

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

3

4 IN RE: MONTHLY BOARD MEETING OF THE COMMISSION

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7

DATE: DECEMBER 13, 2006

8

TIME: 11:00 A.M.

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NARRAGANSETT BAY COMMISSION  
CORPORATE OFFICE BUILDING  
ONE SERVICE ROAD  
PROVIDENCE, RI 02905

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MEMBERS PRESENT:

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VINCENT MESOLELLA, CHAIRMAN

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PAUL PINAULT, EXECUTIVE DIRECTOR

15

MICHAEL SALVADORE

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HONORABLE THOMAS LAZIEH

17

RICHARD BURROUGHS

18

ANGELO ROTELLA

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LESLIE GRAY, III

20

R. DAVID CRUISE

21

JOHN MACQUEEN

22

LEO THOMPSON

23

JONATHAN FARNUM

24

BRUCE CAMPBELL

JOE KIMBALL

MIKE DiCHIRO

AL MONTANARI

ROBERT ANDRADE

RICHARD WORRELL

JOSEPH D'ANGELIS, ESQUIRE

RHODE ISLAND COURT REPORTING

747 NORTH MAIN STREET

PROVIDENCE, RI 02904

(401) 437-3366

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(COMMENCED AT 11:05 A.M.)

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THE CHAIRMAN: If I can ask the

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commissioners to take their appointed seats, we do

4 have a quorum. Welcome, everyone. We'll begin  
5 this morning's meeting by calling to order the  
6 meeting at 11:05 on December 13, 2006.

7 First order of business is the approval  
8 of the previous minutes. Have all of our  
9 commissioners had an opportunity to review the  
10 previous minutes? And if so, are there any  
11 comments or questions regarding the previous  
12 minutes?

13 MR. SALVADORE: Move approval,  
14 Mr. Chairman.

15 MR. LAZIEH: Second, Mr. Chairman.

16 THE CHAIRMAN: We have a motion  
17 from Commissioner Salvatore to approve the  
18 previous minutes and it's seconded by Commissioner  
19 Lazieh. Discussion on the previous minutes?  
20 Discussion on the previous minutes? Being none,  
21 all of those that are in favor will say aye. Are  
22 there any opposed? There are none opposed and the  
23 motion carries.

24 Next order of business is Old Business.

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1 Is there any Old Business? Is there any Old  
2 Business to come before the commission this  
3 morning? Old Business of any nature, Old  
4 Business?

5 Item No. 4 is a presentation of an  
6 Employee Excellence Award from Administration and  
7 Finance. The individual was not able to be with  
8 us at the last meeting. Karen, are you

9 presenti ng?

10 MS. GIEBINK: Yes.

11 THE CHAIRMAN: Would you mi nd  
12 comi ng up here?

13 MS. GIEBINK: Today I'd like to  
14 present the second Employee Excellence Award for  
15 the Admi ni strati on and Fi nance Di vi si on to Kei th  
16 Zudei ma.

17 Kei th works i n the IT, Informati on  
18 Technol ogy Department, and he's a top performer  
19 and leader of the Systems team. He understands  
20 the priorit ies of the department and is always  
21 willing to go the extra mile to ensure our  
22 conti nued success.

23 He remains on the forefront of NBC's  
24 technol ogy and is constantly revi ewi ng and

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1 perfecti ng the many processes that comprise our IT  
2 envi ronment. He played a major role during the  
3 i mplementati on of web mail and our virtual private  
4 networki ng, so we can all work at home, thanks a  
5 lot.

6 He's a strong proponent of enhanci ng our  
7 securi ty tools and software. He's currently  
8 taki ng a leadership role as we mi grate to a Uni x  
9 envi ronment to better posi ti on NBC for the future.

10 When probl ems do arise, he would resolve  
11 them qui ckly. He's tenaci ous i n hi s efforts, very  
12 enthusi astic. He always makes sure that systems  
13 are up and worki ng properly. And more often than  
14 not, you'll find hi m l ogged i n from home, checki ng

15 on any number of potential problems so that users  
16 aren't inconvenienced. And before anybody  
17 notices, he has the problems resolved.

18 In the arena where anything can and  
19 usually does go wrong, Keith is always there.  
20 I've often joked with Keith and the IT department  
21 in general that they should let the system go down  
22 more often so people appreciate how well things do  
23 run on a daily basis.

24 For all those reasons, I'd like to thank

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1 Keith and congratulate him.

2 THE CHAIRMAN: Moving right along,  
3 Item No. 5 is the Executive Director's report; do  
4 you have a final report for us today, Mr. Secretary?

5 MR. PINAULT: Yes, I do. I would  
6 not disappoint you. In your packet is my report  
7 for the month of November. I'll hit the  
8 highlights.

9 Basically, both plants are operating  
10 extremely well and results are on the first page.  
11 Page 3, we did have a couple of minor overflow  
12 events during the month of November, but they were  
13 quickly taken care of by our interceptor  
14 maintenance staff.

15 Go to page 5, bottom of page 5,  
16 Engineering, biological nutrient removal for  
17 Field's Point. DEM accepted the revisions to the  
18 facilities plan amendment on November 20th. And  
19 according to the consent agreement, we have to

20 schedule a public hearing within 30 days, and I  
21 believe that has been scheduled and will be held  
22 shortly.

23 We're also working with GE&A and  
24 CH2MHill on the RFQ for the equipment for the IFAS

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1 vendor, for the equipment vendor. Bottom of page  
2 6 on the CS0 phase 2 facilities. We have an  
3 action item coming out of CEO this morning which  
4 you'll hear more about in a minute.

5 Moving on to page 9 on Construction.  
6 The demolition of the Field's Point Incinerator  
7 and the ash facility is essentially complete. The  
8 paving has been done and basically they're just  
9 doing a few punch list items.

10 Bucklin Point, Field's Point improvements,  
11 Contract 116. Work is ongoing and it's about  
12 36 percent complete and on schedule. Main Spine  
13 Tunnel is 96 percent complete and on schedule.  
14 Basically, they should be done in early spring.

15 Page 10, the Tunnel Pump Station, it's  
16 about 17 percent complete and moving right along  
17 on schedule. Contract 307:47C, Hartford,  
18 Sheridan, Oxford and Vandewater, we have a  
19 recommendation coming out of CEO this morning on  
20 the bids that we received on that project.

21 Page 11, Washington Highway and Omega  
22 Pump Station. They're moving along. They're 32  
23 percent complete and on schedule. Most of the new  
24 force main has been installed through Omega Pond.

1 And the Washington Highway Pumping Station, the  
2 foundation is coming out of the ground, it's up to  
3 the first floor slab.

4 And if you're heading west on Route 116  
5 and you want to take Route 146 south, right on the  
6 on ramp there, you can see a bunch of barrels.  
7 Right at the bottom of that hill is the new  
8 pumping station going in adjacent to the old  
9 station which will be demolished when we get done.

10 On our Financials, we have 39.8 million  
11 invested and as of November 30th, at 41.6 percent  
12 of the fiscal year, we're spending at the rate of  
13 37.1 percent. Our long-term debt is summarized  
14 there. Personnel. We have 244 people on board as  
15 of November 30th.

16 Going to page 12, our Emergency  
17 Preparedness Planning activities. We've been  
18 working on that and updating our emergency plan.  
19 We did a lot this month on the pandemic flu issue  
20 which I'm sure you've all heard about, making sure  
21 that our plant can accommodate that if and when it  
22 ever occurs, hopefully it won't.

23 Going to page 14, top of the page,  
24 sampling activity being done by our EMDA staff and

1 taking over 18,000 samples this year. The bulk of  
2 the treatment facilities runs 365 days a year and  
3 throughout the system. Page 15, bottom of the  
4 page gives a summary of what's happening with our

5 Energy Conservation projects; biogas reuse and  
6 wind energy projects. And we were notified by the  
7 federal government that we can purchase up to 2.6  
8 million dollars of CREBs.

9 MR. UVA: Clean Renewable Energy  
10 Bonds, Paul. They're essentially a no-interest  
11 loan. Gives approximately seven years, I believe,  
12 to pay them off. And we have about 1.2 million  
13 for biogas projects at Bucklin Point and install  
14 micro-turbines and 1.4 million is allocated to  
15 Field's Point for wind energy turbines.

16 MR. PINAULT: I guess that hit the  
17 paper this week.

18 MR. UVA: Yes. That was in the  
19 paper. Only one other Rhode Island entity, the  
20 city of Portsmouth, was approved for CREBs. So  
21 it's pretty prestigious to be able to get that  
22 award. A lot of staff time went into that.

23 MR. PINAULT: Thanks, Tom. Bottom  
24 of page 16, litigation on Davol Square. Several

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1 years ago, we condemned a portion of the Davol  
2 parking lot to install consolidation conduits and  
3 drop shafts.

4 And the amount of money that we offered  
5 was what was proposed by the two appraisers and  
6 the review appraiser, which is what we always do,  
7 and approved by our board and the State Properties  
8 Committee. And the owner of the property wants  
9 more money, we haven't been able to settle that,  
10 so that's going to be going to trial soon. I

11 believe it's the only litigation that came out of  
12 all of the acquisition of easements. We had  
13 almost 80 easements that were acquired for that  
14 project.

15 Last item is on the bottom of page 18.  
16 We held a lien sale on November 16th, 321  
17 accounts. They were all sold and it went  
18 extremely well and we collected all of our money.  
19 Attached is the monthly financial project  
20 schedules and the change order logs for each of  
21 our projects.

22 And last thing I wanted to do was just  
23 thank everyone on the board for all of their hard  
24 work and attendance at these meetings. It's

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1 appreciated by me and the staff, all the support  
2 you've given us and hopefully our paths will cross  
3 in the future. Thank you, Mr. Chairman.

4 THE CHAIRMAN: Thank you, Paul.  
5 Good report. No less than you've ever delivered  
6 before.

7 MR. PINAULT: I don't want to  
8 disappoint you.

9 THE CHAIRMAN: Okay.

10 MR. SALVADORE: I have a question,  
11 Mr. Chairman.

12 THE CHAIRMAN: Proceed.

13 MR. SALVADORE: Can't let Paul  
14 pass into oblivion here without trying to fry him  
15 a little bit.

16 THE CHAIRMAN: Listen, it's the  
17 time of the year to fry.

18 MR. SALVADORE: The burning  
19 facility has been totally demolished now which  
20 means that we're sending whatever we're sending up  
21 to Resource Recovery and they're burning it?

22 MR. PINAULT: We entered into a  
23 long-term agreement with Rhode Island Resource  
24 Recovery. Their vendor is Synagro and basically

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1 what they do is, Field's Point, we gave them a  
2 small piece of land under a lease where they built  
3 their own sludge dewatering facility and  
4 processing facility at their expense, I don't know  
5 if it was \$15 or \$20 million dollars.

6 And we pump to them thickened sludge.  
7 They dewater it and then they haul the sludge  
8 off-site. Under contract, at least 50 percent of  
9 it has to be recycled and reused. At Bucklin  
10 Point, our old dewatering building had plated  
11 frame presses. They removed those and they put in  
12 centrifuges and they do dewatering there.

13 We pump them thickened sludge, they  
14 dewater it, and again, at least 50 percent has to  
15 be recycled and reused. In the short term what  
16 they've been doing is hauling it to Maine, where  
17 they have a vendor that turns it into a soil type  
18 material, a reusable by product, plantable soil.

19 And they're trying to get that approved  
20 by DEM so that they can build a facility like that  
21 in Rhode Island so obviously they don't have to

22 haul the material all the way up to Maine, but DEM  
23 has been reluctant to approve these facilities.  
24 They want to see them and smell and kick them. So

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1 I don't know if they've ever gotten them up to  
2 Maine. We've been up, our staff has been up there  
3 to see it, the operation.

4 MR. SALVADORE: Well, what I'm  
5 trying to get at is this an additional expense for  
6 us, losing this burning facility?

7 MR. PINAULT: Well, it's an  
8 additional expense, but in the long run, we save  
9 16-and-a-half-million dollars over the duration of  
10 the contract because the incinerator was a 1963  
11 model and basically had outlived its useful life.

12 So in order to keep it functioning, we  
13 would have to have built a new sludge dewatering  
14 building at Field's Point and either modify the  
15 incinerator to try to keep it running, but again,  
16 we'd have only one unit with no backup to do it  
17 ourselves.

18 So in the long run, it was cheaper to  
19 enter into this agreement with Resource Recovery.  
20 The other positive thing is at least 50 percent of  
21 the material will be recycled and reused. We've  
22 spent a lot of time and effort over the years  
23 working with industry to get out toxics so the  
24 solids would not be hazardous, so it's a way to

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1 recycle that material and reuse it and again save  
2 us money.

3 The other thing is it also has freed us  
4 up to do other things. The plant is 20 years old,  
5 about, at Field's Point. And we're spending more  
6 time now with preventative maintenance. With the  
7 Asset Management Plan, we're trying to preserve  
8 our assets. We basically repositioned staff and  
9 putting more people in maintenance.

10 MR. SALVADORE: Okay.

11 MR. WORRELL: I had a follow-up  
12 question on that. You mentioned Bucklin Point  
13 pumps their sludge over to here?

14 MR. PINAULT: No. They pump it  
15 on-site from their digestors to the sludge  
16 dewatering building on-site. It's a few hundred  
17 feet away.

18 Same thing here, the covered dome tanks  
19 across the street, those are gravity thickeners.  
20 We pump those to the Synagro building which is  
21 on-site, just north of where the incinerator used  
22 to be and they dewater it there and then haul the  
23 cake for further processing.

24 MR. SALVADORE: Thank you, Paul.

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1 MR. LAZIEH: Mr. Chairman, to  
2 listen to Paul some more, I would like to inquire  
3 about the status of the East Providence Sewer  
4 Treatment Plant acquisition.

5 MR. PINAULT: I haven't been that  
6 involved with that, Ray Marshall and Paul

7 Nordstrom and Laurie Horridge have taken the lead,  
8 but my understanding is the feasibility study  
9 that's being done on whether or not it's feasible  
10 to send the flow from the Riverside plant to  
11 Field's Point is scheduled to be at least in draft  
12 form by Friday the 15th.

13 And if it is feasible, then DEM has  
14 asked us to look at two additional things. One is  
15 what impact, if any, that additional flow will  
16 have on the CS0 project as far as pumpback times  
17 and that type of thing. As you know, the way the  
18 tunnel is designed, it's supposed to be empty  
19 prior to the storm, it fills up during the storm,  
20 and then after the storm subsides, we pump it back  
21 to the plant and treat it.

22 So if we add another five to seven  
23 million gallons to the 62 million that's in the  
24 tunnel, what will that do, take another half hour

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1 or hour to pump that back? We have to analyze  
2 that.

3 The second thing is they want to make  
4 sure that the nutrient removal project that we've  
5 been talking about can also handle the additional  
6 flow because we have site constraints here at  
7 Field's Point. And we look at that only if it's  
8 feasible to pump it across.

9 If it's not feasible, then we would  
10 recommend to the city of East Providence that if  
11 we take it over, we just upgrade the plant in

12 place as had been originally proposed by their  
13 consultant. So we're getting to the point where  
14 we'll be getting some information soon, and I  
15 assume next month Ray will share that with you and  
16 we'll go from there.

17 MR. LAZIEH: Okay.

18 THE CHAIRMAN: Commissioner  
19 Campbell.

20 MR. CAMPBELL: This is not a  
21 question, it's more of a comment. One of the  
22 parts of the monthly report that I always find  
23 interesting is the very, very last page,  
24 Construction's budget summary. And I've always

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1 marveled at the fact that we're spending  
2 \$350 million and we're within budget. But we have  
3 a ten percent overage allowed and we're only five  
4 percent over.

5 THE CHAIRMAN: Correct.

6 MR. CAMPBELL: And if you bump  
7 that up against some of the other projects that go  
8 in this state, the performance is phenomenal.

9 THE CHAIRMAN: It is.

10 MR. CAMPBELL: Especially bridge  
11 building.

12 THE CHAIRMAN: It's a credit to  
13 our staff. Okay. Further comments or questions  
14 regarding the Secretary's report? Okay.

15 Moving right along, Item No. 6 is  
16 Committee Reports and Action Items Resulting. The  
17 first committee reporting is the Finance

18 Committee. Commissioner Andrade, do you have a  
19 report for us today?

20 MR. ANDRADE: The committee has no  
21 report this morning, Mr. Chairman.

22 THE CHAIRMAN: Thank you. Item B  
23 is the Construction, Engineering and Operations  
24 Committee. Commissioner Salvadore, do you have a

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1 report for the commissioners today?

2 MR. SALVADORE: Yes, I do,  
3 Mr. Chairman.

4 THE CHAIRMAN: Proceed.

5 MR. SALVADORE: And thank you  
6 again. The CEO Committee met earlier this morning  
7 and we have three action items for the board of  
8 commissioners this morning.

9 The first being Review and Approval of  
10 Resolution 2006: 44, Authorization to enter into a  
11 contract for design services with the Louis Berger  
12 Group for Contract 303.01, phase 2. It's the CSO  
13 Control Facilities. Paul, if you would please  
14 explain that to the board of commissioners.

15 THE CHAIRMAN: Want to make a  
16 motion first, Commissioner?

17 MR. SALVADORE: We recommend  
18 approval.

19 THE CHAIRMAN: We have a motion.

20 MR. FARNUM: Second.

21 THE CHAIRMAN: Seconded by  
22 Commissioner Farnum. Discussion? Paul.

23 MR. PINAULT: Yes. In your packet  
24 is the memo from Tom Brueckner, our engineering

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1 manager, to Paul Nordstrom and myself. And  
2 basically, it just outlines in the memo, those of  
3 you that have been here for a while, you'll recall  
4 that in April of '98, we submitted to DEM a  
5 conceptual design report to show how we could get  
6 into compliance with Clean Water Act's requirement  
7 to control our CSO's.

8 That report was approved by DEM in July  
9 of '99 and it provided for the construction over  
10 about 22 years, the design and construction in  
11 three phases.

12 The first phase, which is nearing  
13 completion, is a 16,000 foot long main spine  
14 tunnel, along with seven drop shafts and a tunnel  
15 pumping station. And that is scheduled to be  
16 complete in October of '08.

17 The second phase consists of two near  
18 surface interceptors, one along the  
19 Woonasquatucket, starting from in front of Higher  
20 Education on Promenade Street where the tunnel  
21 terminates, running up along the Woonasquatucket  
22 to the Johnston line, picking up outfalls along  
23 the way.

24 The second starts on the east side of

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1 the Providence River, south of the hurricane  
2 barrier, where we put our first drop shaft in in

3 2001, and runs up along the Seekonk up to Butler  
4 Hospital.

5 Basically, under our consent agreement,  
6 it requires us by August of '07 to submit an  
7 amended conceptual design report, to update that  
8 report, and then to initiate preliminary design on  
9 phase 2 and have that done a year later in August  
10 of '08.

11 So basically, what we're proposing is,  
12 and when we hired Berger back in the early '90s,  
13 we went through RFQ's and RFP's and did the  
14 solicitation. It was always the intent that we  
15 would keep the firm on for the duration of the  
16 project, assuming that we were satisfied with  
17 their performance.

18 And we have been extremely satisfied  
19 with their performance. They've done a great job  
20 for us. So in order to complete phase 2 on  
21 schedule, so we don't have to pay any stipulated  
22 penalties, we're recommending that we amend  
23 Berger's contract for a cost not to exceed 9.2  
24 million of design, everything included in phase 2,

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1 including the update to the conceptual design  
2 report.

3 This is about 5.8 percent of the  
4 estimated construction costs which is 157 million.  
5 The recommendation is outlined in Resolution  
6 2006: 44. There's money built into our CIP, our  
7 capital plan, to finance this.

8

THE CHAIRMAN: Commissioner

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Salvadore has made a motion, it was seconded by

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Commissioner Farnum; is there discussion on

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Resolution 2006:44? Commissioner Burroughs.

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MR. BURROUGHS: Yes. I would like

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to speak in favor of continuing to clean up the

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bay, but I do have some questions. In terms of

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the next phase of design, do we have any

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assumptions about stormwater volume changing due

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to the EPA mandated stormwater controls that the

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municipalities have to work on?

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MR. PINAULT: Tom, do you mind

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coming to the table? This is Tom Brueckner,

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manager of our Engineering Department.

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MR. BRUECKNER: We don't

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anticipate any changes in volumes because of the

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stormwater controls program. Those typically are

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on the city-owned sewers that never discharge to

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us anyway, they discharge to the rivers directly.

3

We do anticipate though that we need to review

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information we've collected since we started phase 1.

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We've installed flow meters at almost

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all of the phase 2 overflow sites to have more

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accurate data on what we need to design for in

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terms of overflow volumes. We need to review that

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data. That's part of the reason for the

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conceptual design report amendment update, is to

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look at that data.

12

We also have certain areas where we've

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recommended sewer separation initially. We want

14 to see if we still want to do that or drop that  
15 flow into the tunnel instead. And we also have  
16 another site, overflow 106 up in Central Falls,  
17 wetlands facility, we want to review that as well.

18 MR. LAZIEH: Is that the Higginson  
19 Avenue site?

20 MR. BRUECKNER: Yes.

21 MR. BURROUGHS: The other question  
22 is related to time line, the 157 million; is that  
23 in today's dollars or as-built?

24 MR. BRÜCKNER: That's projected

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1 out to the middle of construction. And that price  
2 went up a little bit also because of the  
3 tremendous increase in costs for concrete and  
4 steel.

5 MR. BURROUGHS: And the other  
6 question which I guess you recognize as sensitive  
7 to me is will we -- what amount of data will we  
8 have concerning water quality in upper  
9 Narragansett Bay prior to the point where we have  
10 to make some decisions about construction?

11 MR. BRUECKNER: Right now, I think  
12 we're looking at starting construction in about  
13 2010. I think that is what the schedule calls  
14 for. The tunnel should be operational for a  
15 year-and-a-half to two years before then, so we  
16 should have some information.

17 I can't tell you exactly how much that  
18 is going to be. It's going to depend upon the

19 storms and size of the storms to first evaluate  
20 the impact of the first phase.

21 MR. BURROUGHS: Is there any  
22 contingency with EPA for us to include that  
23 information in our design?

24 MR. BRÜCKNER: I think probably

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1 the design will be complete at that point and we'd  
2 be ready to go to construction.

3 My honest feeling is that DEM at this  
4 point probably would not want us to make change  
5 from the phase 2 concept of putting that flow into  
6 the tunnel. What we really want to evaluate in  
7 phase 2 in the conceptual design, the amendment  
8 and scope, is how do we optimize the interceptors,  
9 how long should they be and what overflow should  
10 be picked up, we do some interceptor relief.

11 Those are the types of things we can  
12 save some money in possibly. But I think the  
13 concept of doing something other than interceptors  
14 probably would not be okay with DEM.

15 MR. BURROUGHS: Thank you.

16 THE CHAIRMAN: Commissioner  
17 Andrade.

18 MR. ANDRADE: Just to follow up on  
19 Commissioner Burroughs' question. The  
20 construction, if it begins 2010, what's the time  
21 line?

22 MR. BRUECKNER: About four years.  
23 I think we're scheduled to finish that in 2014. I  
24 didn't bring the schedule with me, but I think

1 that's what it was.

2 MR. ANDRADE: Thank you.

3 THE CHAIRMAN: Any additional  
4 question before we vote? Commissioner Campbell.

5 MR. CAMPBELL: This is an  
6 aboveground facility? What does this look like?

7 MR. BRUECKNER: It looks like an  
8 interceptor sewer that is actually built about ten  
9 feet below the surface. It's similar to the  
10 interceptor sewers we now have in the systems.  
11 They're really relief sewers, if you will, take  
12 the overflow volume that can't be conveyed to the  
13 treatment plant, it will convey that flow instead  
14 that now goes to the rivers to the tunnel.

15 MR. CAMPBELL: So it's not really  
16 below --

17 MR. BRUECKNER: This is a --

18 THE CHAIRMAN: Near surface  
19 tunnel.

20 MR. BRUECKNER: The tunnel is 300  
21 feet deep. This is only about 10 feet, 20 feet.

22 THE CHAIRMAN: Hence the near  
23 surface. Okay. Commissioner Worrell.

24 MR. WORRELL: The mechanics of the

1 contract, you say this would probably carry us out  
2 to 2014, so that's a pretty long spread. Does the  
3 contract itself, I haven't looked at it, but does

4 the contract itself provide for adjustments to  
5 that \$157 million figure in any formal manner or  
6 is it just left up to the estimate?

7 MR. BRUECKNER: The contract that  
8 we're seeking authorization for today is only for  
9 the 92 million which is only for the design which  
10 will take us out through the next two to three  
11 years through 2010.

12 Once design is complete, then we would  
13 go out to bid for what we've designed, and so the  
14 actual construction costs will be dependant upon  
15 bid costs. This is an estimate based on work  
16 we've done on phase 1, what we know about  
17 projected costs going forward, and what we think  
18 it is going to cost us to build phase 2.

19 MR. WORRELL: And the 5.8 percent  
20 is a figure -- is that a normal figure that you  
21 would see in contracts of this type?

22 MR. BRUECKNER: For this  
23 magnitude, we're usually at about five to six  
24 percent, six-and-a-half. If the project were

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1 smaller, the smaller construction costs, you  
2 usually see a little higher percentage for design  
3 costs, seven, eight percent range. In fact, we've  
4 had one recently in that range.

5 MR. PINAULT: Also, if you have a  
6 rehabilitation contract, you're rehabilitating a  
7 building. That's usually more expensive than  
8 trying to design a building from scratch because  
9 you have to renovate it and pull all the old HVAC,

10 put the new one in.

11 MR. WORRELL: Those percentages  
12 presumably are in public works projects like this  
13 around the country?

14 MR. BRUECKNER: Right. And what  
15 we've seen and from our own experience, for  
16 example, phase 1 is 5.6 percent of the  
17 construction costs.

18 MR. WORRELL: Thank you.

19 THE CHAIRMAN: Okay. Further  
20 discussion? Hearing none, all of those that are  
21 in favor of Resolution 2006: 44, Award to enter  
22 into a contract design services with Berger will  
23 say aye. Are there any opposed? There are none  
24 opposed and that motion carries.

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1 Further report, Commissioner Salvatore.

2 MR. SALVADORE: Our second report  
3 to the board of commissioners, Mr. Chairman, is  
4 Review and Approval of Resolution 2006: 45,  
5 Recommendation to reject bids for Contract 304. 47  
6 for repairs to the sewer line at Sheridan,  
7 Hartford, Oxford and Vandewater Streets. We  
8 recommend passage, Mr. Chairman.

9 MR. ANDRADE: I'll second that.

10 THE CHAIRMAN: We have a motion  
11 and a second for Resolution 2006: 45, rejection of  
12 bids. I don't know that we need a very long  
13 explanation of this.

14 So if you don't mind, just for the

15           edification of the board, we went out to bid on a  
16           project delineated in Item B. We received bids  
17           ranging from 651,000 to 2.1 million. There are  
18           some potential changes in the low bid amount. To  
19           avoid any potential litigation in the future, all  
20           bids are rejected.

21                        In addition to that, there's going to be  
22           pretty significant, I would think, change in scope  
23           of the work that's going to be part this contract.  
24           So the recommendation by staff was to reject all

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1           bids, redefine the project in terms of its scope,  
2           and then go out to bid. That's about the extent  
3           of it.

4                        So we have a motion and a second; any  
5           discussion on this? Is there further explanation  
6           necessary? Is further explanation necessary?  
7           Okay. All of those that are in favor will say  
8           aye. Are there any opposed? And there are none  
9           opposed and the motion carries. Further report,  
10          Commissioner Salvatore.

11                       MR. SALVADORE: Our last action  
12          item is Review and Approval of Resolution of  
13          2006:46, Approval of Amendment No. 1 to Contract  
14          117.00D, Architectural services for the design of  
15          the upgrade of the Field's Point Operations  
16          building and other miscellaneous improvements, and  
17          we recommend passage, Mr. Chairman.

18                       THE CHAIRMAN: Thank you. We have  
19          a motion to approve Resolution 2006:46.

20                       MR. LAZIEH: Second.

21 THE CHAIRMAN: Seconded by  
22 Commissioner Lazieh, the approval of Amendment No. 1  
23 to Contract 117.00D. Paul, do you want to?

24 MR. PINAULT: Just briefly, we

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1 hired going through requests for qualifications  
2 and proposals earlier this year, William Kite  
3 Architects to develop a report and design to  
4 rehabilitate the existing operations building at  
5 Field's Point and put an addition on it to  
6 accommodate our staffing needs there.

7 One of the things that came out of the  
8 analysis was because the building is fully  
9 occupied 365 days a year, we needed to relocate  
10 staff so that we could do the renovation work and  
11 we had to demolish an existing addition to the  
12 building that is used daily.

13 After evaluating options, we recommend  
14 that we take the administration building at  
15 Bucklin Point which was built in the '50s, it's  
16 sound, but it needs some upgrades, upgrade that  
17 building, HVAC, windows and so on, move our staff  
18 for a year-and-a-half over there that would be  
19 dislocated.

20 And once the new work is done at Field's  
21 Point, bring them back, and then we will have a  
22 rehabilitated building at Bucklin Point that can  
23 be used for anything that we see fit. I have  
24 pictures here of the existing building which I

1 showed the CEO Committee.

2 So our recommendation is to amend the  
3 contract for \$68,000. It will design all of the  
4 improvements to Bucklin Point building which will  
5 be part of the overall construction contract.

6 THE CHAIRMAN: That's a pretty  
7 simple explanation. We have a motion. We have a  
8 second; are there any comments, questions or  
9 discussion on Resolution 2006:46? Discussion?  
10 Okay. In such case, all of those that are in  
11 favor will say aye. Are there any opposed? There  
12 are none opposed and that motion carries.

13 Commissioner Salvatore, do you have a  
14 further report?

15 MR. SALVADORE: Before concluding  
16 our report of the CEO Committee, Mr. Chairman, as  
17 chairman, I would like to thank all the  
18 commissioners for helping us this year, for  
19 participating. I would like to thank the staff  
20 for supporting us and giving us all that we need  
21 to get this work done. And to our friends, Merry  
22 Christmas and Happy New Year. That concludes our  
23 report, Mr. Chairman.

24 THE CHAIRMAN: Thank you very

1 much, Commissioner Salvatore. Next committee  
2 reporting is the Personnel Committee.  
3 Commissioner Campbell.

4 MR. CAMPBELL: There is no report  
5 from the Personnel Committee.

6 THE CHAIRMAN: Thank you. Is  
7 there a Legislative Committee report? I don't  
8 believe so.

9 MR. PINAULT: No report.

10 THE CHAIRMAN: No report.  
11 Committee on Rules and Regulations.

12 MR. LAZIEH: There is no report  
13 from the Committee on Rules and Regulations at  
14 this time.

15 THE CHAIRMAN: Long Range Planning  
16 Committee.

17 MR. CRUISE: No report.

18 THE CHAIRMAN: Today we have with  
19 us former chair of the Citizens Advisory  
20 Committee, who is filling in for Harold today,  
21 Howard Schachter. Howard, do you have a report  
22 for us today? Nice to see you again. Welcome.

23 MR. SCHACHTER: Thank you,  
24 Mr. Chairman. I'm pinch-hitting for Harold. And

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1 when we met this past week, we had a quorum and  
2 actually, we've not had any attendance disruptions  
3 since Jamie joined us. And thanks to Harold and  
4 Jamie's leadership, we continue at a full quorum  
5 every single month.

6 This month we were privileged to have a  
7 report from Karen, identical to the report you  
8 heard this morning. And it was well received and,  
9 of course, we want to extend a tremendous  
10 commendation to Karen, her staff, and of course

11 NBC for the strong fiscal situation that we were  
12 privileged to hear this last week. I know it's  
13 going to continue.

14 We had additional discussions on the  
15 phase 2, the CSO program, and we also put some  
16 extra time into our review and comments on the  
17 Separation of Powers legislation, which of course  
18 we're all focused on, as you are.

19 We're very pleased to hear of the  
20 appointment of Ray Marshall. We know him well,  
21 we've worked together with him for many years. We  
22 know he's going to hit the ground running and wish  
23 him great success in his new position.

24 And, of course, we also applaud Paul

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1 Pinault. And we're sad he's leaving us, but we're  
2 all agreed we're very happy for him and his  
3 position, his new future. And we don't have too  
4 much advice for Paul, except probably as you  
5 address your new colleagues, keep your head up, and  
6 as you address the ball, keep your head down.

7 However, as we go forward, we want to  
8 extend the best holiday for everybody, the board,  
9 all of our friends, and the representing the CAC,  
10 I'm the pinch-hitter, but for Harold and Jamie and  
11 the rest of the CAC, we wish you nothing but the  
12 best in the holidays to come. Enjoy.

13 MR. PINAULT: Thank you.

14 THE CHAIRMAN: Thank you very  
15 much, Howard. Thank you. The Executive Director  
16 Search Committee. Commissioner Campbell.

17 MR. CAMPBELL: The Executive  
18 Director Search Committee met and the business was  
19 approval of minutes for the meetings that we had,  
20 and there were minutes for five different meetings  
21 from October 18th to November 6th. And we voted  
22 to approve all of those minutes and to open the  
23 closed session minutes.

24 THE CHAIRMAN: Okay. Make a

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1 motion to -- no motion necessary. Okay. Moving  
2 right along to the next report from the Executive  
3 Committee or the Chairman's report. It's not a  
4 long report today.

5 First, I would just like to say and  
6 congratulate Karen Giebenk and Leah Foster because  
7 maybe the commissioners don't know, the  
8 Narragansett Bay Commission has again received the  
9 Government Finance Office's Association,  
10 Distinguished Budget Presentation Award again this  
11 year. How many years in row is that, Karen?

12 MS. GIEBINK: Five years.

13 THE CHAIRMAN: Five years in a  
14 row. And it's an accomplishment to receive it  
15 even once. To receive it five years running is  
16 just nothing short of incredible. So, I would  
17 like to thank Karen and Leah and the entire staff,  
18 of course. Karen.

19 MS. GIEBINK: Actually, I'd also  
20 like to thank Francie Brown. She's the lead  
21 budget person.

22 THE CHAIRMAN: And of course,  
23 Francie Brown, lead budget person.  
24 MS. GIEBINK: This was also the

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1 second year we received special recognition for  
2 performance measures, which I believe only 18 out  
3 of something like 1,200 applicants receive. So  
4 we're pleased with that.

5 THE CHAIRMAN: Thank you.  
6 Terrific. What an honor.

7 MR. ANDRADE: Mr. Chairman.

8 THE CHAIRMAN: Commissioner  
9 Andrade.

10 MR. ANDRADE: I guess the  
11 treasurer gets no recognition.

12 THE CHAIRMAN: We want to give you  
13 a lot of commendations for your review of the  
14 prepared budget presentation.

15 Next, I'd like to inform our  
16 commissioners that our next board meeting is  
17 scheduled for January 24th. I would like to tell  
18 the board and inform the board that with our new  
19 Executive Director Ray Marshall, we're going to  
20 begin the process of initiating formal  
21 communications to the city of Providence regarding  
22 our unification of our plant facility, and the  
23 acquisitions or condemnations, as it may be.

24 MR. LAZIEH: Abandonment.

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1 THE CHAIRMAN: Or abandonment or  
Page 29

2 whatever, but the unification of our campus here.  
3 We would like to start that so that hopefully if  
4 it's doable, we'd like to accomplish that by the  
5 first quarter of 2007.

6 Also, I'm looking forward, and you've  
7 heard some of the reasons, both financial and  
8 technical, we're expecting some informational  
9 reports regarding East Providence, looking forward  
10 to receiving that information and working closely  
11 with Ray and staff on that potential acquisition.

12 Beyond that, I would simply like to say  
13 that this has been a wonderful year. It's a  
14 bittersweet time, obviously, as we're losing our  
15 Executive Director Paul Pinault, and perhaps to  
16 greener pastures. I am personally looking forward  
17 to working with Ray Marshall in the upcoming year.

18 We have an exciting year for 2007.  
19 There are many, many financial and environmental  
20 initiatives which the board is going to be  
21 undertaking. We'll set forward a pretty  
22 aggressive agenda for you in January.

23 I would like to thank all of you for all  
24 of your participation, especially your attendance

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1 at these meetings. Getting a quorum, I know, is  
2 difficult sometimes and giving your personal time  
3 is certainly appreciated.

4 I'd like to wish everyone happy, healthy  
5 holidays and especially a prosperous and healthy  
6 new year for 2007. I would like to extend that to

7 employees and staff as well and I look forward to  
8 working with all of you in 2007.

9 I'd like to also add my personal best  
10 wishes to Paul Pinault. Although I will tell you  
11 that we had a tribute to Paul last week and it was  
12 an emotional time for me because one, we're losing  
13 Paul, but it happened to be the same day that I  
14 lost a very dear friend. And so, it was a very  
15 trying day for me personally, but I wanted to tell  
16 the story. I had intended to tell the story about  
17 Paul, before I just lost it emotionally that  
18 night. Paul, you have a Daytimer?

19 MR. PINAULT: Blackberry.

20 THE CHAIRMAN: He has a Blackberry  
21 now. So back in 1991, I became the chairman of  
22 the Narragansett Bay Commission and it was a  
23 pretty turbulent time, and so Paul and I began the  
24 process of calming the waters and setting an

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1 agenda. So, a new agenda, what I felt would be a  
2 new agenda, new initiatives for Narragansett Bay  
3 Commission.

4 And of course, I had just ascended to  
5 become the House Whip, Majority Whip in the  
6 General Assembly. And I never viewed myself as a  
7 career politician, but politics was in my blood.  
8 And as you probably know, politicians reserve the  
9 right, even if it's a personal right, to change  
10 their mind, as it were, from time-to-time in their  
11 positions on different issues.

12 And so I went and I set out these

13 aggressive initiatives for Paul, and this would be  
14 middle, toward the end of 1991. And I said,  
15 "We're going to do this and we're going to do that  
16 and we're going to do this and that."

17 And, of course, I got my finger in the  
18 wind, politically, figuring out what's going to  
19 happened with the Narragansett Bay Commission, and  
20 we set the agenda.

21 Of course, things changed. Times change  
22 and things change, and 1991 goes through and 1992,  
23 and sometime in 1993, the latter part of 1993,  
24 Paul and I are having a discussion and perhaps

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1 even, I wouldn't say it was a disagreement, but  
2 we're having a discussion, a debate about certain  
3 issues.

4 And I said, "Paul, I told you back in  
5 1991 that this is what we're going to do. We're  
6 going to do this and this and this and this."

7 He said, "No, that's not what you said."  
8 "Absolutely that's what I said, and this is it."  
9 He said, "If that's what you want, we can do that,  
10 but that's not what you said." Well, my political  
11 colors are showing now and, "That's absolutely  
12 what I said. And if that's not what I said,  
13 that's what I meant."

14 He says, "That's not a problem,  
15 absolutely." A few minutes later, "Got a minute?"  
16 "Sure, Paul, come on in." He takes out his  
17 Daytimer, opens it up. He says, "Now, this is

18 what you said. This, this, this, this, this, and  
19 this." Item by item, by item. And I knew at that  
20 time, I said, "Put that thing away and never let  
21 me see it again."

22 So it was really testimony to how  
23 diligent and proficient that Paul is. He's going  
24 to continue that way, I know, and he's going to be

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1 very successful in his new endeavors. And I  
2 wanted to personally say, Paul, all the best to  
3 you and your family.

4 Last, but not least, I wanted to tell  
5 Commissioner Montanari these are not ear muffs to  
6 block out what Commissioner Salvatore has to say.  
7 These are -- we don't have the gloves. They  
8 didn't come in. Jamie.

9 MS. SAMMONS: Next month. You'll  
10 have cold hands until next month.

11 THE CHAIRMAN: These I think block  
12 out the sound if you want, but I think they're  
13 just in time incidentally. I think we are going  
14 to get a cold spell. We have the gloves to match  
15 as well and you'll get those next month.

16 So having said all that I have to say,  
17 the next order of business is New business.  
18 Commissioner Montanari.

19 MR. MONTANARI: Is it true that  
20 Joanne Maceroni ordered me a larger size because  
21 of the size of my ears?

22 THE CHAIRMAN: Special order for  
23 you.

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MR. MONTANARI: I don't think that

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1 was very nice.

2 THE CHAIRMAN: Yes. Any New  
3 Business? Is there any New Business? Any other  
4 business of any kind?

5 Before I move along to adjournment, I  
6 think we're obligated to at least once a year have  
7 a presentation on the Narragansett Bay  
8 Commission's Affirmative Action Plan. I know Tom  
9 is only going to take about three minutes to do  
10 this. Right, Tom?

11 MR. UVA: Absolutely.

12 MR. LAZIEH: We haven't had one  
13 this year already?

14 MR. UVA: No. Mr. Chairman, I'm  
15 going to make a brief Power Point presentation so  
16 you might want to slide over a little bit.

17 THE CHAIRMAN: Okay.

18 MR. UVA: Good morning,  
19 commissioners. I'm going to make a very brief  
20 presentation about the NBC Affirmative Action  
21 Plan.

22 In your packet, you should have a copy  
23 of the report that we submit to the State  
24 annually. This tracks all of our affirmative

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1 action initiatives at the Narragansett Bay  
2 Commission. I also gave you a brief summary,

3 highlights of the report, in my Power Point  
4 presentation.

5 The NBC Affirmative Action Policies  
6 promote fair and equitable treatment of all  
7 employees and the public at the NBC. We want to  
8 make sure we comply with all state and federal  
9 legislation and we have a commitment to equal  
10 employment opportunity and affirmative action here  
11 at the agency.

12 The policy is to post all vacancies,  
13 recruit, hire, train, and promote equally and  
14 fairly. We prohibit harassment by supervisors,  
15 provide reasonable accommodations to handicapped  
16 persons and religious practices at the agency.

17 Each division head has the prime  
18 responsibility to bring any concerns or complaints  
19 immediately to the executive director. And it is  
20 the executive director's responsibility to  
21 immediately investigate and take suitable action  
22 of any problems that should arise.

23 The Affirmative Action Plan is  
24 distributed to all section heads annually. We

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1 just did that last month at our Alton Jones  
2 Management retreat and we also present this  
3 annually to the board of commissioners.

4 The Affirmative Action Committee  
5 consists of 17 persons made up from all sections  
6 of our agency. We oversee the NBC's equal  
7 opportunity employment and affirmative action  
8 efforts. The committee maintains communications

9 with staff and informs staff about the activities.

10 We have developed procedures, practices  
11 and plans for promoting equal opportunity and  
12 affirmative action within our agency. We review  
13 and adjust the plan annually and make sure that  
14 it's submitted on time to the state.

15 Our fiscal year '06 accomplishments were  
16 to distribute the plan to the supervisors and also  
17 to the commissioners. We issue newsletters  
18 routinely and send them to all state and minority  
19 agencies notifying them of postings and our  
20 policies. Our job opportunities are also posted  
21 on our web site so that anybody can view those and  
22 apply for any job postings that we may have.

23 We make presentations at area high  
24 schools educating them on the Narragansett Bay

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1 Commission and about job opportunities, should  
2 they pursue careers that we would hire from. We  
3 have college level courses that are taught by NBC  
4 staff. We also have summer internship programs at  
5 the NBC.

6 This year, our hiring goals were  
7 achieved. Our hiring goal was to hire one  
8 minority skilled craftsperson. We actually hired  
9 two minority skilled craftspersons. We hired one  
10 minority male, one minority female, and one Asian  
11 Pacific Islander in the technician category.

12 We also hired an Asian Pacific Islander  
13 in the Professional category. And we promoted one

14 female and one minority skilled craftsperson. We  
15 promoted one minority in the Technician category.

16 For fiscal year '07, we established a  
17 goal in the skilled craft category to hire either  
18 one female or one minority person in that  
19 category. As of July 1st of '06, our workforce  
20 consisted of 244 individuals, 24 of which were  
21 minority and 86 of which were female.

22 You can see over the years since fiscal  
23 year '97 we had significant improvement in the  
24 percentages of female. We've increased from 23.4

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1 percent female to 35.2 percent. And for minority,  
2 we've improved from 6.7 percent to 9.8 percent.

3 I wanted to see how we compare to other  
4 state agencies, and we compare quite well.  
5 Narragansett Bay Commission was at 9.8 percent  
6 minority, exceeds the DOT at 9.4 and exceeds the  
7 DEM who are only at 5.8 percent minority.

8 And for female, we are also superior to  
9 the other agencies for minority hiring; 35.2  
10 percent at NBC, 32.8 at DEM, and only 21 percent  
11 at the DOT.

12 Our goals for fiscal year '07 is similar  
13 to this fiscal year. We'll continue to distribute  
14 the plan to the board of commissioners and  
15 supervisors, continue with our internship  
16 opportunities, continue to post information on our  
17 web page regarding job opportunities, and continue  
18 with our outreach efforts to minority  
19 organizations and to the public. We'll continue

20 to send our newsletter to all the agencies on the  
21 state's minority referral list.

22 Our Labor Relations section continues to  
23 provide multifaceted in-house training for our  
24 supervisors and our managers recently had sexual

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1 harassment training and we'll continue to have  
2 annual training programs.

3 Our EEO Committee will continue to  
4 promote awareness for ethnic diversity of men and  
5 women at NBC. We'll continue to host cultural  
6 appreciation events. And also as I indicated  
7 earlier, our hiring goal is either one minority or  
8 one female in the skilled craft category.

9 I want to take a moment to thank the  
10 entire committee, Cindy Walters, the chair, Brenda  
11 Smith, who processes all this hiring data and has  
12 to keep track of it and put it into this report,  
13 and Claudette Kalf, especially for her work  
14 putting this report together, and especially for  
15 Joanne Maceroni, all her programing coordination  
16 work that she does to make sure that these reports  
17 are submitted on time and getting after me to  
18 present these to you.

19 So if you have any questions, I'll be  
20 glad to answer them and if not, I'll let you get  
21 to your lunch and wish you all happy holidays.

22 THE CHAIRMAN: Thank you, Tom.  
23 Thank you very much. Thank you for keeping it  
24 brief, as well as informative. Okay. Other

1 Business? Other Business to come before the  
2 committee before we adjourn?

3 MR. LAZIEH: Mr. Chairman, just  
4 one question that has existed all the year and  
5 it's going to follow us into the next year  
6 regarding the membership and our status as  
7 commissioners with the issue of Separation of  
8 Powers which still hangs over those commissioners  
9 who are appointed by chief executive officers,  
10 municipalities involved in NBC, what is the  
11 present status or what do you foresee as actions  
12 taken in the coming future?

13 THE CHAIRMAN: Well, obviously,  
14 the issue of Separation of Powers as pertains to  
15 Narragansett Bay Commission rests in the infinite  
16 wisdom of the General Assembly.

17 I don't know, especially this year with  
18 budget considerations, if the Separation of Powers  
19 issue regarding Narragansett Bay Commission and  
20 CRMC is paramount in everyone's mind, especially  
21 because there doesn't seem to be any problems, at  
22 least for this agency, CRMC, I can't speak for  
23 them, but their board has some turbulence, the  
24 likes of which I don't know or understand, but we

1 have less to say about that than anyone.

2 I think we had a conversation about this  
3 in September, and I think we resolved, my  
4 recollection is we resolved just to make our

5 position known that we're just sitting here,  
6 waiting for the General Assembly to act in its  
7 infinite wisdom, right? Commissioner Gray.

8 MR. GRAY: My thing was this is  
9 actually an open item, the staff is going to make  
10 a recommendation about a position as opposed to  
11 whatever.

12 THE CHAIRMAN: Correct.

13 MR. PINAULT: Ray is going to do  
14 that January 1st.

15 THE CHAIRMAN: Ray.

16 MR. LAZIEH: First meeting.

17 THE CHAIRMAN: So I mean, I don't  
18 know. I don't know, Commission Cruise, if you  
19 know if there is anything, any discussion going  
20 on?

21 MR. CRUISE: It's not high on the  
22 list, like you said, right now. There's no  
23 resolution stalemate.

24 THE CHAIRMAN: I'll tell you, the

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1 budgetary problems of the state are pretty severe  
2 and I got a sense of that today when -- does  
3 anyone listen to "Ask the Governor" on 630 radio?  
4 It comes on once a week, I guess.

5 He was on today and the woman who is the  
6 executive director for Meals on Wheels called in  
7 today and asked the governor, told him that they  
8 had expanding needs, we're sure that they do, and  
9 asked about the budget cuts even as it pertains to

10 the Meals on Wheels program.

11 And when it comes down to making  
12 decisions such as how are we going to feed elderly  
13 and indigent people, it occurred to me that there  
14 are serious issues out there.

15 And by comparison, the Separation of  
16 Powers issue seems to me not to rise to that  
17 level, but again, it's the General Assembly's  
18 prerogative and we'll sit tight and wait, but to  
19 date, we've never expressed any opinion one way or  
20 the other on the issue in terms of this board has  
21 never taken a vote to support any issue regarding  
22 Separation of Powers.

23 MR. CAMPBELL: There is nothing to  
24 take a position on.

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1 THE CHAIRMAN: Exactly. It's up  
2 there.

3 MR. CAMPBELL: It's a bunch of  
4 speculation.

5 MR. GRAY: I happen to disagree  
6 with that based on what was said in September.  
7 There is legislation proposed to take Narragansett  
8 Bay and pulling it back to a regional, as opposed  
9 to a statewide; is that the right way to describe  
10 it?

11 MR. PINAULT: Right.

12 MR. GRAY: My understanding is the  
13 commission is going to look at its charter and the  
14 business we were in and have a position on that.

15 THE CHAIRMAN: Anyway, anything

16 else before we move on to adjournment? In such  
17 case, Commissioner Salvatore.

18 MR. SALVADORE: Move to adjourn.

19 THE CHAIRMAN: We have a motion.

20 MR. CAMPBELL: Second.

21 MR. KIMBALL: Second.

22 MR. LAZIEH: Second.

23 THE CHAIRMAN: Seconded by

24 Commissioner Campbell, Kimball, Lazieh, and the

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1 entire board. All in favor of adjournment of our  
2 last meeting of 2006 will say aye. Are there any  
3 opposed? There are none opposed. The motion  
4 carries. Thank you all very much.

5 (CLOSED AT 12:08 P.M.)

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C E R T I F I C A T E

I, Claudia J. Read, 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 8th day of January, 2007.

CLAUDIA J. READ, NOTARY PUBLIC/CERTIFIED COURT REPORTER  
MY COMMISSION EXPIRES NOVEMBER 2, 2008.