

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
2 NARRAGANSETT BAY COMMISSION

3

4 *****

5 IN RE: :

6 MONTHLY BOARD MEETING :

7 *****

8

9

10 DATE: OCTOBER 20, 2004
11 TIME: 11:00 A.M.
12 PLACE: ONE SERVICE ROAD
PROVIDENCE, RI

13 BOARD MEMBERS PRESENT:

- 14 VINCENT J. MESOLELLA, CHAIRMAN
- 15 ANGELO S. ROTELLA, VICE CHAIRMAN
- 16 PAUL PINAULT, SECRETARY
- 17 ROBERT P. ANDRADE, TREASURER
- 18 BRUCE D. CAMPBELL
- 19 AL MONTANARI
- 20 REP. JOHN J. McCAULEY, JR.
- 21 LAURIE KIJAK
- 22 SEN. MICHAEL McCAFFREY
- JOHN MacQUEEN
- RICHARD OSTER
- SEN. DANIEL DaPONTE
- R. DAVID CRUISE
- MICHAEL DiCHIRO
- JOSEPH KIMBALL
- DR. RICHARD H. BURROUGHS
- THOMAS LAZIEH
- JOSEPH D'ANGELIS, ESQUIRE

23 RHODE ISLAND COURT REPORTING
24 25 SEA VIEW AVENUE
EAST PROVIDENCE, RHODE ISLAND
(401) 437-3366

1 (Meeting commenced at 11:00 A.M.)

2 MR. CHAIRMAN: All right. All
3 right. Here we go. The Executive Director says
4 we have a quorum, therefore we do. Recognizing a
5 quorum, we will call the meeting of Wednesday,
6 October 20, 2004, of the Narragansett Bay
7 Commission to order. Call the meeting to order.
8 The first order of business, the approval of the
9 previous minutes. Have all our members had an
10 opportunity to review the minutes; and if so,
11 approve --

12 MR. CRUISE: I'll move. I just
13 want to say I was here and was not reflected to
14 be here.

15 MR. CHAIRMAN: Okay, so noted.
16 We'll make that correction. If all our members
17 have had an opportunity to review the previous
18 minutes, are there any questions, comments, or
19 discussion -- or corrections like Mr. Cruise's?
20 Any discussion?

21 MR. ROTELLA: Second.

22 MR. CHAIRMAN: We have a second.
23 Discussion? Hearing none. All those that are in
24 favor of approval will say "aye." Any opposed?

1 There are none opposed, and the motion carries.

2 The next order of business is old business.

3 Is there any old business to come before the
4 Commission this morning? Old business? Hearing
5 none. Moving right along to Item No. 3. Before
6 we move on to the Employee Awards and Item No. 4,
7 today's going to be a sad day for Narragansett
8 Bay Commission. We're going to honor the
9 retirement of one of our long employees Ellen
10 Schwab, and we have a resolution of appreciation,
11 which I would ask Vice Chair Rotella to read.

12 MR. ROTELLA: The Resolution of
13 Appreciation reads as follows: "Whereas, Ellen
14 Schwab joined the Narragansett Bay Commission on
15 December 3, 1983, as Administrative Assistant,
16 and

17 Whereas, she was instrumental in ensuring
18 the smooth day-to-day operations of the
19 Engineering Department, and

20 Whereas, Ellen's talents were indispensable
21 to the Narragansett Bay Commission for the
22 Sunshine Fund, the Holiday Pot Luck, the May
23 Breakfast, the annual Golf Tournament, and the
24 photo catalog of "matching-outfit" days,

1 Now therefore be it resolved that the
2 Narragansett Bay Commission shall extend its
3 sincere congratulations to Ellen on her
4 retirement and its sincere appreciation for her
5 service on behalf of the State of Rhode Island
6 and the ratepayers of the Narragansett Bay
7 Commission.

8 Presented on October 20, 2004."

9 MR. CHAIRMAN: Ellen, come on up
10 here.

11 MS. SCHWAB: Thank you very much.

12 MR. CHAIRMAN: Next order of
13 business is Employee Awards and Recognition and
14 we'll turn it over to the Executive Director.

15 MR. PINAULT: Those of you that
16 are associated with the Narragansett Bay
17 Commission, you know that we have a great
18 organization, and the main reason that our
19 organization is great is our employees, and once
20 a year the Commission asks their employees to
21 acknowledge the great job done by their coworkers
22 by nominating them for an Employee Excellence
23 Award. And for twelve years, since our tenth
24 anniversary, we've presented these awards.

1 Generally, we've presented these awards at
2 the employee picnic, which we have been holding
3 at the Lincoln Woods, but this year we felt that
4 it would be better to do this at a Board Meeting
5 because many Commissioners don't have an
6 opportunity to get to the picnic; and this way,
7 the Board would be able to see the good work --
8 and meet our staff -- and see the good work that
9 they do.

10 The first set of awards are the Excellence
11 Awards, and we give out six, one each for
12 Executive; Administration and Finance; Policy,
13 Planning & Regulation; and because of the size of
14 the Operations Division, there are three; and
15 they represent individuals who have demonstrated
16 excellence and stood out among their peers,
17 colleagues in their division. The NBC will honor
18 these six employees with awards.

19 I would like to ask Ray Marshall, the Deputy
20 Director for Executive to come up.

21 MR. MARSHALL: Okay. The first
22 award is Executive Division, and the winner comes
23 from our legal section. She's a paralegal,
24 Jillian Colby. According to her coworkers, Jill

1 always steps to the plate to get whatever needs
2 to be done completed in a timely fashion. She
3 never looks for or expects praise for her
4 efforts.

5 A great example is the way Jill handled the
6 lien-sale effort last winter when a coworker had
7 to be out for several weeks. She went about
8 preparing all the paperwork, coordinating all the
9 research, and resolving discrepancies in
10 accounts, so the NBC's interests were protected,
11 and there were no complaints from customers.

12 Jill has also been instrumental in assisting
13 NBC staff members on a variety of assignments --
14 many with unrealistic deadlines -- by preparing
15 waivers, legal memos, and contracts. Jill has a
16 way of addressing matters in a professional and
17 efficient manner that all her coworkers
18 appreciate.

19 In addition to her efforts at NBC, she has
20 somehow managed to maintain a superior academic
21 record at Roger Williams Law School. I'd like
22 you to help me congratulate Jill on her award.

23 MR. CHAIRMAN: Congrats.

24 MR. MARSHALL: I will have Karen

1 Giebink give the A & F Award.

2 MS. GIEBINK: Good morning. I'd
3 like to present this year's Employee Excellence
4 Award to Dan Smith. Under Dan's leadership, NBC
5 is now using state-of-the-art technology, and the
6 IT group has developed into a highly-motivated
7 and talented team.

8 This past year, IT accomplished a number of
9 key initiatives -- and it's a really long list,
10 so I don't know if I'll read them all, but here
11 they are: The smooth and rapid implementation of
12 new Oracle financial, purchasing and HR/payroll
13 software; implementation of the Hansen Fleet and
14 Maintenance Project; the bringing of EMPACT
15 on-line to provide close-to-realtime data;
16 installation and troubleshooting of the latest
17 version of ADI Time and Attendance software;
18 implementation of the Laboratory Information
19 Management System software; numerous enhancements
20 to the Customer Service system application;
21 implementation of Webmail and Exchange 2003 along
22 with numerous security components; installation
23 of a Storage Area Network along with a total
24 Backup Solution; overhaul of the network that

1 included the replacement of switches, hubs, and
2 routers with the latest technology;
3 implementation of a limited wireless system; two
4 significant PC rollouts.

5 On top of all that, Dan is fun to work with,
6 always a professional -- well almost -- and I
7 have learned a lot from him. So congratulations
8 to him.

9 MR. SMITH: One thing, finest
10 department in the state. Thank you.

11 MR. UVA: Good morning. The
12 recipient of the Planning Policy Regulations
13 Excellence Award is Taylor Ellis.

14 Taylor has been with the Narragansett Bay
15 Commission for five years, most of the time as an
16 environmental scientist. He was recently
17 promoted to the Assistant Manager of
18 Environmental Monitoring & Data Analysis Section.

19 Anyone who's worked with Taylor notes his
20 attention to detail. He will analyze plant
21 problems and data -- he will analyze data to
22 death until he gets the correct answer for the
23 plant. His attention to detail has resulted in
24 the minimization of plant operational problems.

1 He's also provided great customer service to
2 any department in the NBC that has a problem with
3 science or needs some data analyzed or samples
4 collected. He's well respected among
5 stakeholders as an excellent scientist and very
6 knowledgeable. Taylor continues to teach me and
7 educate me about the Narragansett Bay, and he's a
8 great asset and a great person to work with.
9 Thank you, Taylor.

10 MR. NORDSTROM: Good morning. In
11 Operations Division, we have three recipients.
12 The Excellence Award -- I'm just speaking as a
13 department-- I don't think you could find three
14 more humble but hard-working people, and I think
15 I know them well enough to say that probably the
16 last place they want to be is here, hearing the
17 praise heaped on them, but that's the fun part of
18 the job.

19 The first recipient is Tony Tamburrino.
20 Tony became an employee of the Narragansett Bay
21 Commission in January of '92, when we merged with
22 the Blackstone Valley District Commission. He
23 was a hard worker, respected by his peers; but
24 over the last year, I have to tell you that he

1 filled some pretty large shoes, figuratively and
2 literally. One of our well-liked foreman
3 retired, and Tony stepped up, took the position
4 as Floating Crew Foreman; and through some
5 oddities of staffing, he actually -- even though
6 he has five person crew, he basically ran the
7 crew by himself over the course of the summer.
8 He was doing pay roll. He was cutting the lawns.
9 He was filling in on shifts and covering the
10 plant. Well-liked and respected by his peers,
11 Tony Tamburrino is the first winner.

12 The next recipient is Ed Thibeault, Process
13 Monitor at Field's Point. I know I could say a
14 lot of the same things about Ed. He's one of the
15 individuals who sits at the computer at the
16 Field's Point Facility. He's calm, cool, and
17 collected; and I know -- from a supervisor
18 standpoint -- when all hell's breaking loose and
19 you have a storm, there's no more comfortable
20 feeling than to know that Ed is in control and
21 running the show.

22 He's been with us multiple years; and even
23 prior to working as Process Monitor, he was a
24 master at every level at the plant. So the

1 recipient from Field's Point is Ed Thibeault.

2 The last recipient is Tom Grala from the
3 Engineering Department. Because we started out
4 roughly the same time, and I was formerly in
5 charge of the Engineering Department, I could
6 keep you here for hours telling you stories about
7 Tom and how instrumental he is, both from a
8 social standpoint and keeping the office loose,
9 but also from a professional standpoint.

10 He came to us wet behind the ears right out
11 of U.R.I. He was probably one of the first
12 people that said we should have PCs at
13 everybody's desk. Most of us didn't even have
14 any concept of what he was talking about, you
15 know. Who wins on that one?

16 He also has enough foresight to recognize
17 that one of the coming technologies a number of
18 years ago was GIS, Geographical Information
19 System; and he has been heading up this project
20 and giving numerous presentations to the Board.
21 As I said, he's also well respected by the staff
22 and a lot of fun to have on staff, and as I said,
23 the third recipient is Tom Grala.

24 MR. CHAIRMAN: We have one last

1 award and that's the Chairman's Award. The
2 Chairman's Award is the highest honor bestowed on
3 an NBC employee, and it singles out the employee
4 who goes above and beyond the call of duty to the
5 NBC and to Narragansett Bay, and today's award
6 goes to Ray Marshall. When you think of the
7 tenacity of a bulldog, you also have to think of
8 someone with the patience of Job; and when you do
9 that, what you'll get is Ray Marshall.

10 Ray had the unfortunate experience of having
11 to work with me through four years of
12 negotiations on the long-term Bio-solids Contract
13 and it was indeed a pressure cooker at times; and
14 according to his coworkers, during those times,
15 they might have thought that Ray was just being
16 stubborn and being hard to get along with; but
17 little did they know, of course, that I was on
18 the other line and riding Ray to get this done.
19 And he stuck it out, and he had the tenacity to
20 get this project completed; and because of his
21 intelligence and because of his patience and
22 because he understood how vitally important this
23 project was to Narragansett Bay Commission, he
24 stuck with it; and because of that perseverance,

1 this agency is going to recognize between 13 and
2 16 million dollars of savings for its ratepayers.

3 And Ray is also highly recognized by the
4 Association of Metropolitan Sewerage Agencies.
5 He's part of their elite Development Program, and
6 in 1991 Ray was also named Engineer of the Year
7 by the Rhode Island Society of Professional
8 Engineers. In addition, Ray has been helping to
9 nurture the future environmental engineers in his
10 involvement in the educational program through
11 the University of Rhode Island, and he also
12 coordinates the NBC's annual Engineering
13 Scholarship Program.

14 One of the last things is -- I think it's
15 important to note that -- that I think it's his
16 31st wedding anniversary; but beyond that, I
17 would just like to say that it was fortuitous for
18 me to have such a dedicated individual such as
19 Ray through some very trying times and finalizing
20 and bringing that contract to conclusion, and
21 that's why he has been awarded the Chairman's
22 Award. So, Ray, congratulations.

23 MR. MARSHALL: Thank you.

24 MR. CHAIRMAN: Okay. Moving right

1 along.

2 MR. PINAULT: I just wanted to
3 mention, Mr. Chairman, that I get a lot of
4 recognition on behalf of the Commission; but if
5 it wasn't for my staff, you know, we wouldn't be
6 where we are. So thanks to all of you. Also
7 several of the Commissioners asked me if this was
8 a surprise, and we did try and keep it a
9 surprise; but when they saw the family of
10 coworkers, they kind of knew something was
11 happening. We also have one other award but the
12 recipient is not here today. He's out on
13 training. It's for the Employee of the Year, and
14 we will present that award next month.

15 MR. CHAIRMAN: Item No. 5 is the
16 Executive Director's report. Do you have a
17 report for us today, Mr. Secretary?

18 MR. PINAULT: Yes, I do, Mr.
19 Chairman.

20 MR. CHAIRMAN: Proceed.

21 MR. PINAULT: In your packet, in
22 your packet is my report for the month of
23 September; and, overall, both plants have been
24 running extremely well. Just one thing I would

1 like to -- just wait a second for this to clear
2 out. We'd also like all of the award recipients
3 to meet Raphael in the hallway. He's going to
4 take a group photo for our newsletter.

5 As I started to say, both plants are running
6 well. We had a big event last month at the end
7 of September. We put the new first phase of the
8 Bucklin Point Treatment Facility upgrade on-line.

9 At the end of the month, we put brand new
10 screw lift pumps, brand new primary clarifiers,
11 new screen and grit facility, rehabilitated
12 aeration facility; and normally, our permit limit
13 is 30 milligrams per liter of total suspended
14 solids, and we generally met that with the old
15 plant. We were in the 20s sometimes.

16 The first week the plant went on-line, we
17 had numbers of two, four -- and we were in single
18 digits, and that was after four or five days of
19 operation. We're still working out all the kinks
20 in the system, but overall, we've had a 16
21 percent reduction in total suspended solids and a
22 34 percent reduction in BOD, and 15 percent in
23 fecal coliform, and that's just in the first two
24 weeks of operation. So, you know, my hat goes

1 off to the engineers that designed the facility
2 and also to the construction staff that overseen
3 that facility.

4 We're two and a half years into
5 construction. We are six months ahead of
6 schedule on that project; and because of that,
7 the cost of that project is less than when we
8 awarded the contract because we've had some
9 credits, and the plant is running well. So I
10 just wanted to mention that.

11 As far as the maintenance section goes, we
12 did rehabilitate the Cemetery Street sewer. That
13 was approved last month. We lined over a
14 thousand feet of pipe that was in the process of
15 failing.

16 If you go to page 3 for the Financials, for
17 those of you that weren't at the Finance Meeting,
18 we have about 77 million invested in capital and
19 operating cash; and also with 25 percent of the
20 fiscal year past, we're spending at a rate of
21 20.9 percent. So we're under spending.

22 Pool Loan No. 7. Last month the Board
23 approved us applying for Pool Loan No. 8 in the
24 amount of \$40 million. That's in the works, and

1 we should have a closing within 30 days. As far
2 as personnel, we're at 250 out of 281 authorized
3 positions.

4 The next few pages we got three weeks ago.
5 Overall, construction is going well. We are
6 behind schedule on the Main Spine Tunnel, which
7 we've talked about; and we've requested a time
8 extension, which we are evaluating, but as of
9 Friday, they have a mile installed -- or bored
10 out of the three miles. They're up Allen's
11 Avenue next to Narragansett Improvements. So we
12 started this March 8, and one mile has been bored
13 since March 8, and we have another two miles to
14 go.

15 Talk about the Bucklin Point improvements.
16 Several months ago the Board approved the
17 replacement of two of the three rod screw pumps
18 at Field's Point that had been on-line since
19 1986. Those have been installed and operating
20 and that was done ahead of schedule -- two months
21 ahead of schedule and within the budget.

22 Just other highlights. The odor control
23 system. Commissioner MacQueen in Lincoln has
24 been working with CH2M Hill. They've submitted a

1 report with a number of alternatives for the BVI
2 Siphon Chamber to try and reduce odors there. We
3 hope to get those installed as soon as possible.

4 We're working on the lien sale. If you look
5 on the last page of the report, Page 11, the next
6 lien sale is scheduled for December 2. We have
7 identified 264 accounts -- about a half a million
8 dollars -- and that's going along smoothly.

9 The last thing in Miscellaneous. We
10 negotiated and added a new benefit through Blue
11 Cross called the Good Health Benefit, and that's
12 where Blue Cross comes in several times a year
13 and conducts Wellness Clinics. They did that in
14 September. Over 56 percent of our staff
15 participated. They had their cholesterol and
16 blood pressure checked, and they filled out
17 questionnaires, and they will be given individual
18 plans to improve their health. The intent is to
19 be proactive instead of reactive; and hopefully,
20 in the long run, it will reduce our health care
21 costs, and we'll have a healthier work force.

22 Those are the highlights, Mr. Chairman. If
23 there are any questions, I'll be happy to answer
24 them.

1 MR. CHAIRMAN: Are there any
2 questions for our Executive Director? Thank you,
3 Mr. Secretary. Well, the first thing is there's
4 a gentleman crawling on the floor. We don't
5 usually get people crawling on the floor during
6 Committee Meetings, but I think you all seemed to
7 notice -- just give him room -- that we're going
8 to be filming here. We're doing a video and the
9 essence of the video is to document and
10 illustrate the Combined Sewer Overflow Abatement
11 Tunnel Project, and this is going to be part of a
12 documentary. Many people throughout the state
13 have requested that they be allowed to go into
14 the tunnel; and obviously, we can't afford or
15 allow that to happen, so the next best thing was
16 to create this documentary video that we hope
17 will be widely distributed, and I really am happy
18 that everyone's here today because I think it's
19 appropriate that all of the Board Members are a
20 part of this documentary. So exactly how we are
21 going to proceed? We are just going to continue
22 to go on through the meeting and you're just
23 going to take candid shots? You're going to pan
24 all the Commissioners and smiling faces?

1 MR. CRUISE: What about the
2 nameplates should they be turned out so that as
3 the camera is panning, the Commissioners can be
4 identified?

5 THE CAMERAMAN: I think that will
6 be fine.

7 MR. CHAIRMAN: We know who you
8 are. They won't know, so we need to get these
9 turned around so we can kind of --

10 MS. KIJAK: Oh that one.

11 MR. CHAIRMAN: So the idea is for
12 us to just continue with the meeting and you're
13 going to be panning some shots?

14 THE CAMERAMAN: I'll get all the
15 members in. Ignore me.

16 MR. CHAIRMAN: Needless to say.
17 Okay then. Moving right along. The next order
18 of business is Committee Reports and Action Items
19 Resulting. The first committee report is the
20 Long Range Planning and Finance Committee.
21 Commissioner Andrade, do you have a report for us
22 today?

23 MR. ANDRADE: Yes, I do, Mr.
24 Chairman.

1 MR. CHAIRMAN: Proceed.

2 MR. ANDRADE: Thank you. In
3 committee this morning we reviewed and approved
4 Resolution 2004:31, a Recommendation to Fund
5 University of Rhode Island Bay Modelling project
6 -- nope, excuse me, 30. Recommendation for Use
7 of Environmental Enforcement Funds. And I'd like
8 the Executive Director to give us the details,
9 please.

10 MR. PINAULT: As noted in the memo
11 from Tom Uva, our Director from Policy Planning,
12 of October 8, the Bay Commission received a
13 request from the Director of the Rhode Island Sea
14 Grant College Program requesting that NBC
15 consider cosponsoring a symposium that will be
16 held later this month in Rhode Island over two
17 days entitled "State of Science Knowledge on
18 Nutrients in Narragansett Bay."

19 As I mentioned at the finance committee --
20 Long Range Planning Committee meeting, the summer
21 of 2003 resulted in major fish kills in the Bay
22 due to the low oxygen levels. And many people
23 felt that that was from nutrient discharges, some
24 of which come from waste water treatment

1 facilities; and because we have the two largest
2 treatment facilities in the state and about 70
3 percent of the waste water flow, obviously, we
4 were involved in that discussion.

5 We feel that by cosponsoring and working
6 with the scientific community on the nutrient
7 symposium, it would help educate the general
8 public and others -- elected officials -- what
9 the issues are surrounding the bay, and they are
10 many and they are complex. Right now we have
11 moneys in our Environmental Enforcement Fund that
12 we can use for education, training, and things of
13 that nature; and we recommend that we cosponsor
14 the event for \$3000 from the Environmental
15 Enforcement Fund, and that recommendation is
16 outlined in resolution 2004:30.

17 MR. ANDRADE: Mr. Chairman, I'd
18 like to move approval of resolution 2004:30.

19 MR. CHAIRMAN: We have a motion.

20 MR. KIMBALL: Second.

21 MR. CHAIRMAN: Seconded by
22 Commissioner Kimball. Discussion?

23 DR. BURROUGHS: I work for the
24 university, so I will be abstaining.

1 MR. CHAIRMAN: Please make note
2 that the Commissioner will be abstaining from the
3 vote. Are there questions regarding Resolution
4 2004:30? We have a motion. We have a second.
5 All of those that are in favor will say "aye."
6 Are there any opposed? There are none opposed,
7 and the motion carries. Do you have a further
8 report?

9 MR. ANDRADE: That completes our
10 report.

11 MR. CHAIRMAN: Moving right along.
12 The next committee reporting is the Construction,
13 Engineering, and Operations Committee. In the
14 absence of Commissioner Guisti, the Chairman
15 chaired that meeting. There were two items for
16 action. The first item for action is review and
17 approval for Resolution 2004:31, Recommendation
18 to Fund the University of Rhode Island's Bay
19 Modelling Project Program. Paul.

20 MR. PINAULT: Thank you, Mr.
21 Chairman. As I noted at the CEO Committee
22 meeting, the memo in front of you today is
23 revised from what was sent in the mail last week,
24 but the only changes are that we had originally

1 thought to fund this project out of Contract 109,
2 which is Nutrient Removal at Field's Point; but
3 after the memo went out, we decided it would be
4 better funded under Contract 114, River Nutrient
5 Study, which is an ongoing project.

6 We have been working with the Graduate
7 School of Oceanography, and they submitted a
8 proposal to develop models of circulation and
9 transport within the Providence river and upper
10 Narragansett Bay. This model would allow the Bay
11 Commission to input conditions such as
12 temperature, salinity, oxygen, nutrients and
13 flow, and track these parameters as they are
14 dispersed through each of our outfalls at Bucklin
15 Point and Field's Point and through the
16 Narragansett Bay.

17 Once developed, this model would allow the
18 Bay Commission to predict the effects of its
19 discharges on water quality of Narragansett Bay,
20 and it would help us with developing a sound
21 science to assist management regarding the
22 evaluation of decisions necessary for major
23 capital projects which may be required, and I
24 mentioned at the meeting that we did a facility

1 plan a couple of years ago for Field's Point. We
2 looked at 24 alternatives to remove nutrients,
3 depending upon what the DEM would require, and
4 the capital costs ranged from about 13.5 million
5 to about \$78 million with increased operating
6 costs of \$2 million a year, which is significant.

7 The Board approved last February and March a
8 six-month pilot project, which is nearing
9 completion at Field's Point, utilizing new
10 technology called Hydroxyl System. I think
11 between the facility plan, the pilot study, and
12 developing this model, it will help us to
13 recommend a project which is cost effective and
14 justifiable and will achieve what we want.

15 The estimated cost is not to exceed \$167,400
16 over a two-year period, and we feel it is money
17 well spent, and we recommend approval of
18 Resolution 2004:31.

19 MR. CHAIRMAN: The members have
20 heard the Executive Director's explanation. Are
21 there any comments or questions regarding this
22 recommendation? Mr. Burroughs.

23 DR. BURROUGHS: I'll say the same
24 thing I said earlier. I work at the university,

1 so I'll have to abstain.

2 MR. CHAIRMAN: I'd just like to
3 say it has been a very positive experience in our
4 relationship with the university, and I'm certain
5 that this study is not only going to be helpful,
6 but certainly encouraging. I know there is a
7 move on -- a referendum to assist the university
8 in its expansion, and we'd like to be a part of
9 that. So if there are no other comments or
10 questions from -- Commissioner Cruise.

11 MR. CRUISE: I'll make a motion.

12 MR. LAZIEH: Second.

13 MR. CHAIRMAN: Further discussion?
14 Hearing none. All of those that are in favor say
15 "aye." Are there any opposed? There are none
16 opposed, and that motion carries. There was one
17 other order of business which is review and
18 approval of Resolution 2004:32,
19 Contract 01:302.11C, which is the Woonasquatucket
20 River Interceptor Relief Project, and this is a
21 recommendation to increase the limit for change
22 order requests from Walsh Construction. The
23 Committee heard a long explanation why this is
24 necessary. Paul, you want to hit the highlights

1 on that change.

2 MR. PINAULT: Yes, Mr. Chairman.

3 The Committee heard discussion on the
4 construction of a three-mile-long tunnel along
5 with the cabin, which will support the tunnel.
6 We have seven locations where we have surface
7 construction along the tunnel route where we put
8 in a consolidation conduit and drop shaft which
9 will allow the flow to go from the outfall into
10 the ground for storage. One of the drop shafts
11 has been constructed, and other work is ongoing
12 on the Woonasquatucket River Interceptor, which
13 is located at the upper end of the tunnel right
14 on Promenade Street in the Foundry parking lot
15 next to Higher Education.

16 A couple of months ago, we had a discussion
17 about that project. There was a suggestion for
18 some changes, and we're coming back again; but
19 basically, to refresh your mind, what was
20 proposed was that during the period of April to
21 October we actually shut down Promenade Street.
22 We have a lot of the interceptor in the street.
23 I think it's about a 78-inch interceptor that
24 carries 20 to 25 tons of raw flow in the Field's

1 Point System to the plant, and we have to go
2 down, build a structure around that pipe north
3 into the foundry parking lot, and then it will be
4 connected to the tunnel.

5 The Providence Place Mall, the City of
6 Providence, and Rhode Island Economic Development
7 Agency were concerned about shutting down
8 Promenade Street at all. We felt by shutting it
9 between April and October that it would avoid the
10 busy season -- the holiday season. Because it's
11 one of the main exits to the highway for the
12 mall, DOT didn't have a problem with it. We had
13 worked out an alternate travel plan, but because
14 of the concerns of the city and the mall, we came
15 up with an alternate way to do this in order to
16 keep at least one lane of traffic open at all
17 times, but it does result in additional costs.

18 The bid amount of this contract is about
19 \$5 million. At this point, I would like to ask
20 Joe Pratt, the Project Manager from Louis Berger,
21 to give us a little more details.

22 MR. PRATT: Essentially, what
23 we're talking about here is the disposal of the
24 waste. You have some pictures in your handout

1 that shows we're grouting the ground, so you
2 create a ground-cement mixture that you have to
3 dispose of, and we had disagreements with the
4 contractor on the price of that, and there's the
5 federal fee and the documents, and between his
6 price and our price -- to date we've done half of
7 it -- and our price is much closer to reality
8 than his is, so we're moving forward on that.

9 We explained last February the reason for
10 doing the grouting is because of the sensitive
11 soil, and it will allow us to put the structure
12 in the ground and divert traffic either side
13 while traffic drives on part of our structure.
14 This is a complex job and having to keep
15 Promenade Street open has made it much more
16 complex, and that's the reason for the changes.
17 Does anybody have any questions about the essence
18 of this?

19 MR. CHAIRMAN: Are there any
20 questions?

21 MR. LAZIEH: Mr. Chairman, I know
22 that one of the bridges that is affected is
23 closed. When will that be opened?

24 MR. PRATT: That bridge will be

1 re-opened, but it's going to be closed for
2 another six to eight months, but that bridge will
3 be re-opened, and what we are doing will ensure
4 that we're not doing any damage to that bridge.

5 MR. PINAULT: The change we are
6 asking for in Resolution 2004:32 is authority for
7 the Executive Director and the Chairman to
8 increase the Change Order Limit on this contract
9 by \$400,000.

10 I'd like to also note, in the packet we've
11 included a lot of backup. We've included what
12 the previous approval was for. We've included
13 some photographs showing the jet-grouting method
14 that's being utilized to stabilize the soil; and
15 on the last page, is a summary as of October of
16 the 12 construction projects that we have
17 ongoing. They total about \$270 million, and some
18 of these have been going on for two or three
19 years; and as of this date, we are 0.78 percent
20 more than the low-bid amount so over -- and it
21 was set up as a contingency; so overall, I think
22 we're doing well.

23 If you look at all of our projects, this one
24 here is higher than we'd like, but a lot of the

1 others are much lower; and if you look at the
2 overall picture, we're doing well.

3 MR. CHAIRMAN: Commissioner
4 Montanari.

5 MR. MONTANARI: Motion.

6 MR. ROTELLA: Second.

7 MR. CHAIRMAN: Have a second by
8 Commissioner Rotella. Are there questions or
9 comments regarding resolution 2004:32? Are there
10 any questions regarding resolution 2004:32?
11 Hearing none. All of those that are in favor
12 will say "aye." Are there any opposed? There
13 are none opposed, and the motion carries. And
14 there is no further business for discussion.
15 Moving along to other committees. The next
16 committee reporting is Personnel.

17 MS. KIJAK: No report, Mr.
18 Chairman.

19 MR. CHAIRMAN: No report.
20 Legislative Committee.

21 MR. McCAULEY: No report.

22 MR. CHAIRMAN: No report. Rules
23 and Regulations Committee.

24 MR. PINAULT: No report, Mr.

1 Chairman.

2 MR. CHAIRMAN: The Ad Hoc
3 Committee on Storm Water Rates.

4 MR. PINAULT: They did not meet,
5 but I wanted to let you know that at the last
6 meeting they directed staff, legal staff, to look
7 around the country to see what other agencies do
8 as far as being able to charge for storm water.

9 They are preparing a report on that, and
10 they were also requested to draft legislation for
11 introduction in the next session of the General
12 Assembly. That is being drafted, and we'll be
13 discussing that with the Legislative Committee
14 before the end of the year.

15 MR. CHAIRMAN: Okay. Thank you.
16 The next committee report would be the Citizens
17 Advisory Committee. Harold, do you have a report
18 for us?

19 MR. GADON: The CAC Meeting was
20 held October 13 with a quorum present. We had a
21 presentation by Jim McCaughey of the Pollution
22 Prevention Department explaining how his
23 department works with NBC's many customers,
24 including: Dental offices, restaurants, as well

1 as industrial and commercial firms.

2 We were brought up to date by Ray
3 Marshall -- who we congratulate on his
4 well-deserved award -- of other developments
5 going on in NBC. We did review Question No. 8,
6 the \$70 million Bond Issue. We feel that there
7 are some sections that should benefit NBC, and we
8 urge its passage.

9 We also brought it to the attention of Jamie
10 that Arlene Violet on talk radio had been making
11 some incorrect comments concerning the CSO and
12 its costs. Our next meeting is scheduled for
13 November 10.

14 MR. CHAIRMAN: Thank you, Harold.
15 I know that our Commissioners and guests are
16 shocked at the news that there's some incorrect
17 statements about the Commission and the costs of
18 its operations, but we'll just have to live with
19 that.

20 The next committee reporting is the
21 Executive Committee or the Chairman's Report. We
22 have no report. Just like to expand a little
23 about this video. The video is really a
24 documentary. It should be very helpful for the

1 people who don't have an opportunity to really
2 visit and understand what this project is all
3 about. And it really should be documented
4 because its a historical project in the state of
5 Rhode Island.

6 Beyond that, the next meeting is Wednesday,
7 November 17, and at that meeting we hope to be
8 unveiling the plaque dedicating the lab to former
9 -- a former past-Commissioner, Len Walker. I
10 don't think I have a ceremony at that time.
11 We'll probably have some small ceremony
12 dedicating the building and installing the
13 plaque. Beyond that, there's no further report.

14 The next order of business is new business.
15 Is there any new business to come before the
16 Commission? New business? Hearing none. Is
17 there any other business of any other kind?
18 Paul.

19 MR. PINAULT: I just wanted to
20 reiterate what Harold said about
21 Bond Issue No. 8. Bond Issue No. 8 is for \$80
22 million. It's for Open-space Recreation and
23 Clean Water, and the clean water piece is about
24 \$19 million, of which half of that will be given

1 out in grants to our treatment facilities for
2 nutrient removal. Obviously, you know, I think
3 we have a 50 percent minimum by state law, and
4 the other half is for low interest loans to keep
5 the State Revolving Fund going, where we get our
6 loans, our loan program. So if Bond Issue No. 8
7 passes, there is money in there that we will
8 directly benefit from. Thank you.

9 MR. CHAIRMAN: Do any of the
10 Commissioners have any other business of any
11 kind? Any other business? Commissioner Rotella.

12 MR. ROTELLA: I move to adjourn.

13 MR. CHAIRMAN: We have a motion to
14 adjourn. Seconded by the entire committee. All
15 those in favor say "aye." Any opposed? There
16 are none opposed, and the motion carries. Thank
17 you all very much for being here today.

18 (Meeting was adjourned at 11:45 A.M.)

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

C E R T I F I C A T E

I, Shayla N. Fagnoli, Notary Public, do hereby certify that I reported in shorthand the foregoing proceedings, and that the foregoing transcript contains a true, accurate, and complete record of the proceedings at the above-entitled hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of October, 2004.

SHAYLA N. FARGNOLI, NOTARY PUBLIC/COURT REPORTER
MY COMMISSION EXPIRES AUGUST 6, 2005.

