

11 Ramos -- he's here today. I saw him -- who
12 served on the Commission for a while and done a
13 great job. We've called on him many times for
14 advice and counsel, and he'll be sorely missed.
15 He's here today, and we have a Resolution of
16 Appreciation. I'd like to call on Commissioner
17 Salvadore to read the Resolution of Appreciation.
18 Commissioner.

19 MR. SALVADORE: Resolution of
20 Appreciation: "Whereas, Dr. Isadore Ramos was
21 appointed by the Mayor of the City of East
22 Providence on July 18, 2003, and
23 Whereas, he has shown great support for the
24 Narragansett Bay Commission in its mission to
0003

1 play a leadership role in the protection and
2 enhancement of Narragansett Bay and its
3 tributaries by providing safe and reliable
4 wastewater collection and treatment services to
5 its customers at a reasonable cost, and

6 Whereas, he has served on the Narragansett
7 Bay Commission's Long Range Planning Committee,
8 and has advocated for the Narragansett Bay
9 Commission in the community, and has promoted
10 clean water through a variety of initiatives,

11 Now therefore be it resolved that the
12 Narragansett Bay Commission shall extend its
13 sincere appreciation to Dr. Isadore Ramos for his
14 service on behalf of the state of Rhode Island
15 and the ratepayers of the Narragansett Bay
16 Commission."

17 MR. CHAIRMAN: Dr. Ramos, please
18 come forward.

19 (APPLAUSE)

20 MR. CHAIRMAN: Thank you, Doc, for
21 your service on the Narragansett Bay Commission.
22 On behalf of all our members and guests, thank
23 you. Take a photograph. What about the cup?
24 Where's your cup? Your cup is very important.
0004

1 Got to have this. Thank you, Doctor. Would you
2 like to say a few words?

3 DR. RAMOS: I do want to thank
4 everyone for the honor to sit on this Commission.
5 At first, when I got here, I didn't know what to
6 expect; but in two years, I found out one thing.

7 This is a very professional staff, outstanding
8 information before you even get to a meeting, so
9 it makes your job much easier. I would say this
10 is about the finest Commission I have sat on. I
11 sit on many, but this is one of the finest.

12 Let me just add this also. I know the City
13 of East Providence is going to be well
14 represented from Councilman Pat Caine, who's been
15 an outstanding Councilman in our city for a short
16 time, but I know he's got other things he's going
17 to do for the City of East Providence, and I'm
18 certain he's going to do the same thing for this
19 Commission, and I want to thank you, and thank
20 you, Commissioner.

21 (APPLAUSE)

22 (COMMISSIONER CRUISE ENTERS THE MEETING)

23 MR. CHAIRMAN: Okay. Moving right
24 along. We have the Executive Director's Report.

0005

1 Oh, we have a quorum. Great. Let's go back to
2 the approval of the previous minutes of April 6,
3 2005. Has everyone had an opportunity to review
4 the previous minutes; and if so, do I have a
5 motion to --

6 MR. GIUSTI: So moved.

7 MR. CHAIRMAN: Commissioner
8 Giusti, and seconded by Commissioners Montanari,
9 MacQueen, and Salvatore. Discussion? Any
10 discussion on the minutes? Hearing none, all of
11 those that are in favor will say "aye." Are
12 there any opposed? There are none opposed, and
13 the motion carries.

14 Next order of business is Old Business. Any
15 old business to come before the Commission?

16 MR. SALVADORE: I have a question,
17 Mr. Chairman.

18 MR. CHAIRMAN: Commissioner
19 Salvatore.

20 MR. SALVADORE: Where are we with
21 the Public Utilities Commission on this Defined
22 Benefit Plan for our employees. I haven't heard
23 anything about it since --

24 MR. CHAIRMAN: Okay, well, I guess

0006

1 the best response to that would be -- and the
2 Executive Director can answer as well if I'm not

3 being accurate in my response -- my understanding
4 is that the Public Utilities Commission has
5 retained counsel or consultation on review of the
6 plan that we have submitted. It is my
7 understanding that it has received a favorable
8 response.

9 MR. PINAULT: It's still in
10 review.

11 MR. CHAIRMAN: It's still in the
12 review process, but it appears as though -- Karen
13 can correct me here if I'm misstating -- that to
14 date, while there's no final report, there has
15 been no adverse comments, I should say, relative
16 to our submission. Is that pretty accurate?

17 MS. GIEBINK: We haven't heard
18 anything from them. That's accurate.

19 MR. SALVADORE: Could we, as the
20 Board of Commissioners, be advised of any future
21 meetings between the PUC and NBC?

22 MR. CHAIRMAN: We will absolutely
23 advise you. That's a top priority for our
24 Commissioners because it became so public; and

0007

1 that as soon as we have any official word on the
2 pension plan and their review of it, we'll notify
3 each and every Commissioner.

4 Moving right along, the Executive Director's
5 Report. Do you have a report for us, Mr.
6 Secretary?

7 MR. PINAULT: Yes, I do, Mr.
8 Chairman.

9 MR. CHAIRMAN: Proceed.

10 MR. PINAULT: I'll be very brief.
11 In your packet, is my report for the month of
12 March. Although we had extremely high flows
13 during that month with rain events, effluent
14 quality was excellent at both facilities. At
15 Field's Point we did struggle with processing
16 biosolids during the month; but hopefully, we'll
17 get through the end of November when Synagro will
18 take over that facility similar to what they did
19 in January at Bucklin Point, so operation staff
20 has done an excellent job keeping the old
21 equipment running, and a few more months to go;
22 and hopefully, everything will be fine.

23 At Bucklin Point we did start up and test

24 the new Ultraviolet Disinfectant System in March.
0008

1 It went extremely well, and I believe we started
2 up today or tomorrow permanently? Yesterday. So
3 we did get all the necessary approvals from DEM,
4 and we have now put those hypochlorite and
5 dechlorination to an ultraviolet disinfection,
6 which is less toxic to the environment starting
7 yesterday, and we have one of the larger UV
8 systems in New England if not the largest.

9 On Treatment on Page 3, there's a summary of
10 treatment results. As you can see, the result is
11 excellent at both facilities. On Page 4 we did
12 have several dry weather overflows during the
13 month, and those are listed at the top of Page 4.
14 We also had one emergency project on Felix
15 Mirando Way, which is in the AAA parking lot, and
16 that's nearing completion. We're doing that to
17 wrap that up.

18 Page 6 on Financial, with 75 percent of the
19 fiscal year gone, we're spending at a rate of
20 63 percent, so below straight-line expenditure on
21 the operating budget. Personnel, we have 243 out
22 of 281. As far as construction goes, we report
23 quarterly to the PUC on all our construction
24 projects with status and change orders and
0009

1 schedules and what have you.

2 Yesterday we had a two-hour meeting with the
3 two PUC Commissioners and some of their staff and
4 also a representative from the Division of Public
5 Utilities and had detailed presentations,
6 answered their questions; and I think, overall,
7 they were pleased with the progress that we're
8 making.

9 Right now we've bored about 10,600 feet in a
10 16,000 foot tunnel. We're near Capriccio's, so
11 we're moving ahead, and we have less than a mile
12 to go. Moving right ahead quickly, River
13 Restoration Activities. On Earth Day April 22,
14 we had a clean up of the Woonasquatucket River.
15 I'd like to thank Commissioner Salvadore, our
16 photographer on the scene. He showed up again.
17 You can always count on him. He did a great job;
18 and by 7:30 the next morning, I had two copies of
19 all the photos at the front door, so thank you

20 again, Commissioner. We appreciate your help,
21 and we took out tons and tons of debris again.
22 Jamie and I went to Washington during the
23 month of March and met with the entire delegation
24 from Rhode Island, and we're working on our
0010

1 request for federal grants for the CSO Project
2 for fiscal '06. We always ask for \$10 million,
3 and last year we got 1.2, which is the second
4 largest grant out of 632; so although 1.2 doesn't
5 sound like a lot, as a contender, we were in the
6 top few percent, and we anticipate we will
7 receive some additional funding this year.

8 Last thing is the Attachments. There is no
9 litigation. We have the monthly financials, the
10 project schedules, the change order logs, so I
11 know some Commissioners are pressed for time, so
12 if anyone has any questions, I'll be available.

13 MR. CHAIRMAN: Are there any
14 questions for the Executive Director pursuant to
15 his report? Any questions of the Executive
16 Director? Hearing none, moving right along,
17 before we move on to Committee Reports and Action
18 Items, I'd like to take an opportunity to
19 introduce to you and welcome our new Commissioner
20 Patrick Caine who is a Councilman -- you heard
21 Dr. Ramos say -- from East Providence. I'm sure
22 you'll find the Bay Commission interesting.
23 We'll have your binder for you, and you can read
24 up on it.

0011

1 MR. PINAULT: I met with him on
2 Friday for several hours.

3 MR. CAINE: I'm doing some
4 late-night reading already.

5 MR. CHAIRMAN: Well, welcome
6 aboard.

7 MR. CAINE: Thank you.

8 MR. CHAIRMAN: Okay. Moving right
9 along to Committee Reports and Action Items
10 Resulting. Joint Committee on Long Range
11 Planning and Finance. Today we had a Committee
12 meeting, and there was a review of the FY '06
13 Budget. All of you I believe have a copy. If
14 you don't, we'll make sure we get you one. It
15 was just a presentation today. It was very

16 comprehensive. Thank you, Frannie and Karen.

17 Please take an opportunity over the next
18 couple of weeks to review it. If you have any
19 questions, Karen or Francine is available to
20 answer your questions. We would like to move
21 forward with formal adoption of the FY '06 Budget
22 at the next Board meeting.

23 Second item, Item B, Review and Approval of
24 Resolution 2005:12, Recommendation for Use of
0012

1 Environmental Enforcement Funds. We had a
2 recommendation for \$2500, which was approved by
3 the Committee, to support an educational and
4 entertainment program educating youth on water
5 quality. It was approved. Commissioner
6 Montanaro.

7 MS. MONTANARO: I'd like to offer
8 a motion for acceptance from the full Board for
9 this particular program. If I may just add, I am
10 intimately involved with this particular program
11 and feel as though they have taken the
12 opportunity to bring the arts and cultural
13 tourism aspect of the City of Providence with the
14 environment as well. I'm happy to say that the
15 Executive Director came to the Bay Commission and
16 requested these funds, and I think it is a good
17 way to use the environmental enforcement funds in
18 this request.

19 MR. CHAIRMAN: Thank you. We have
20 a motion by Commissioner Montanaro.

21 MR. DiCHIRO: Second.

22 MR. GIUSTI: Second.

23 MR. CHAIRMAN: We have a second
24 from Commissioner DiChiro and Commissioner
0013

1 Giusti. Discussion on the use of the
2 Environmental Enforcement Funds? Hearing none,
3 all of those that are in favor will say "aye."
4 Are there any opposed? There are none opposed,
5 and the motion carries.

6 Item C, Review and Approval of Resolution
7 2005:13, which is Revision to the NBC Investment
8 Policy. A&F Director Giebink gave us a
9 presentation on minor changes in our investment
10 policy. We do this on a yearly basis -- just
11 basically minor changes. We would accept a

12 motion to approve the Resolution 2005:13 on the
13 Investment Policy.

14 MR. LAZIEH: Question. I'll move
15 also.

16 MR. CHAIRMAN: We have a motion by
17 Commissioner Lazieh to accept Resolution 2005:13.
18 Seconded by Commissioner Cruise. Question?

19 MR. LAZIEH: Mr. Chairman, are
20 there any other state-involved funds or any other
21 bonding with the Narragansett Bay Commission
22 presently after we divest from this?

23 MR. PINAULT: First of all, this
24 is the investment policy. That's the next item.

0014

1 We're on 2005:13.

2 MR. LAZIEH: I'll defer my
3 question until the next one.

4 MR. CHAIRMAN: Well, we have a
5 motion anyway, and we do have a second. Further
6 discussion? All of those that are in favor will
7 say "aye." Are there any opposed? There are
8 none opposed, and the motion carries.

9 Next order of business is Item D, which is
10 Resolution 2005:14, Authorization to Effectuate
11 Payment of State Obligations.

12 MR. LAZIEH: I'll move.

13 MR. CHAIRMAN: We have a motion to
14 approve that Resolution by Commissioner Lazieh,
15 and seconded by Commissioner MacQueen.
16 Discussion, Commissioner Lazieh.

17 MR. LAZIEH: I'll renew my
18 question of a moment ago. Are there any other
19 existing state funds involved in the NBC where
20 the state is involved in our bonding or would
21 this eliminate any funds from this point forward?

22 MS. GIEBINK: Only remaining
23 connection that you can draw would be through the
24 state revolving funds. Any bonds that the NBC is

0015

1 considered responsible for the payment of on
2 those obligations. This would practically
3 eliminate that obligation.

4 MR. LAZIEH: I only bring that up,
5 Mr. Chairman, because of questions of Separation
6 of Powers involving the state's involvement with
7 our Board and with state funds. Again, the

8 entire state of Rhode Island and all taxpayers in
9 the state of Rhode Island would be involved. If
10 there are no funds from the entire state, then
11 the only involvement of funds would be from area
12 communities that participate in the Narragansett
13 Bay Commission.

14 MR. CHAIRMAN: That is exactly
15 correct, and basically this -- once we provide --
16 as I understand it, we're not actually paying
17 these bonds off. We are just providing the
18 capital in a secure account, a restricted-receipt
19 account, for the state to draw on for the payment
20 of the debt service on these bonds, and that
21 severs any relation and obligation that we have
22 to the state.

23 MR. LAZIEH: But they still may
24 have a fiduciary responsibility because of those
0016

1 bonds which are in escrow?

2 MR. CHAIRMAN: Well, you know, I
3 think our bond counsel will tell you that
4 basically -- and certainly if you look at the
5 resolution, directing you to the resolution of
6 that -- okay. It's on the first page of the
7 resolution. The second "whereas" of the
8 resolution really states that where the
9 Commission is obligated to pay to the state of
10 Rhode Island a portion of the debt service on the
11 bonds and notes issued by the state for the
12 benefit of the Commission and for the benefit of
13 the Blackstone Valley Commission, which is
14 merged to the NBC in the state obligations. So
15 I think the fact that what we are escrowing in a
16 restricted account is the actual cash to meet
17 those obligations is basically, technically,
18 paying off our obligations. Do you agree, Karen?
19 Is that your interpretation?

20 MS. GIEBINK: Yes. Yes, that
21 concurs with the resolution that was drafted by
22 bond counsel.

23 MR. CHAIRMAN: Some other specific
24 language that is --

0017

1 MS. GIEBINK: On the second page,
2 it's under the last "whereas" on the resolution,
3 and the NBC bond counsel would be drafting a

4 formal memorandum with the state of Rhode Island
5 before we made any type of deposit into an escrow
6 account just to make our responsibilities to
7 sever our relationship on our debt payment clear.

8 MR. CHAIRMAN: You see that on the
9 top of the -- the last "whereas" before you get
10 to "therefore." So as far as we're concerned,
11 we're done. We have a motion. We have a second,
12 I believe. Further discussion? Is there further
13 discussion? Hearing none, all of those that are
14 in favor will say "aye." Are there any opposed?
15 There are none opposed, and the motion carries,
16 and that concludes the business of the Joint
17 Committee on Long Range Planning and Finances.

18 The next Committee reporting is the
19 Construction, Engineering, and Operations
20 Committee. Item A, Review and Approval of
21 Resolution 2005:15, Implementation of Phase I of
22 NBC's Asset Management Plan. Commissioner
23 Giusti.

24 MR. GIUSTI: Yes, Mr. Chairman.

0018

1 We met this morning and, Paul.

2 MR. PINAULT: In June of 2004, the
3 Committee and Board authorized a staff to
4 initiate the development of an asset management
5 plan, and this is something that's been
6 encouraged, if not required, by the Environmental
7 Protection Agency, who regulates us, for several
8 years.

9 Basically, we have to make sure that we've
10 identified all of our assets, many of which are
11 buried pipes, structures, pumping stations, the
12 wastewater treatment facility including its
13 buildings, equipment and those buildings that
14 were housed in here. We have to make sure that
15 we know what our assets were. We know what the
16 status of them is. If they need to be repaired
17 or replaced, and to properly plan for that and
18 keep track of the costs; so that if it's costing
19 us more in repairs, it may be cost effective to
20 replace something at the first time.

21 Camp Dresser McKee has developed an overall
22 plan, and this Resolution is to implement Phase I
23 of the plan. Attached to your outline at the
24 lower end of Page 2, there are eight tasks; and

0019

1 we are looking for authorization to negotiate a
2 contract not to exceed \$350,000 to implement
3 Phase I of the Asset Management Plan.

4 MR. GIUSTI: I'd like to make a
5 motion, Mr. Chairman, on that resolution.

6 MR. SALVADORE: Second.

7 MR. CHAIRMAN: We have a motion on
8 Resolution 2005:15. Seconded by Commissioner
9 Salvadore. Further discussion? Is there further
10 discussion on Resolution 2005:15? Hearing none,
11 all of those that are in favor will say "aye."
12 Are there any opposed? There are none opposed,
13 and the motion carries.

14 Moving right along. Item B, Review and
15 approval of Resolution 2005:16, Award of Contract
16 01:302.14C, the Field's Point Tunnel Pump
17 Station.

18 MR. GIUSTI: We had a meeting this
19 morning and again, Paul.

20 MR. PINAULT: Under Phase I of the
21 Combined Sewer Overflow Project, the second
22 largest contract is this contract. The largest
23 was the actual mining of the tunnel and the
24 cavern, the pump station cavern, which will have

0020

1 equipment in it to drain the tunnel and pump it
2 to the facilities for treatment.

3 This contract was bid back in February. As
4 you recall, we had a number of bidders. The low
5 bid at that time was Hunt Engineering. It was
6 about 52 million. Again, I think the bids went
7 up from 60 million up to about 65 million. Hunt
8 Engineering notified us immediately after the bid
9 opening that there was about a \$6-million error
10 in his bid, which he documented -- or they
11 documented; and we considered adjusting the bid
12 up to 58 million, which would still make them the
13 low bidder; but after consultation with counsel,
14 we decided it was best to reject all bids and
15 re-bid the project, and that's what the Board
16 approved on March 9.

17 The project was re-bid. There were no
18 changes to the scope of work. We opened bids on
19 April 19. Most of the bidders that bid the first
20 time bid the second time. In addition, we also

21 had Shank/Balfour Beatty bid. They are the
22 contractor doing the tunnel mining; and again,
23 Hunt Engineering was the low bidder in that they
24 were 54,185,000, which is about 4 million less
0021

1 than their corrected bid the first time around.
2 Staff has reviewed this along with Louis
3 Berger. They have a bond payment bond
4 performance bond, and they've done a lot of work
5 for us since the early '80s. They're an
6 excellent contractor, and we recommend the award
7 of this contract as outlined in Resolution
8 2005:16, subject to the standard approval from
9 the State Department of Administration of the
10 Contractor's MBE Plan and satisfying the EEO
11 requirements.

12 This contract basically wraps up all of the
13 other contracts and puts in a control system and
14 ties in the last -- the largest overflow in the
15 system, 110 inch overflow, that runs down Ernest
16 Street, and ties into the head of the tunnel,
17 along with fitting out the tunnel pump station
18 cavern with all of the equipment. So that's our
19 recommendation.

20 MR. CHAIRMAN: Thank you.

21 MR. GIUSTI: I'd like to make a
22 motion, Mr. Chairman, for Resolution 2005:16.

23 MR. CHAIRMAN: We have a motion.

24 MR. MONTANARI: Second.

0022

1 MR. CHAIRMAN: Seconded by
2 Commissioner Montanari and Commissioner MacQueen.
3 Discussion? Any further discussion?

4 Commissioner Campbell, you have a question?

5 MR. CAMPBELL: I'd just like to
6 say it's just interesting because of the error
7 and the process that we went through that we
8 saved almost \$4 million.

9 MR. CHAIRMAN: Exactly. I just
10 want to comment on the prudent actions of this
11 Board saved the Commission and its ratepayers \$4
12 million and very pleased with that. Commissioner
13 DiChiro.

14 MR. DiCHIRO: How did that happen?
15 They said they made a \$6-million error, and then
16 they lowered it by 4 million?

17 MR. CHAIRMAN: Even at \$58
18 million, if we allowed them to correct their
19 documented mistake, they still would have been
20 low by \$4 million or \$3 million, something like
21 that. So, you know, consultation with legal
22 counsel thought that if we allowed them -- and
23 they did document where it was just an addition
24 mistake -- that we would subject ourself to a
0023

1 challenge by the next low bidder.

2 During consultation with legal counsel and
3 staff, we decided what we would do is reject all
4 bids and -- he knew that he was still going to
5 have to bid it. He knew what the numbers were,
6 and where they had to be, so he got even more
7 aggressive, I'm assuming; and as a result of
8 that, the Commission benefited by about \$4
9 million, which I think is great.

10 MR. PINAULT: This is a long-term
11 contract. It's over three years in duration.
12 The completion date is not until the fall of '08.
13 What we understood in talking to the various
14 contractor's that bid the job is because the
15 price of steel and concrete has escalated
16 significantly over the last couple of years and
17 there's a lot of those going into this job, they
18 couldn't get -- they were having trouble getting
19 firm prices from suppliers to lock into supplying
20 materials several years down the road to lock
21 into a price, so they had to cover themselves.

22 The other thing is not knowing what the
23 union contracts are going to be as far as wages
24 and benefits over a long-duration contract, so I
0024

1 think that explains some of the variability in
2 the pricing because there was a lot of -- again,
3 they're guaranteeing us a price now for work that
4 is going to be done over the next 3 and a half
5 years. It's not like they're just supplying
6 lumber or things off the shelf. These are all
7 specialty pieces of equipment, and they want to
8 make sure that they have enough to do a good job.

9 MR. CHAIRMAN: So we were the
10 beneficiaries of that, and it's great.

11 MR. SALVADORE: Maybe we're on to
12 something.

13 MR. CHAIRMAN: Yeah, well,
14 sometimes we get it right. If it came in at 68
15 million low bid, we would have had a real
16 problem. Okay. Did we vote?

17 MR. PINAULT: No.

18 MR. CHAIRMAN: We had a motion.
19 We had a second. All of those that are in favor
20 will say "aye." Are there any opposed? There
21 are none opposed, and the motion carries.

22 Next order of business is Item C, Review and
23 Approval of Resolution 2005:17, which is Award of
24 the Bucklin Point Digester Siding, Paving and
0025

1 Roofing and Field's Point Grit Storage Pad.

2 MR. GIUSTI: It's repairs, Mr.
3 Chairman, and some information. I'll make a
4 motion.

5 MR. CHAIRMAN: We have a motion to
6 approve Resolution 2005:17, seconded by --

7 MR. SALVADORE: I'll second it.

8 MR. CHAIRMAN: -- Commissioner
9 Salvadore. This is just basically repairs to
10 existing facilities. We have a motion and a
11 second. Is there further discussion? Hearing
12 none, all of those that are in favor will say
13 "aye." Any opposed? None opposed, and the
14 motion carries.

15 Last but not least is the Review and
16 Approval of Resolution 2005:18, which is approval
17 of Fiscal Year 2007-2011 Capital Improvement
18 Program. Everyone was sent a copy of this
19 document. You all have it. Every year, after we
20 send this out, I remind our Commissioners this
21 may be the -- that along with the budget -- is
22 the most important document you receive.

23 It outlines for us, in no specific order of
24 priority, all the capital improvements which we
0026

1 intend to undertake over the next five years. Of
2 course, any project that we undertake still needs
3 the review and approval of the entire Board; but
4 just basically, outlines our intentions over the
5 next five years. Are we accepting this today?

6 MR. PINAULT: Yes. The CEO
7 Committee did approve it, and we ask that the
8 Board approve it working with the state CIP,

9 which we'll be adding --

10 MR. CHAIRMAN: We are asking for
11 your approval subject to the addition of one
12 page, which will basically outline where
13 Narragansett Bay Commission rates would be in
14 comparison to other communities across the state,
15 so I would ask your approval on Resolution
16 2005:18. Commissioner Giusti.

17 MR. GIUSTI: Yes, we made a motion
18 to approve that, Mr. Chairman.

19 MR. CHAIRMAN: We have a motion.

20 MR. MONTANARI: Second.

21 MR. MacQUEEN: Second.

22 MR. CHAIRMAN: Seconded by
23 Commissioner Montanari and Commissioner MacQueen.
24 Commissioner Campbell.

0027

1 MR. CAMPBELL: When does Phase II
2 of the CSO start, or when is it scheduled to
3 start?

4 MR. PINAULT: I believe -- I'd
5 have to look it up -- but I believe it's
6 2007-2008. Under the existing consent agreement,
7 we'd have to initiate preliminary design, which
8 will take several years. In common with that, we
9 will be doing monitoring to see what improvements
10 we got out of Phase I to see if it agrees with
11 our modelling.

12 One of the things is that the overall
13 schedule has slipped about a year. We have a
14 letter drafted on my desk to DEM asking for an
15 extension to the consent agreement to have it
16 pushed back one year because of some of the minor
17 delays we've had during the construction of Phase
18 I. In the agreement, completion of the design
19 will be in the 2008 time frame as we near
20 completion of Phase I, and that is the intent.

21 MR. CAMPBELL: I'd like to know
22 whether that's in this capital improvement?

23 MR. PINAULT: Yes, it is; and
24 Phase II is near surface interceptors along the

0028

1 Seekonk and the Woonasquatucket to bring the
2 overflows into the tunnel. There is capacity
3 built into the tunnel for Phase II, and that
4 pretty much takes care of Providence. Phase III

5 is in the out years, and that goes into Pawtucket
6 and Central Falls.

7 MR. CHAIRMAN: I think that hiatus
8 that we have between the implementation of Phase
9 I and Phase II is going to be important. I think
10 you have a general scope of what Phase II will
11 look like, so I think it's pretty important.
12 Further discussion? Hearing none, all of those
13 that are in favor of Resolution 2005:17 will say
14 "aye." Opposed? None opposed, and the motion
15 carries. I'm sorry that was Resolution 18.
16 Sorry.

17 Okay. Next Committee reporting is Personnel
18 Committee. There was a Personnel Committee
19 meeting today?

20 MS. MONTANARO: We had a meeting,
21 but there's no report for the full Board.

22 MR. CHAIRMAN: No report.
23 Legislative Committee.

24 MR. PINAULT: In your packet is a
0029

1 summary of all the legislation we are tracking
2 from Joanne Maceroni. It's entitled 2005
3 Legislative Updates. It's dated May 10.
4 Basically this is just an update from last month,
5 and I believe only one bill has been added. Is
6 that correct, Joanne?

7 MS. MACERONI: Yes.

8 MR. PINAULT: And which one is it?

9 MS. MACERONI: It's on the first
10 page. It's H 6377. It's the House version of
11 Separation of Powers.

12 MR. PINAULT: On the first page is
13 6377 is the House version of Separation of
14 Powers. That's been added, and I believe there
15 is a hearing today?

16 MS. MACERONI: Yes.

17 MR. PINAULT: On that bill?

18 MS. MACERONI: Yes.

19 MR. PINAULT: Which we're
20 monitoring. We have no position on that bill at
21 this point.

22 MR. SALVADORE: What does that
23 mean, Paul, "Commissioners must undergo a
24 training course"?

0030

1 MR. PINAULT: If you read the
2 legislation, the House has taken a different
3 position than the Senate on all of the larger
4 quasi-publics. They are requiring that the
5 Executive Director develop a training program for
6 its Commissioners, and it outlines the types of
7 things that should be in the program. It gives
8 the Executive Director six months from the
9 passage of the act to its passage to develop this
10 program, and then the Commissioners have so many
11 months to take the program, I believe; and then
12 if they don't, they can sit; but they can't vote
13 on anything; is that correct, Joanne?

14 MS. MACERONI: Yes.

15 MR. SALVADORE: Is there testing?

16 MR. PINAULT: No.

17 MR. CHAIRMAN: I'm always
18 fascinated by these things because if you read
19 some of the legislation, and look at some of the
20 quasi's, these are things we've been doing for
21 years. I mean, we have been doing this for
22 years. We have our Commissioners' Retreats. We
23 have consistent and constant touring of our
24 plants. Everyone that's a member of this

0031

1 Commission is always up to date on what's going
2 on with the Commission. I mean, they take a page
3 out of our book, and they make it law, so I'm
4 always pleased to see these things. Is there any
5 other report? That's it right?

6 MR. LAZIEH: Mr. Chairman, just
7 another question. I see in some of the
8 legislation that there are references to
9 gubernatorial appointments. I bring this up
10 because of the comment made earlier regarding the
11 communities that are involving the NBC. That
12 future gubernatorial appointments come from the
13 same cities that the NBC services.

14 MR. CHAIRMAN: I'll keep my nose
15 clean. It seems like the General Assembly and
16 the Governor's office are going to do what
17 they're going to do. There are three major
18 players up there: The Governor, along with the
19 Senate and the House, there's four opinions. I
20 don't know. Who knows what's going to happen.

21 I know what our mission is. I know what our

22 charge is. All members of this Board are
23 committed -- While we service ten communities, we
24 have statewide impact. That's a philosophical
0032

1 issue. We will -- in their infinite wisdom, they
2 decide. So having said that, Tom Perkins is not
3 here, and he's the Chairman of the Ad Hoc Storm
4 Water Rate Committee, so I guess there's no
5 report.

6 MR. PINAULT: No Rules and
7 Regulations either.

8 MR. CHAIRMAN: No Rules and Regs.
9 Citizens Advisory. Harold.

10 MR. GADON: Yes, Mr. Chairman.
11 The CAC meeting was held last Wednesday with a
12 quorum present. We had an excellent presentation
13 and Power Point Display from Kerri Britt, the
14 Pretreatment Manager. It was very informative
15 and shows that the department is operating fine.
16 We congratulated them on their award for their
17 creative Dental Compliance Program.

18 Jamie then presented the staff reports for
19 the two NBC plants. We are inviting the new DEM
20 Director, Michael Sullivan, to attend one of our
21 future meetings as his schedule will permit.

22 George Redmon, a member of the Planning
23 Committee and also the CAC, and known as Mr. Bike
24 Path Man of Rhode Island, will be sending in a
0033

1 request to the Environmental Enforcement Fund for
2 some improvements to the bike path.

3 Our last meeting before the summer break is
4 June 8. Thank you.

5 MR. CHAIRMAN: Thank you, Harold.
6 The Executive Committee hasn't met, but there is
7 a Chairman's Report, and we have just a couple of
8 announcements. First, I would like to announce
9 that the Narragansett Bay Commission did receive
10 two awards -- surprise -- in Washington D.C. Last
11 week from the National Association of Clean Water
12 Agency. That formerly was AMSA. When did they
13 make that change for?

14 MR. PINAULT: Last week on their
15 35th Anniversary.

16 MR. CHAIRMAN: Our Pollution
17 Prevention Group on the Pretreatment

18 Environmental Monitoring won a National
19 Environmental Award for its -- for excellence in
20 their Dental Amalgamation Program. That's
21 collecting all the silver and taking out the
22 mercury, so that's great.

23 I'd like to announce that the Narragansett
24 Bay Commission is sponsoring the Chamber
0034

1 Breakfast that we do annually on June the 16th at
2 8 A.M. at the Marriott. We are giving out the
3 Environmental Achievement Awards to industry that
4 are in our service district. All of the members
5 of the Commission are invited to attend. If you
6 would like to attend, please call Jamie, and she
7 can be reached here at the office every day.

8 One last announcement is that our Executive
9 Director, Paul, has received an award from the
10 National Association of Wastewater -- I guess
11 it's now NOCWA.

12 MR. PINAULT: NACWA.

13 MR. CHAIRMAN: NACWA -- for his
14 service, and we're proud of Paul, and we're happy
15 and pleased to have him and lucky to have him as
16 well. Next Board meeting is Wednesday June the
17 15th, and put that in your book, and that would
18 conclude the Chairman's Report.

19 Is there any new business to come before the
20 Board? Any new business? We have a -- this is
21 mandatory that we do this. We have to provide
22 the Commission with a two-minute presentation on
23 our Affirmative Action Plan. It will only take
24 two minutes. Tom Uva is going to present this.

0035

1 This is mandatory and obligatory; and if I could
2 just ask your indulgence for two minutes, right,
3 Tom, two minutes?

4 MR. UVA: Yes. Good morning,
5 Commissioners. I'm going to briefly run through
6 the Affirmative Action Plan for the Narragansett
7 Bay Commission. We have an Affirmative Action
8 Plan, which contains our NBC policy regarding
9 affirmative action.

10 The purpose of our plan is the fair and
11 equitable treatment for our employees and also
12 the public. It's also to comply with state and
13 federal legislation and to demonstrate our

14 commitment to equal opportunity and affirmative
15 action throughout the NBC.

16 Our policy requires that we post all
17 vacancies, that we recruit, hire, and train and
18 promote equally and fairly. We want to prohibit
19 harassment by supervisors based on sexual
20 practices and religious practices.

21 Our policy requires each Division Head the
22 prime responsibility to bring any complaints or
23 concerns immediately to the Executive Director,
24 and the Directors can immediately take suitable

0036

1 action regarding any complaint. Our Affirmative
2 Action Plan is provided and distributed to all of
3 our Section Heads, so that they're aware of the
4 goals and our requirements that we want to meet.

5 We have 16 members of the Agency -- from all
6 sections of the Agency -- that participate on the
7 Affirmative Action Committee, and the Committee
8 oversees our activities and develops our plan.
9 They communicate with staff and develop
10 procedures, practices, and plans for promoting
11 affirmative action and equal opportunities
12 throughout the Agency, and they review and adjust
13 the plan as needed.

14 The plan is distributed to the Board of
15 Commissioners and also to the supervisors on an
16 annual basis. These are some of our
17 accomplishments. We have also sent newsletters
18 out to all state minority referral agencies
19 regarding any job opportunities that we may have.
20 We post our policies regarding affirmative action
21 and equal opportunity, and we also post our job
22 opportunities on the web site. We also make
23 presentations at area high schools and colleges.
24 We teach college courses, and we have a summer

0037

1 internship program at the NBC to let them know
2 about any opportunities that do exist.

3 Our goals for Fiscal Year '04 were to hire
4 one female technician; and once again, this year,
5 in Fiscal Year '04, we achieved that goal. We
6 did hire one female technician, and we also hired
7 two black males and one Hispanic male in the
8 skilled-craft category and one Hispanic female in
9 the administrative-support category.

10 This table basically tells you how we are
11 represented at the NBC over the past several
12 years, and you can see in 1997 we had 23.6
13 percent female and 6.7 percent minority in the
14 work force. The last fiscal year we increased
15 that. In fact, it's increased every year, steady
16 increase of 34 percent female and 10 percent
17 minority. We also like to check to see how we
18 compare with the rest of the state, and you can
19 see the DEM had 5.8 percent minority on their
20 work force and 33.5 percent female, and the
21 Department of Transportation 9.1 percent minority
22 and 20 percent female, so we think that we are
23 doing pretty well on a state level.

24 We established some goals for Fiscal Year
0038

1 '05; and those include, once again, to hire
2 another female technician, a minority skilled
3 craft, and another female skilled craft; and so
4 we have broadened our goals this year and look to
5 hire three individuals. Also for Fiscal Year
6 '05, our goals are once again to distribute this
7 manual to you, our plan to you, and you'll have
8 to sit and listen to me again next year when I
9 come back to present the report to you.

10 We're going to continue our internship
11 policies and continue to expand our information
12 on the web, continue our outreach efforts; and
13 once again, continue sending our newsletters to
14 all the minority referral agencies.

15 Our committee will work with a Labor
16 Relations Manager who's going to try to develop a
17 multi-faceted in-house training program for our
18 supervisors, so we can help better improve the
19 hiring that we do, and we also want to promote
20 awareness for ethnic diversity of men and women
21 at the NBC and organize and hold cultural
22 appreciation events.

23 One of the things that we're trying to do
24 for this summer at our annual cook-out is to have
0039

1 cultural appreciation games for the children that
2 come to the cook-out that we have. I want to
3 extend a special thanks to all the Members of the
4 Committee, especially Cindy Walters, the Head of
5 the Committee; Joanne Maceroni, the ex-officio;

6 Claudette Kalf, the Secretary; and Brenda Smith
7 who tracks all these figures; and our H.R.
8 Department. So I want to thank everybody. If
9 you have any questions, I'll be glad to answer
10 them; and if you know anybody who would like a
11 copy of our report, we'll be glad to forward it
12 to them. Thank you.

13 MR. CHAIRMAN: Thank you, Tom.
14 Any questions? Any questions? In such case,
15 Commissioner Caine moves we adjourn.

16 MR. LAZIEH: Second.

17 MR. CHAIRMAN: All in favor say
18 "aye." Opposed? There are none opposed, and the
19 motion carries. We are adjourned.

20 (MEETING ADJOURNED AT 11:55 A.M.)

21
22
23
24

0040

1 CERTIFICATE

2
3
4

5 I, Shayla N. Fargnoli, Notary Public, do
6 hereby certify that I reported in shorthand the
7 foregoing proceedings, and that the foregoing
8 transcript contains a true, accurate, and
9 complete record of the proceedings at the
10 above-entitled hearing.

11
12 IN WITNESS WHEREOF, I have hereunto set my
13 hand this 11th day of May, 2005.

14
15
16
17

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

20
21
22
23
24