

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

November 15, 2006 Minutes

Present were members Frank Leslie, Cliff McGinnes, Rally Migliaccio, Howie Rice, Don Thimble and District Clerk Janet Ziegler.

Absent were members Ann Cunningham and Steve McQueeny.

Also present were Engineer James Geremia, Public Works Director Nancy Dodge, Superintendents Ray Boucher and Dave Simmons and Counsel Elliot Taubman.

Absent was Finance Director Amy Lewis.

C. McGinnes called the meeting to order at 12:03 P.M. The agenda for this meeting was posted on November 8 with the RI Secretary State and published on its web site, appeared in the November 11 issue of the Block Island Times and advertised at Town Hall, Island Free Library, sewer plant and at the meeting's location - Old Harbor Meadow Community Center.

1. Continued from the October 25 Joint Allocation Meeting: Application for Sewer and Water Allocation by Block Island Housing Inc. and Stanley Balles for Seawinds.

E. Taubman summarized the proceedings to date, from a legal standpoint, and recommended that the Commission and Board take positive action on the Allocation Applications for sewer and water. At the annual Allocation Meeting on October 25, it was determined that there was adequate capacity to service the project and that two-tenths of the project would be eligible for public rate (as affordable housing).

(N. Dodge and J. Geremia arrived at 12:20 PM.)

Engineer J. Geremia, in an October 23 letter to the Town Manager, reviewed the Allocation Applications for the Seawinds project. Engineering review was completed and approved on October 12. In addition to the allocation fees, he reminded the Commission and Board that the applicants agreed to reimburse the costs of the preliminary sewer and water connections that were installed September/October 2005 in anticipation of the project prior to the paving of High Street. Additionally, since the applications will require more than twenty-five percent (25%) of available capacity at both the sewer and at the water plant, the applicants will be assess a special fee relating to the impact on the infrastructure. The Allocation Applications prepared by J. Ziegler for Block Island Housing Inc. and Stanley Balles of were reviewed. One of the two project lots has sewer allocation.

MOTION: by H. Rice, that the two units for affordable housing be classified as Public Facilities and that allocation costs attributed to these units be changed one fourth (1/4) the allocation rate as the private sector. The motion was seconded, a quorum was present and the vote for classification was:

AYE: 5 (Leslie, McGinnes, Migliaccio, Rice, Thimble). NAY: Ø. ABSTAIN: Ø.

The motion carried.

MOTION: by D. Thimble to approve the allocations for two (2) affordable units and eight (8) residential units as presented, that the cost for 4,440.22 gallon per day of sewer is \$25,932.69 and that the cost for 4,500 gallons per day of water is \$58,446.00 payable within 30 days. The applicants will be assessed a special fee relating to the impact on the infrastructure. Additionally, the applicants are responsible for \$5,825 in sewer charges and \$4,309.29 in water charges to reimburse the infrastructure connections installed on their behalf. The motion was seconded; a quorum was present and the vote to approve and for charges was:

AYE: 5 (Leslie, McGinnes, Migliaccio, Rice, Thimble). NAY: Ø. ABSTAIN: Ø.

The motion carried.

2. Customer Correspondence.

- Request by Lorraine Yvonne Cyr (dba Surf Hotel) for Adjustment to September's Sewer Bill and Third Quarter Penalty.

Ms. Cyr's letter was read to the Commission. An underground pipe leak developed in August was discovered and repaired in September. The leak was not discovered earlier because the location was outside, underground and the water was absorbed by the sandy conditions of the buried pipe. D. Simmons reviewed the Surf Hotel's usage. The 2006 summer usage was 700K gallons, more than twice its 3-year average of 327K gallons.

D. Simon's recommended forgiving the sewer usage over the Hotel's average use and the associated penalties since the water did not enter the sewer system.

C. McGinnes announced that the Commission would consider the request, circumstances and recommendations and would render a decision at its next meeting in December.

- Request by E. McGovern, Jr. (Block Island Sales, Inc, dba McGovern's Yellow Kittens) to Reimburse Contractor Costs to Install Sprinkler Main.

E. McGovern and D. Cahill reviewed the installation of a one-inch, two-inch and four-inch (sprinkler system) which cost ~\$17K. They presented the position that the Town should have provided the installations for the two-inch and four-inch mains. Additionally, McGovern questioned the requirement to purchase additional allocation for the sprinkler system and the annual sprinkler fee.

The water superintendent testified that a curb stop was installed in 1997. The curb stop was sequentially buried under asphalt when a new driveway was installed. Service from the curb stop to the building had been problematic due to substandard pipes. When Yellow Kittens dug a trench to install a four-inch main for a new sprinkler system, it was suggested that they consider installing a new two-inch line to update their service – which they did. The Water Company covered all costs from the corporation stop on the main to curb stop on the property boundary. The Water Company can not provide infrastructure on private property.

Jim Geremia added that other communities require fire-flow testing and sign-off by the Fire Marshall for sprinkler systems. The owner of a property is responsible for costs of services on that property. When Block Island Water Company (BIWC) did the Corn Neck Road project, we installed a brand new one-inch service from the main; the curb stop at that time was located underneath the Kitten's deck and we installed a new one at the road/property line, before you paved your driveway. The quality of the line on your property was substandard by today's regulations. So, since you had a trench already dug, it was proposed that you install a new line.

At the time of the Corn Neck Road project, services for sprinklers were not installed by BIWC; it now does because of new State laws following the nightclub fire. Sprinkler systems are required to be unrestricted in flow and physically isolated from the consumption line. Those which are not metered on Block Island are charged an annual fee of \$1,000.

C. McGinnes thanked E. McGovern and D. Cahill for attending the meeting and said that the Commission would consider their request and render a decision at its next meeting in December.

- Request by P. Doyle to Discharge Third Quarter Sewer Penalty.

The Doyles are asking that the sewer penalty be forgiven; although on a well, meter readings were high in September and August due to frequent watering of new landscaping and a leaking toilet. The sewer superintendent reviewed the account history and stated that the owner had higher usage by choice, in outside watering, and an internal leaking problem that may have occurred for two months. He stated that customers need to monitor and review their usage closely in the summer. He recommended no change to the account.

MOTION: by H. Rice that based on the recommendation of the superintendent, the Commission denies the request to forgive sewer penalty charges. The motion was seconded, a quorum was present and the vote to deny was:

AYE: 5 (Leslie, McGinnes, Migliaccio, Rice, Thimble). NAY: Ø. ABSTAIN: Ø.

The motion carried.

- Request by P. Meskunas (dba Juice 'n Java) to Waive 3rd Qtr. Penalties.

P. Meskunas is asking for relief of penalty charges due to a leaking toilet. He testified that the leakage went unnoticed because it was in the public restroom. Acknowledging that water was very expensive to start with, having to pay for extra usage and a penalty charge on top of it, was agonizing for a small business. The leaking toilet was neither intentional nor a malicious act and he asked for relief.

C. McGinnes reviewed the last three years of usage and noted that usage had steadily increased over time. The Chair thanked P. Meskunas for attending the meeting, asked that he submit a letter from a plumber regarding the repair and said that the Commission would consider his request and render a decision at its next meeting in December.

- Request by J. Helterline (dba Figurehead LLC) for Relief of Water and Sewer Third Quarter Penalties.

The Figurehead is asking for relief of sewer and water penalties attributed to a leaky toilet. Jill Helterline, representing the owners, stated that the first floor leaking toilet was discovered by a cleaning lady and promptly repaired. The increase in usage coincided with a post summer season plumbing problem and the usage is back to normal. She stated that the bathroom is shared among the first floor tenants and is cleaned weekly.

C. McGinnes reviewed the Figureheads usage history and noted that usage increases were notable beginning in June. He thanked her for attending the meeting and said that the Commission would consider the request and render a decision at its next meeting in December.

3. Reports from Officials.

ENGINEERING AND DIRECTOR OF PUBLIC WORKS.

- Receipt of Bids for 'Installation of a Three-inch Force Main from Payne Rd to Spring Street'.

J. Geremia evaluated the Bids received and recommended that the Water Board award the contract for the Three-inch Force Main to Boyle & Fogarty Construction Co., Inc. for \$647,312.50. J. Geremia said that the 2006 USDA grant/loan funding this project was \$802,400.

Although Block Island Water Company has not received the DEM (Department of Environmental Management) RIPDES (Rhode Island Pollutant Discharge Elimination System) Permit to put the project into service, there were no extenuating conditions he knew of which would deny issuance of a discharge permit. A draft letter to that affect should be received from DEM by the end of the month. They will also comment on increasing the sewer plant's RIPDES permit level.

One additional easement needs to be obtained to install the line. Installation of the line from the Block Island School to Abrams' property has time constraints due to the paving on High Street; no disturbances to the street will be permitted by the State for five-years after resurfacing is completed. Final pavement on High Street has been put off until Fall 2007.

Reporting on previous discussions with DEM, Geremia said that they envisioned one discharge permit being issued for the outfall; this would cover the combined discharge from both plants. Each plant is expected to have separate monitoring parameters and flow proportional limits. Requirements to physically modify the present outfall were not expected, although an underwater video inspection and assessment of the diffusers will be conducted early next year. Foundation repairs to the outfall should be looked at in the next capital budget; he reminded the Commission that they voted to transfer money for the outfall from the 2001 USDA grant/loan to improvements at the sewer plant.

Effluent flows from BIWC are small relative to those of the sewer plant. In the winter months, BIWC will have the choice to direct effluent flow to the sewer plant. Iron is the only significant element in BIWC's effluent

and presently there are no permit limits on iron. BIWC's iron level is high, ~60 ppm (parts per million), but iron is prevalent in the water around Block Island. D. Simmons added that iron concentrations would drop to ~ 5 ppm when diluted with flows from the sewer. Currently, iron precipitates out at the sewer plant and gets pressed out with the sludge.

J. Geremia recommended putting off awarding the bid until December when particulars from DEM have been received. The Commission agreed.

- Proposal to Amend Town Utility Standards.

Changes to the sewer and water Utility Standards, adopted March 1995, were prepared by J. Geremia in order to bring them up to present specifications and requirements. Technical specs are being reviewed and will be presented at the January meeting for adoption. Changes for BIWC were more extensive and comprehensive involving meter locations, sprinklers, etc. Final versions will be distributed for adoption at the January meeting.

- Amendments to Water District's Rules and Regulations.

The draft for changes was prepared by J. Geremia, D. Simon & J. Ziegler and distributed for comment. Items will be reviewed at the December meeting before a Public Hearing for adoption is posted for January.

- Modification of 2001 Sewer Grant for Sewer Plant Improvements.

J. Geremia reported that a letter had been received from USDA affirming the reallocation of funds from the 2001 USDA Sewer Grant to extend the outfall to sewer plant improvements.

Request for Bids have been sent to sand blast, prime and paint the circular steel clarifier; results should be ready for the December meeting.

- Proposals for Sewer and Water USDA Grants.

C. McGinnes said that BIWC's Well 4 needed to be rehab and Wells 5 and 6 needs to have the pumps pulled for evaluation. Preservation of the sewer outfall is critical and needs an appraisal.

(H. Rice leaves at 2:05 PM)

- Report on Legislative RIWRB Amendment – Water Quality Protection Charge Adjustment. Rhode Island Water Resource Board is proposing legislative changes to increase the taxes charged to water users. The proposed increases would pay for well field developments for water companies; however, it would not be available to BIWC. J. Geremia and N. Dodge will pursue exempting Block Island from additional taxes.

FINANCE. *not present*

- Capital Asset Replacement Policy. *no discussion*
- Proposed Changes to Aging/Collection Process. *no discussion*

SEWER AND WATER OCTOBER BALANCE SHEETS.

N. Dodge distributed the October financials without discussion or comment. She announced that the auditor's Exit Report for the Town's FY2005 would be scheduled for early December.

WASTEWATER INSPECTOR'S OCTOBER REPORT. *not present*

WATER/SEWER PLANT OPERATION REPORTS FOR OCTOBER.

Sewer. R. Boucher noted that all flows will be as influent numbers until the new calendar year when effluent numbers will be used. Flows decreased 36% for the month relative to last year. Work has begun to renovate the

old settling tanks, this is being funded by the 2007 USDA grant/loan. Champlin's has closed for the season, the pump station cleaned and inspected, but not plugged.

(E. Taubman leaves at 2:15 PM)

Water. Production decreased 4% relative to last year. The permit to discharge concentrate is expected to take about six months. BIWC's web site became active on October 19, its Internet address is: www.blockislandwater.org. Information on the Water District, Block Island Water Company, water quality, Rules and Reg, applications, meetings and minutes will be posted. The site should be helpful for people seeking information on how to get water projects completed, who we are, what we do and how to contact us.

4. Parking Lot Project and Improvements to Phillips' Property.

R. Boucher reported that the Sewer Commission received an invoice from Sprague Farm for \$15,448 to cover the preliminary work performed last June/July on the parking lot.

5. New Business.

- Holiday Turkeys for Employees.

MOTION: by C. McGinnes to provide holiday turkeys to the eight staff people it employs.

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

AYE: 5 (Leslie, McGinnes, Migliaccio, Thimble). NAY: Ø. ABSTAIN: Ø.

The motion carried.

6. Correspondence and Public Comment.

Oct. 17 Letter from Claire McQueeney, on Behalf of the Lunch Bunch, Request to Sponsor and Provide Luncheon. Last year the Sewer Commission cooked and served a meal for the Lunch Bunch. D. Simmons and R. Boucher volunteered to make up a menu and prepare the meal; a luncheon date of January 9 was chosen by consensus.

Nov. 15 Letter to Geremia from USDA concurring with recommendations on bids for the water concentrate line which is being funded by the 2006 USDA grant/loan.

7. Adjourn.

MOTION: by R. Migliaccio to adjourn the meeting and that the time period for the filing of the minutes be extended to 75 days from today's date in consideration of the holidays. A quorum was present and the vote to adjourn was approved unanimously by all members present.

The meeting adjourned at 2:37 P.M.

Respectfully submitted,

Janet Ziegler

District Clerk

Approved: December 15, 2006.

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