

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

September 10, 2008 Minutes

Present were members Robby Brown, Ann Cunningham, Frank Leslie, Rally Migliaccio, Bob Pokraka, alternates: Sandra Finizia and Jason Howarth, and District Clerk Janet Ziegler.

Present were Public Works Director Nancy Dodge, Superintendents Dave Simmons and Ray Boucher, Sewer Operator Chris Blane and Counsel Elliot Taubman.

Absent was Finance Director Amy Lewis

R. Migliaccio called the meeting to order at 4:30 P.M.

1. Welcome New Members. The Commission and Board welcomed new members Sandra Finizia and Jason Howarth to the meeting.

2. Request from Alison and Chris Miller, Plat 5 Lot 55, a.k.a. Cozy Cottage to connect to municipal water. Chris Miller submitted a letter requesting municipal water service at their Corn Neck Road house.

A. Cunningham reported that a 1999 request for sewer service in that area was denied by CRMC (Coastal Resource Management Council) as the area is classified as a 'developed barrier beach' and that new infrastructure shall be prohibited unless there was an exception for a compelling public purpose. E. Taubman said that they could contact Ken Anderson, CRMC Staff engineer, who would give them an idea whether the proposal would be looked on as favorable enough to proceed with a formal hearing. If CRMC issues an approval, the next steps would entail an engineering feasibility study and town consent.

3. Wastewater Management Public Hearing: Request from G. Ross, Plat 8 Lot 12 to waive Wastewater Ordinance Fines for Non-Compliance. *Continued from August 13 meeting.* Postponed by request of the Wastewater Management (WWM) Inspector to next month.

4. Reports from Officials.

DIRECTOR OF PUBLIC WORKS AND ENGINEERING.

• Updates to:

–Revision to Management Agreement Between Town of New Shoreham and New Shoreham Sewer Commission; Extension of Agreement.

N. Dodge reported that the request to extend the Agreement is on the Town Council's agenda next week. She has received comments from the Town's attorney, but needs input from the Finance Director who is on vacation.

–Revisions to Wastewater Management Ordinance, Rules and Regulations; and to Zoning Section 506 On-Site Wastewater Treatment Systems.

J. Geremia has submitted several suggestions. E. Taubman, in a memorandum circulated at the meeting, noted that WWM fines were in the Regulations – which is not inside the Ordinance – and therefore may be changed more easily as circumstances dictate. The Commission recommended that E. Taubman submit his comments directly to the Town since the Commission had no opportunity to review them before the meeting. Public comment time closes September 17.

–Water License Renewals. The RI Department of Health renewed all existing water Treatment and Distribution licenses held by the employees and Board members.

- Letter to RI DEM (Department of Environmental Management) Requesting a Hearing on the RIPDES (Pollution Discharge Elimination System) Permit.

D. Simmons reported that the new draft Permit had problematic sampling procedures and calculations of findings. Sewer Chair R. Migliaccio will submit a letter, prepared by J. Geremia, requesting a formal hearing to negotiate the RIPDES permit limits associated with the Outfall 200A concentrate wastestream from the Block Island Water Company's reverse osmosis water treatment system. The new RIPDES permit will become effective on October 1.

- Service Building Renovations and Addendums.

B. Pokraka reported that several set-backs had recently surfaced after meeting with the Town's Building Official on the state of the service building. The previous contractor, under a 24 month guarantee, has agreed to rectify framing omissions and install the retaining clips required by the warrantee of the window's manufacturer.

Batthey Construction, present in the audience, objected that the Town's Building Official has no authority to disapprove framing construction; his work was originally approved by the Sewer Superintendent and he felt that it was an arbitrary decision by the Sewer Commission to deem the work not acceptable.

N. Dodge reported that a second change order to Adams Electric had been received for moving existing lighting boxes and adding 2 heating units to the garage area, additional circuits for kitchen areas, phone and cable lines would cost \$5,750. After a brief discussion the Commission concurred that the work was necessary.

MOTION: by A. Cunningham to approve an addendum to Adams Electrical contract for \$5,750. The motion was seconded, a quorum was present and the vote to approve was:

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

The motion carried.

Old Harbor Pump Station Renovations.

In regards to construction on the Old Harbor Pump Station building, R. Boucher said that he had been approached by Coastal Quality Construction to upgrade the quality of the shingles originally quoted for the job for a couple of thousand dollars. N. Dodge objected that there cannot be private conversations and deals made on the side; all contractors bidding on the project must have the same specifications and information in the RFB (request for bid) packages. B. Pokraka also added that specifications cannot be changed after the fact without negating the entire RFB package and starting over.

Batthey Construction said that he submitted a second bid for the August 4 meeting because he was asked to do so by R. Boucher who called and said that extra CDX sheathing should be added. N. Dodge stated that the RFB processed had closed in July; submitting a new bid was out of order and also negated the time extension of his original bid. Batthey then defended his original low bid on the project stating that he had special pricing arrangements with Liberty Cedar and that he would have made a good profit on the job. He commented that the cost quoted by Coastal Quality to upgrade the quality of the shingles was outrageously; if he had been awarded the project he would have provided the upgrade at no additional cost.

The Commission unanimously appointed a Building Committee: Clerk of Works B. Pokraka and S. Finizia.

- Personnel: Extension of D. Lewis' Contract, Summer Vacation Time.

D. Simmons formally requested that summer intern D. Lewis's contract be extended to the second week in December (6 additional weeks) and that his time be increased to 25 hours per week. N. Dodge spoke in favor of the request and stated that the extension would fall within the water budget. Sewer hired an outside firm for \$10K to GIS its collection system and the BIWC has gathered far more relevant data this summer at a much lower cost; it would be a great benefit to continue the work started.

MOTION: by A. Cunningham to approve a twenty-five hour work week for D. Lewis for an additional six weeks. The motion was seconded, a quorum was present and the vote to approve was:

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

The motion carried.

D. Simmons said that the overall work schedule would be flexible to allow for fall weather conditions and the restrictive ferry schedule.

Summer Vacation Time.

R. Boucher submitted a draft Vacation Policy for the Commission to consider adopting. This was accompanied by another letter signed by the sewer operators requesting that they be given permission to have input to the document. C. Blane stated that no vacation between Memorial Day and Labor Day is enforced at sewer, but he would like a written policy. The restriction was originally a condition of the Superintendent's contract, when one superintendent oversaw both water and sewer operations; the restriction was handed down to the operators from the superintendent.

D. Simmons said that the three operators at the Water Company, including himself, communicate with each other what their wishes are and work out a labor schedule to provide coverage if someone wants to go off-island during the summer for several days (family, cultural events, etc.). Extended vacation times are not the norm, but several days are understandable and feasible.

The Commission questioned whether a formal policy was needed to cover four sewer operators when scheduling and cooperation among the staff was what was required. R. Migliaccio suggested that hiring summer interns could provide additional relief for the more intense summer work load.

FINANCE. *Postponed to October.*

WATER PLANT OPERATIONS.

D. Simmons reported that user fee revenues were in the target range.

- Conservation Commission, re: Sands Pond. The Town's Conservation Commission had advertised for projects to undertake. Because Sands Pond is listed in Rhode Island as an "impaired water", it was discussed whether the Commission would undertake a public-awareness/education project for homeowners in the area, as well as all homeowners with OWTS (on-site wastewater treatment systems), regarding care/maintenance and non-point source pollutions.

- Request from Sands Pond Homeowners Association. The Board received a letter asking the Water District to share in the cost of maintaining open space in the Sands Pond Homeowners area. The Water Company currently maintains its water easements in the same areas. The request was withdrawn before the meeting.

SEWER PLANT OPERATIONS.

R. Boucher stated that flows for the summer season were down relative to last year's; a large customer was lost (Surf Hotel) and more than 80 manholes have been tightened up to prevent infiltration. Boucher announced that he will have surgery on his shoulder and expects not to be at work for ~12 weeks. A. Cunningham said that it was the Ad Hoc meeting held on August 27 which discussed testing in Great Salt Pond, not Harbors, as stated in his report.

- Report on Summer Grease Inspections.

The staff will perform an evaluation of each victualing establishment and present them with new recommendations. R. Brown noted that he will not be pumping out the Oar's grease trap next year; the sewer superintendent and the Oar's management have made other plans for operations.

- Request to Approve Removal of Trees. R. Boucher stated that each fall, when leaves from the eleven trees near the aerator tanks fall, they clog the pumps. Snow fences were set up around the basins which stop some of the leaves, but not all and he would like to cut down the trees.

B. Pokraka said that trees are a rare commodity on the island and was not in favor. K. Gaffett stated that the trees were an important buffer for the area and questioned whether alternate solutions were considered. R. Migliaccio was also not in favor. The superintendent said that he could have RI DEM declare that it was a hindrance to the operations, but would prefer not to go that route. F. Leslie declared that the Commission should support the recommendations of the sewer superintendent.

MOTION: by R. Migliaccio to appoint a committee (N. Dodge, J. Geremia, R. Boucher) to look into alternate solutions to deal with the fall leaf problem and save the trees. The motion was seconded, a quorum was present and the vote for alternatives was:

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

The motion carried.

5. Parking Lot Project. Parking revenue for Fiscal Year 2008 was \$14,850; rebates occurred in FY 2009.

6. Approve Minutes of August 4 Special Meeting and August 13 regular monthly meeting.

MOTION: by A. Cunningham to approve the minutes as submitted. E. Taubman said that the two issues he raised regarding the Comprehensive Plan were not included. The motion was seconded, a quorum was present and the vote to approve was unanimously approved.

- Set Date for Annual Allocation Meeting with Town Council. The Commission and Board agreed to set the Annual Allocation meeting for October 8 as an agenda item on the regular monthly meeting.

7. Correspondence, Announcements and Public Comment.

- August 21. Memo regarding Amended Rules of Procedures by the Town Council. E. Taubman commented that the Commission and Board did not have to automatically follow Rules made by the Town since it was the enabling legislations that governed its regulations. Changes to the Town's Rules of Procedures for Boards and Commissions could be adopted by vote. The changes will be agended for next month.
- August 25 & 26. Correspondences to H. Paquin, Plat 5 Lot 121, regarding sewer pumping system.
- October 15, Wednesday. Rate Design to meet with Bob Morency, RCAP, to discuss progress.

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 6:35 P.M.

Respectfully submitted,

Janet Ziegler

District Clerk Approved: October 8, 2008

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