in January or February.

- Proposal for Sewer Plant IT Services: Information Systems Technologies Inc., Michele Spero.

A. Cunningham stated that she and R. Migliaccio had a long discussion with N. Dodge yesterday regarding M. Spero's review and proposal for computer hardware and management at the sewer plant; the preliminary costs for implementation would run ~\$10K. Cunningham announced that Dodge had asked that a meeting be convened with M. Spero to discuss the service proposal; S. Finizia was asked to participate in the next discussion, as was Sewer Superintendent R. Boucher. Invoice for the proposal is expected to be \$375.

FINANCE.

- Auditor Exit Report, Report on FY 2008 Sewer and Water District.

A. Lewis distributed the Town's audited "Basic Financial Statements Year Ended June 30, 2008" and asked if there were any questions. The audited FY 2008 Sewer District and Water District funds were integrated into the Town's general funds and were noted as 'business-type activities' or 'enterprise funds'. There was no financial comment on the year-end standing of the two funds.

- Financial Reports October. Aging Reports.

The October reports were distributed in the meeting packages and the November reports at the meeting.

SEWER. In general, sewer user fees are down; a continuing trend. Penalties are negative because the amounts are added as an accrual figure; when customers purchase allocation, their penalty is then subtracted. Overall the budget was tracking well because expenses were down.

WATER. Water production has also slowed. The system maintenance line is high as a new boiler was installed – the expense should be changed to a capital purchase. Fiscal plans are to pay-down an additional water loan before the fiscal year ends; this will affect the bottom line.

Responding to a question pertaining to the purchase of allocation, J. Ziegler explained that, in short term consideration, it was less expensive to pay a penalty rather than purchase additional allocation for an account. The pay-back period for allocation purchase is ~ two (2) years for water, and three (3) years for sewer (assuming a consistent use). People may also be choosing to preserve cash this year, considering the prevailing economic conditions.

- Aging. A. Land stated that uncollected funds were significantly lower than two years ago.
- Progress on Energy Surcharge Implementation (*May*). A. Lewis reported that there was nothing new.
- Utility Software. The Rate Design meeting for this week was postponed; there was no software news.

(A. Lewis left at 5:28 PM.)

WATER PLANT OPERATIONS.

- Discussion to Rehab Well #4. A. Cunningham reported that a 230-foot test well had been dug close to the location of well #4 by A. & W. Drillers (now defunct). Although the test data couldn't be located at this time, the pilot well indicated that there was an abundance of brackish water. Geremia has approached USDA to request that the remaining 2006 Water Grant funds be made available to redevelop well #4.

D. Simmons agreed that a working well #4 would be an asset for production. New electrical conduit lines (without cable) have already been installed; dialogue needs to be initiated as to the drilling parameters that RI Department of Health, Drinking Water Quality, would allow on a grandfathered well.

The water plant has been receiving excessive line voltages which have caused numerous problems. The plant's equipment is very sensitive to voltage fluctuations; everything needs battery backup. The Block Island Power Company solved the immediate problem by turning off two voltage regulators down the road, however, those regulator will have to be turned back on when power demands on the island increase next spring. On-site solutions are being sought.

SEWER PLANT OPERATIONS.

R. Boucher said that the sewer lateral to C. Damm's property was scheduled for early spring, the date is weather dependent.

2. Service Building Renovations and Addendums.

R. Migliaccio reported that Lambert Construction was in the process of installing the sheetrock in the garage and apartments; expectations for completion are by the end of January. Migliaccio also reported that Anderson Windows would guarantee the integrity of the glass itself. There are still problems with the electrician not showing up.

3. Sewer Parking Lot: Survey, Planning Board and CO.

The Building Official has been requested to inspect the lot for a 'Use and Occupancy Certificate'. Maps of the Parking Area and Phillips property with easements and licenses (granted by the Sewer Commission) were distributed. E. Taubman reported that Cherenzia did not place boundary markers according to their original 2003 contract, however they have agreed to install bounds on all boundaries, including internal turns.

N. Dodge's office will draw up the new contract; Geremia's office has agreed to draw the 'as built' lot plans.

MOTION: by A. Cunningham to contract with Cherenzia for \$1,176 to mark all boundaries. The motion was seconded, a quorum was present and the vote to contract was:

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

The motion carried.

(R. Brown left at 5:48 PM)

4. Act on Meeting Schedule for Calendar Year 2009.

A calendar of proposed meetings dates was circulated in the meeting packages. A. Cunningham stated that the underlining reason for proposing meetings later in the month was to accommodate the Finance Director's schedule so that the Commission could get financial reports in their meeting packages. Members have previously stated that it was important to be able to review the financials before the meeting.

MOTION: by A. Cunningham to adopt the new 2009 meeting schedule as circulated; essentially meeting on the third Monday of the month, with exceptions in January, February & December because of holidays. The agenda would close at noon on the previous Wednesday. The motion was seconded, a quorum was present and the vote to adopt for posting was:

AYE: 4 (Cunningham, Finizia, Leslie, Migliaccio). NAY: Ø. ABSTAIN: Ø.

The motion carried.

5. Correspondence.

- November 20, Extension of Management Agreement by Town Council to February 28.
- November 20, Town Council added Plat 17 Lot 41 to Sewer District.
- November 26, DEM Stay of Permit Conditions and Consent Agreement.
- December 2, Letter to USDA from Geremia regarding 2006 Water Grant funds.
- Various Notice-of-Violations and releases were received from the Wastewater Management Inspector.

6. Announcements and Public Comment.

- Rate Design Committee to meet December 11, 11:30 PM Sewer Plant. Meeting was cancelled.

7. Worksession: Management Agreement Revision.

A. Cunningham stated that she, R. Migliaccio and N. Dodge reviewed the draft Management Agreement in depth yesterday and noted new changes for the Agreement. E. Taubman had dissimilar opinions regarding items: binding arbitration, obligations in the Wastewater Management Ordinance and approval of expenses.

The Commission recognized Steve Draper, a past Sewer Chair, who wished to address the Management Agreement. He related that in the late 1960's when it became obvious to the community that a sewer treatment plant was going to be required for the health and good of the environment, the town's people were passionately for and against the project. The State of Rhode Island legislated that a separate entity (from the town) be created to manage, supervise and operate the sewage disposal system for the purpose of removing politically motivated influences from what was regarded to be in the best interest of the environment and the people of New Shoreham.

He stated that he found it disturbing that the proposed Agreement puts a public figure between the superintendents and the Sewer Commission. The superintendents need to report directly to the Commission. The wording in the Agreement, compromises the arrangement between the Town, the Sewer Commission and the Commission's employees. Essentially, the superintendents must report to the Town Manager, who in turn reports to the Town Council; vicariously, the superintendents report to the Town Council.

Moreover, the intent of the RI sewer enabling Legislation is being compromised by having a town employee come in between the Commission and the superintendents, the town should not be overseeing the day-to-day operations; it is the Sewer Commissioners that makes those decisions, independent from town politics. Input should be welcomed, but it is distinctly different from oversight. His request was to remove the two references of 'oversight' by the Town.

The Sewer District was set up by Legislation to be separate, if the present Sewer Commissioners want sewer to become a department of the town, then they should go to the voters of the Sewer District and back to the State Legislators and make the changes legally. He stated that he would like the sewer voters and rate payers to know about the implications of this new contract being considered; the Commissioners should be interested in their responses and opinions.

N. Dodge disagreed that, as far as she could remember, the oversight by the Director of Public Works had always been in the contract and further stated that the Town was not asking that it be in there. The Sewer Commission generally agreed that the oversight should be removed and E. Taubman added that, since everyone concurred, the Agreement would be so revised for the next meeting.

Adjourn.

MOTION: by S. Finizia to adjourn the meeting was seconded and the motion was unanimously approved.

The meeting adjourned at 6:28 P.M.

Respectfully submitted,

Janet Ziegler

District Clerk Approved: January 21, 2009

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