

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

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4 IN RE:

5 MONTHLY BOARD MEETING OF THE COMMISSION

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7

8 DATE: MAY 21, 2008

TIME: 11:00 A.M.

9 PLACE: NARRAGANSETT BAY COMMISSION

ONE SERVICE ROAD

10 PROVIDENCE, RHODE ISLAND 02905

11

12 BEFORE: VINCENT MESOLELLA, CHAIRMAN

RAYMOND MARSHALL, EXECUTIVE DIRECTOR

13 ROBERT P. ANDRADE, TREASURER

JOSEPH DEANGELIS, ESQUIRE

14 DR. RICHARD BURROUGHS

DAVID CRUISE

15 JONATHAN FARNUM

LESLIE GRAY

16 JOSEPH KIMBALL

JOHN MACQUEEN

17 AL MONTANARI

ALAN NATHAN

18 MICHAEL SALVADORE

RICHARD M. BROWN

19 RICHARD WORRELL

MICHAEL DICHIRO

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115 PHENIX AVENUE

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CRANSTON, RI 02920

(401) 946-5500

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1 ALSO PRESENT:

- | | | |
|----|---------------------|-------------------|
| 2 | KAREN GIEBINK | LAURIE HORRIDGE |
| | THOMAS UVA | JOHN ZUBA |
| 3 | HAROLD GADON | TONI HORRIDGE |
| | CURT B. TIETZE | DAVE AUCOIN |
| 4 | KRISTEN PETIT | JOHN BISSONETTE |
| | R. THOMAS DUNN | JOHN E. BULMAN |
| 5 | ANTHONY BUCCI, JR. | DAVE BROUILLIARD |
| | DEBORAH SAMSON | NORMAN RODOLEWICZ |
| 6 | MARK HEALY | STEVEN J. MORELLI |
| | TOM BRUECKNER | JOE PRATT |
| 7 | JENNIFER HARRINGTON | DIANE BUERGER |
| | BRIAN LALLI | JOE CROSBY |
| 8 | SHERRI ARNOLD | FRANCIE BROWN |
| | ANAMARIA CLARKIN | LEAH FOSTER |
| 9 | CECILLE ANTONELLI | BRENDA SMITH |
| | JEAN BARNES | WENDY OVALLES |
| 10 | BRENT HERRING | RICH BERNIER |
| | PAUL DESROSIERS | RENE IMS |
| 11 | CARMINE GONECONTE | KAREN BONN |
| | CHRISTINE ROBERTS | SAYKOR DOMAN |
| 12 | MICHAEL WOLFE | AMY CHABOT |
| | LINDA J. NEAL | JOANNE MACERONI |
| 13 | EDWARD VIVEIROS | WALTER PHILLIPS |
| | GILBERT VEILLEUX | RICHARD WILLIAMS |
| 14 | EUGENE SORKIN | RICHARD ZANNELLI |
| | DAVID CARVALHO | MICHAEL MURPHY |
| 15 | STEPHEN COTE | AL MONTY, JR. |
| | FERN JOHNSON | KAREN LONARDO |
| 16 | LIVIA MUSUMECI | ELAINE DELROSSI |
| | ERIC BOGOSIAN | GARY GANNON |
| 17 | JOYCE RANGER | NICOLE NARDUCCI |
| | DEREK P. LINDIA | |

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1 (COMMENCED AT 11:06 A.M.)

2 MR. CHAIRMAN: Okay. Good morning,
3 ladies and gentlemen. Recognizing the quorum, we will
4 call the May 21, 2008 meeting of the Narragansett Bay
5 Commission Board of Commissioners to order at 11:06.
6 First order of business is the approval of the
7 previous minutes. Have all of our members had an
8 opportunity to review the previous minutes, and if so,
9 are there any comments, questions, or corrections on
10 the previous minutes?

11 MR. MACQUEEN: So moved.

12 MR. CHAIRMAN: We have a motion from
13 Commissioner MacQueen to approve the previous minutes,
14 seconded by Commissioner Farnum. Discussion on the
15 previous minutes? Hearing none, all of those that are
16 in favor will say aye.

17 (VOICE VOTE TAKEN)

18 MR. CHAIRMAN: Are there any opposed?
19 There are none opposed, and the motion carries. Next

20 order of business, Item Number 3, is old business. Is
21 there any old business to come before the Commission?
22 Old business of any nature? Commissioner Andrade?
23 MR. ANDRADE: Mr. Chairman, if I
24 could, I was unable to attend last month's meeting,
25 but I just wanted to express my thanks to the Board

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1 for reelection as the Treasurer. I vow that I'll
2 continue to do my best in that position, and just
3 wanted to say I certainly appreciate the honor.

4 MR. CHAIRMAN: Thank you, and we
5 appreciate your efforts in that regard as well,
6 Commissioner Andrade. Thank you. Moving right along,
7 Item Number 4 is presentation of a Resolution of
8 Appreciation to our dear friend, George Redman. We
9 are so pleased to have you here with us today, George,
10 and we want to thank you so much for all the support
11 you've lent us through the years, your dedication to
12 this agency, and your dedication to the clean
13 environment in general, and we want you to know that
14 we love you. We appreciate your efforts, and thank
15 you from the bottom of our hearts. Where is the
16 resolution? Here it is. So I'm going to read the
17 resolution. Usually I assign this to Commissioner
18 Rotella, but he's not here today. So resolution of
19 appreciation, whereas, George Redman has served for

20 over 15 years as a member of the Narragansett Bay
21 Commission's Citizens Advisory Committee, and whereas,
22 during that time, he has served on the Nominating
23 Subcommittee of the CAC and on the Long-Range Planning
24 Committee of the Narragansett Bay Commission's Board
25 of Commissioners, and whereas, his involvement in

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1 various important environmental and policy-related
2 programs and initiatives has contributed to the
3 Narragansett Bay Commission's recognition for
4 excellence on a national level, and whereas, his
5 personal quest for a healthy shoreline has been
6 instrumental in the development and success of the
7 East Bay Bike Path so that the Washington Bridge
8 Linear Park has been declared the "George Redman
9 Linear Park" by the Rhode Island General Assembly, and
10 whereas, he has always been a true gentleman, a
11 pleasure to work with, and a friend to all he meets,
12 now therefore, it is resolved that the Narragansett
13 Bay Commission shall extend its sincere appreciation
14 to George Redman for his service to and for his
15 efforts on behalf of the Narragansett Bay Commission
16 and its ratepayers, and wish him the best in all his
17 future endeavors.

18 (APPLAUSE)

19 MR. CHAIRMAN: George, thank you so

20 much for all your years of service. I want you to
21 look right into the camera, because this is for
22 posterity.

23 MS. SAMONS: All right. Big smile,
24 George. Okay. I just want to get one more. I'm not
25 as good at this as Rafael is. All right. Sorry. I

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1 accidentally turned it off. Thank you.

2 MR. CHAIRMAN: I would also like to
3 announce at this time that the Chairman is nominating
4 George Redman to be a member of the CAC emeritus to
5 continue on. Thank you for your services, George.

6 MR. REDMAN: Thank you.

7 MR. CHAIRMAN: We have other awards
8 and acknowledgments today, so moving on to Item
9 Number 5, acknowledgment of awards. Ray, do you want
10 to begin the acknowledgment awards?

11 MR. MARSHALL: Yes, Mr. Chairman. We
12 have a number of awards that our staff members have
13 won over the last several months, and they're really
14 beginning to accumulate here, so I felt it important
15 that we begin the acknowledgment process before we
16 needed an entire meeting to recognize all of their
17 great work. And the first series of awards come from
18 the Narragansett Water Pollution Control Association.
19 That's the association of operators in the State of

20 Rhode Island, its 19 treatment plants, and many of
21 their consultants and equipment suppliers, and it's a
22 long-time organization, and we have four awards that
23 our staff won for this year. And the first award that
24 I want to recognize is for Bucklin Point, which
25 received the most efficient large secondary -- excuse

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1 me. Advanced. Advanced. I apologize. Advanced
2 water treatment facility in the state, and accepting
3 are Gil Veilleux and Walter Phillips. Can I have
4 those two gentlemen come up here, please?

5 (APPLAUSE)

6 MR. CHAIRMAN: Congratulations. Thank
7 you. Got that camera turned on, Jamie?

8 MS. SAMONS: I think I've got it
9 turned on.

10 MR. CHAIRMAN: Thank you for all your
11 efforts all year long. We appreciate it.

12 MR. MARSHALL: The next award goes to
13 our Field's Point staff, and they received the award
14 for the most efficient large secondary wastewater
15 treatment facility in the state, and accepting for the
16 staff are Eddie Viveiros, Al Andrade, and Rich
17 Williams.

18 (APPLAUSE)

19 MR. MARSHALL: Both Ed and Al are two

20 of the more senior members of the staff at Field's
21 Point, and Rich is in charge of maintenance for us.

22 MR. CHAIRMAN: Thank you very much.

23 MR. MARSHALL: Thank you. The next
24 award that was bestowed upon our staff is from the
25 Environmental Safety and Technical Assistance Group,

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1 and it's the Joseph Mattera Safety Award, and I
2 believe John Bissonette and David Aucoin are going to
3 accept that award. Are they both here?

4 (APPLAUSE)

5 MR. CHAIRMAN: Thank you so much.

6 MR. MARSHALL: The next award is an
7 individual award. It's the James Marvelle Excellence
8 in Leadership Award, and this is given to an
9 individual who has been out in the forefront promoting
10 operator training, education, and to really promote
11 the profession, not only throughout the State, but
12 really, throughout New England, and that goes to Paul
13 Desrosiers.

14 (APPLAUSE)

15 MR. MARSHALL: Congratulations.

16 MR. CHAIRMAN: Thank you very much.

17 MR. MARSHALL: Okay. Now, we're going
18 to transition into the finance group. The GFOA, which
19 is the Government Finance Officers Association, has

20 presented two awards. We'll take them one at a time.

21 The CAFR award for excellence in financial reporting,

22 and that's going to be accepted by Leah Foster, Cheryl

23 Pescarino, Robin Simoes, and Joan Duckworth.

24 (APPLAUSE)

25 MR. MARSHALL: The next GFOA award is

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1 the Distinguished Budget Presentation Award. Francie
2 Brown, Sherri Arnold, and Anamaria Clarkin, I believe,
3 are going to accept that award.

4 (APPLAUSE)

5 MR. CHAIRMAN: Thank you.

6 MR. MARSHALL: The next two awards we
7 received are really the result of the fine work by
8 four individuals, and so I'm going to call the four of
9 them up here. The first award is the Greater
10 Providence Chamber of Commerce, Superior Worksite
11 Health Award, and the second award, we've been
12 notified that we are a finalist for the Alfred Sloan
13 Award For Business Excellence and Workplace
14 Flexibility. So Cecille Antonelli, Brenda Smith, Toni
15 Horridge, and Kristen Petit, can you please come up
16 here?

17 (APPLAUSE)

18 MR. MARSHALL: The final recognition I
19 would like to bring your attention to is the great

20 work that the customer service staff did on the fourth
21 quarter billing. I'm not going to have them all come
22 up here, because there's more of them than there is
23 all of us around this table. But just to give you an
24 idea of what the group did, they really put forth an
25 outstanding effort in a very short period of time to

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1 get the fourth quarter billing out that would have
2 resulted in some real problems for us. The fact of
3 the matter is that the Providence Water Supply Board
4 is in the process of doing a billing cycle conversion,
5 and the input for a number of accounts was not
6 available to us on, you know, the traditional
7 automatic basis, so they had to go through and enter
8 12,000 readings manually in order for us to be able to
9 bill those accounts at the full amount that they
10 should have been billed at, and that we traditionally
11 bill them at, and that resulted in \$16.2 million in
12 billing. Now, they did -- they entered -- they had to
13 research the accounts. They had to enter the
14 information, and then, of course, run the bills, all
15 while they were posting almost 300 properties for
16 water shutoff, making over 2,000 collection calls, as
17 well as accepting the calls from nearly 4,000
18 customers during that same period of time. So it was
19 a borderline heroic effort to get all of that done and

20 not skip a beat. No one really noticed any change in
21 the efficiency of the operation. I'm really proud of
22 what they did, and while we don't have an award for
23 them as in a plaque, what we have is a cake that they
24 can partake in, and they invite you to join them right
25 after we're making this announcement, and I don't know

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1 that we'll be able to actually take a photograph --

2 MS. SAMONS: We can.

3 MR. MARSHALL: -- of all of them.

4 Maybe we can afterwards go back to customer service,

5 Vin and I, and we'll meet with all of you and have

6 your photo taken. That way it will be a little less

7 awkward. There are so many of you. You all did a

8 really great job. I truly appreciate the effort that

9 you put out, and without it, I'm not sure we'd have

10 our money to pay the bills in the next couple of

11 months. So thank you very much.

12 (APPLAUSE)

13 MR. MARSHALL: The only thing I ask is

14 that you save me a piece of cake, that's all.

15 MR. CHAIRMAN: I would like to add

16 that, as our Commissioners know, many times, you know,

17 our billing is related to water bills, and many times

18 we're sending out our bills based on estimated

19 readings, and then they do an actual reading, and then

20 there's a true-up in cost. When there's a true-up,
21 there are a lot of irate customers out there. I have
22 to tell you, I get calls all the time about the way
23 all of our staff handle customer issues, whether it's
24 in permitting with John Zuba or whether it's in
25 customer service in regard to a bill. Many times,

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1 they don't like the results, but they do comment all
2 the time about the professional manner in which these
3 matters are addressed, and that's what sets the
4 Narragansett Bay Commission and the Narragansett Bay
5 Commission staff employees apart, and for that, I want
6 to thank you and tell you how much we appreciate your
7 efforts. Thank you.

8 (APPLAUSE)

9 MR. CHAIRMAN: Okay. Moving right
10 along. Yes. Our next item is the Executive
11 Director's report. Mr. Secretary, do you have a
12 report for us today?

13 MR. MARSHALL: Yes, I do,
14 Mr. Chairman. Obviously, all the staff has heard
15 about my reports. They're all now exiting the room.
16 I don't take it personally, though. Okay. We had
17 another good month, treatment wise. You can see the
18 numbers on Page 2. Flows are now trending downward as
19 you'd expect through -- as we approach the summer

20 months. Field's Point has had a very busy month
21 overall. The most notable item I want to bring to
22 your attention on Page 3, we are beginning to train
23 the operations staff on the CSO abatement project, all
24 the facilities we have over there, including
25 everything in the tunnel pump station. We've been

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1 giving them tours of that facility, and they've been
2 really digging into what type of equipment they need
3 to operate and maintain over there, so that when
4 everything goes on line this fall they'll be able to
5 hit the ground running. So that's been the biggest
6 effort on top of their normal, everyday busy
7 itinerary.

8 On Page 4, where we begin to address Bucklin
9 Point, which runs for a couple of pages, the two most
10 notable items are that with the warmer influent
11 temperatures, we're finding that the nitrogen system
12 is really kicking in well. We're in the six and a
13 half range for total nitrogen in our effluent, which
14 is below our design number of eight, and in terms of
15 maintenance activities, our asset management program
16 is really paying dividends over there. We did 58
17 corrective and 614 preventive maintenance tasks in the
18 month of April. An example of how this program, that
19 is, the asset management program, allows us to try to

20 stay ahead of problems, on Page 6 we note that we
21 finished the electrical condition testing in the
22 month, and we were able to find one major problem with
23 a significant breaker, which is our dry weather
24 effluent pumping station, and we were able to repair
25 that and make sure it was back on line before any type

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1 of a problem occurred within the plant. So by trying
2 to stay proactive, by constantly evaluating on a
3 rotating basis all of our equipment, in addition to
4 the normal preventive maintenance, we do predictive
5 maintenance. That's a great example of how this can
6 pay off, both short and long term.

7 Interceptor maintenance, which starts on Page 6,
8 there were no dry weather overflow events in April.
9 However, that's partially attributable to the 300
10 inspections that the crew did over the course of the
11 month, just on our regulators.

12 The amount of septage coming in up at the Lincoln
13 station is increasing. Over 300 trucks came in. Over
14 900,000 gallons of septage needed to be processed and
15 sent to the plant for treatment. We're continuing our
16 inspection contracts for all of our interceptors. We
17 have another three-mile contract ready to go out.

18 We're finishing up a five-mile contract. It's about
19 90 percent complete, as well as a 12-mile contract up

20 in the Blackstone Valley area. That's about

21 80 percent complete.

22 Engineering, which begins on the bottom of

23 Page 7, is working feverishly on a number of designs,

24 including biological nutrient removal at Field's

25 Point. We're wrapping up the biogas evaluation over

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1 at Bucklin Point, and there is a recommendation for
2 the type of equipment we should use to generate
3 electricity from that biogas, which is a reciprocating
4 engine as opposed to a micro turbine, because of the
5 nature of the components in the gas. We're going to
6 wait until we actually begin a design on that, because
7 the major source of the problem material, which is
8 Siloxane, is they're moving their operation, I
9 believe, to Canada. So we'll have some different
10 conditions over the next several months that we want a
11 design for. It should make it easier for us.

12 Phase 2, CSO design, the preliminary design is
13 due to DEM, I believe, in August. So we're trying to
14 put together a presentation to DEM that will let them
15 know what our intentions are in terms of Phase 2. The
16 Louisquisset Pike interceptor replacement, which is
17 noted on Page 9, is about 75 percent complete, and
18 that will run from the North Providence line up to,
19 past the Twin Rivers property, and that may be one of

20 those contracts that the Chairman referenced earlier
21 that we want to have designed and ready to go should
22 there be some type of a public works, economic
23 stimulus package in the next year, that if you have
24 plans and specs ready to go, we'll be able to jump on
25 that. We can show, I believe, job opportunities or

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1 job creation, not only from the construction, but
2 potentially from any expansion in the area that is --
3 that this pipe will service.

4 The Construction Division, on Page 11, over at
5 Bucklin Point, we're renovating the Administration
6 Building and making sure we have a disaster relief
7 area for staff in case anything happens to this
8 facility. Approaching 40 percent complete, and it is
9 on schedule. We have an item for your consideration,
10 which will be in Executive Session, which has to do
11 with a settlement on a contract that was part of CSO
12 Phase 1. You'll hear a great deal of detail about
13 that in the next 20 minutes or so, and the tunnel pump
14 station project, which we have a description for you
15 on Page 12, is progressing very well. The most
16 notable and visible progress -- that was the term I
17 was looking for -- is the overhead crane, which is now
18 completed, and we're doing all the testing that will
19 remove the grit that accumulates at the bottom of the

20 tunnel from the tunnel sump, so that it doesn't get
21 into the pump station and have any negative effects on
22 our pumping equipment. The project is about
23 80 percent complete, and it's still on schedule to be
24 completed. So everything will be running this fall.
25 Administration and Finance, which begins on

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1 Page 13, we've begun a little bit different type of
2 report to you, more of a narrative as opposed to the
3 straight numbers which you have traditionally seen. I
4 think it enhances, gives you a better idea of
5 everything that is going on in finance. Karen will
6 give you a little bit of a report, I believe, under
7 the Finance Committee report about some work we've
8 been doing with Citizens on a letter of credit and/or
9 a bridge loan. We've been working very hard on the FY
10 '09 operating budget, which came before the Finance
11 Committee in draft form last Wednesday. It will come
12 before you in its final form next month at the June
13 meeting.

14 And our capital improvement program, CIP,
15 something that you will be acting on today. That's
16 part of the CEO Committee report. That's a very
17 comprehensive document which guides us in our planning
18 for the future. IT has been busy on any number -- and
19 they run from Page 14 through Page 16 -- any number of

20 activities, always trying to upgrade our IT technology
21 here to stay on the cutting edge, and also to battle
22 some of the nefarious activities that outsiders try to
23 inflict on us, and you can see on Page 16 some of the
24 viruses that they were able to stop and messages
25 they're able to block, so that they don't get into our

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1 system and cause us problems.

2 The Customer Service section, which I just
3 recognized a few minutes ago, did yeomen's work with
4 all those manual entries that needed to be done in
5 addition to their normal phone calls that they
6 received from customers and the collection calls that
7 they made, trying to make sure that we have the
8 revenue here that we need to pay our bills on a
9 regular basis.

10 I think we'll move to Policy Planning now so we
11 can keep the meeting moving. On Page 21, at the last
12 meeting I mentioned to you the \$275,000 EPA grant that
13 we had been notified we had received, one of only
14 three in the country, the goal being to improve the
15 energy efficiency at all Rhode Island wastewater
16 treatment facilities by a minimum of five to ten
17 percent. We're one of the leaders of that effort
18 along with DEM. We've been recognized for -- by a
19 couple organizations for our stormwater management

20 plan. We're going to be putting together some press

21 releases on that. We've been working on that.

22 Jamie's formulating what our presentation will be.

23 We had the Chairman's River Restoration

24 Initiative Project, which was the Earth Day clean-up,

25 bottom of Page 21. We had over 200 volunteers on

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1 April 22. This is the sixth time we have done this,
2 and we actually received some very good press from
3 Channels 10, 12, and the ProJo. So we were very happy
4 with the way that that went, and the importance that
5 it obviously played in the life of Rhode Islanders,
6 where it actually made the news on that particular
7 night.

8 Also, the Shellfish Transplant Program, which we
9 do in conjunction with Rhode Island DEM and the
10 Shellfishermen's Association, this is something that
11 DEM pays for, and we administer it for them. We
12 actually set everything up. We process all the
13 paperwork. We cut all the checks. Once they have
14 given us the electronic transfer, there are five
15 events. The first one was April 29, and there are
16 four in May. They're all going very well, and it
17 looks like they'll spend just about all of the
18 \$100,000 that DEM allocated for this activity. It's
19 something we've been doing now for several years.

20 Under Environmental Safety and Technical
21 Assistance, I mentioned the award that our safety
22 program received. In addition, they've been very
23 active in several different types of emergency
24 preparedness planning. We had a port evacuation
25 drill. We've been working with the local Emergency

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1 Planning Committee. There is going to be a hurricane
2 preparedness exercise on June 10. We've had some fire
3 safety activity inspections and drills. Our people
4 are working on two, sort of long-term activities on
5 the top of Page 24. You'll see it. What would happen
6 if there were some type of terrorist activity, and
7 with the washdown and decontamination process, if it
8 got into the sewer system and was part of our
9 wastewater collection and treatment system? We've
10 been meeting on that with various organizations,
11 first-responder types. And endemic planning for
12 flu-type occurrences. How do we keep the business
13 running even though a number of the staff may be
14 unable to show up at work because either they or their
15 family members are ill? So those are all contingency
16 planning-type activities that frankly, people don't
17 pay a lot of attention to until it actually happens to
18 you, and then everyone wonders why you didn't plan for
19 that, for the possibility. So we have a group that's

20 working on that, and they've really been very active.

21 Not only do we participate, a number of our people are

22 actually taking the lead in those organizations.

23 I'll skip ahead to Page 28 now where you'll see

24 that environmental monitoring is out there working

25 hard again. They put the boat back in the water, the

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1 RV Monitor, and took over 2,000 samples in the month.

2 They've been finding that overall there's some good

3 water quality in the Bay and the receiving waters.

4 We're able to pick up once in a while when there might

5 be a dry weather overflow occurring. We can go chase

6 it down. Sometimes they occur even in spite of all

7 the inspections that we do.

8 DEM compliance, Field's Point had no excursions

9 in the month of April -- excuse me. March. And

10 Bucklin Point, we had one exceedance. We were .07

11 million gallons per day over our permit limit of 46

12 mgd. That's a technicality, really. That amount of

13 flow came into the plant. We gave it full secondary

14 treatment, but technically, we have to report it to

15 DEM as we exceeded one of our permit requirements,

16 even though full treatment was given to that amount of

17 flow.

18 The Laboratory, on Page 31, over 10,000 analyses

19 were done, which comes from the 2,000 samples that

20 EMDA collects. Our energy program, how we're going to
21 save energy, what type of innovative activities can we
22 participate in. The biogas, I mentioned. The wind
23 energy is ongoing, and we should be coming to some
24 sort of a conclusion on that shortly. We have our
25 application into the FAA for our wind turbine. Have

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1 not heard back from them as yet. I expect to shortly.

2 And the Executive Division, which is on Page 35,
3 you'll hear a present -- actually, you heard a
4 presentation on the Providence land acquisition
5 initiative, which has to do with building a new
6 laboratory building, a new operations building, and
7 potentially having more land to put additional
8 treatment tanks at some point in the future. We were
9 going to present that not only to Long-Range Planning
10 and Finance, but we might want to consider, because
11 most of the Commissioners are here, were here when
12 that was given, passing on that later on. I'll leave
13 that up to the Chairman.

14 We received an Administrative Order from EPA on
15 some North Providence sewer system issues. They
16 issued it jointly to us and North Providence. There's
17 a problem with some back-ups into a condominium on
18 Warren Avenue that we've been aware of on and off over
19 the years. We've done what we think is -- we've made

20 our best effort to try to resolve it. It requires the
21 cooperation of other parties, which hasn't always been
22 there, but EPA decided to issue the order jointly to
23 the Town of North Providence as well as the
24 Narragansett Bay Commission. So we've been working
25 aggressively to put together a package for EPA to show

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1 what we have done to date, and what we'd recommend
2 doing in the near future. In addition, there was work
3 that needed to be done exclusively on the North
4 Providence system that -- that is, the Town sewers,
5 which doesn't really concern us, except that they flow
6 to our pipelines, but it was a fairly large document,
7 of which we're responsible for only a small part of
8 it, but we are working on it.

9 On Page 37, we're going to have a legislative
10 report. The Chairman has mentioned a couple of items
11 that are, kind of appeared on the radar screen that we
12 need to pay attention to. Joanne will be talking
13 about that, along with the Chairman, shortly.

14 On Page 38, there are some statistics on the lien
15 sale that happened May 1, and we started out with 315
16 accounts. 225 were removed, but -- because they were
17 paid or a budget plan of some type was agreed to. So
18 presale payments was in the order of \$338,000. Rhode
19 Island Housing purchased ten of the liens for about

20 \$25,800, and two lien sales. We had 80 properties go
21 to lien sale. I believe that's the highest number
22 ever, and that 59, if I remember correctly, were
23 flat-out abandonments, and -- but all of those went at
24 the auction, and so in total, we collected from all of
25 those components I just mentioned \$540,000 through the

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1 lien sale process that culminated on May 1. So you
2 can see how important of an authority the lien sale is
3 to us in terms of collecting money.

4 Public Affairs, which just barely begins on
5 Page 38. The WOON Watershed Explorer Program took
6 over 500 students on a tour of the Bucklin Point --
7 not all at one time. Over various days in the month
8 of April, to show them what an advanced wastewater
9 treatment facility looks like, and it was well
10 received by many of the young people and their
11 teachers who were able to view what that facility
12 looks like. And they will have their end of year
13 conference tomorrow at Goddard Park, where there will
14 be, I believe, 500-plus young people there to
15 celebrate the -- what they have learned in terms of
16 water quality and how important the Bay is to all of
17 us. I believe it runs from 9:00 until 1:00 or
18 something in that range, so if you're interested.

19 MR. SALVADORE: Tomorrow?

20 MR. MARSHALL: Yes. It is tomorrow.

21 MS. SAMONS: Everyone is invited.

22 MR. MARSHALL: Jamie said everyone is
23 invited. Will you put them to work if they show up?

24 MS. SAMONS: Absolutely.

25 MR. MARSHALL: That was just a

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1 warning, in case you were -- then we had a rain barrel
2 distribution day on April 27. This was successful
3 beyond our wildest dreams. We had 450 barrels
4 distributed. You had to order them ahead of time, and
5 then the people showed up on that Sunday morning, and
6 there were actually people who showed up out of the
7 clear blue because they saw the ad at one point.
8 There were a couple of extra barrels, but not enough
9 to satisfy the need for everybody that just showed up
10 unannounced. We're going to do it again on June 28.
11 Very interesting, the response we received on that.
12 So people are very enthusiastic about it.

13 I mentioned the great coverage we got from
14 Channels 10, 12, and the ProJo on our Earth Day river
15 clean-up, and we've been meeting with the Met School
16 regarding an engineering/environmental science
17 internship program for the fall of '08 to begin to
18 expose young people to the opportunities that we have
19 here at the Narragansett Bay Commission as well as

20 opportunities in the environmental field in general.

21 And that, Mr. Chairman, is my report.

22 MR. CHAIRMAN: Thank you,

23 Mr. Secretary. Are there any comments or questions

24 with regard to the Secretary's report?

25 MR. SALVADORE: Just a comment,

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1 Mr. Chairman. We've been, NBC has been working on the
2 Chairman's River Restoration Project for about six
3 years now. This year's effort was led by Tom Uva. We
4 had well over 200 people there. We really are making
5 good advancements in cleaning up that place. We just
6 have -- I don't mean to take the wind out of your
7 sails, Tom, but we have a little bit of a problem
8 between the Delaine Street bridge and -- is it Dargian
9 Park?

10 MR. UVA: Yes. Donigian.

11 MR. SALVADORE: But my feeling is that
12 we should really thank the NBC staff that participated
13 in that project, Mr. Chairman, and also to acknowledge
14 the efforts, the work of all the other participants.

15 MR. CHAIRMAN: So noted. And in my
16 report, I was going to do that, but we're going to do
17 it in a more formal way at some subsequent meeting.
18 As a matter of fact, I was going to maybe discuss at
19 some point how we can extend our gratitude to all of

20 the staff and volunteers for the efforts on that day.

21 Okay. Further comment or questions with regard to the

22 Executive Director's report? Hearing none, moving

23 right along to Item Number 7, which is committee

24 reports and action items resulting. First committee

25 reporting is the CEO Committee. Commissioner

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1 Salvadore, do you have a report for us today?

2 MR. SALVADORE: Thank you,

3 Mr. Chairman. The CEO Committee did meet earlier this

4 morning, and we have two action items on the agenda

5 today, and I'd like to recommend that the Commission

6 go into executive session pursuant to Rhode Island

7 General Laws 42-46-5(a)(2) to discuss the following

8 matter: Resolution 2008:15, settlement agreement

9 between Walsh Construction Company and NBC.

10 MR. CHAIRMAN: The Chairman moved that

11 we move into executive session pursuant to General

12 Laws 42-46-5(a)(2). Is there a second? Second by

13 Commissioner Farnum, Commissioner DiChiro.

14 Discussion? Hearing none, all of those that are in

15 favor of the motion will say aye.

16 (VOICE VOTE TAKEN)

17 MR. CHAIRMAN: Are there any opposed?

18 There are none opposed. The motion carries, and the

19 Board is now in executive session. I would ask our

20 guests to vacate the room for this matter.

21 (PUBLIC SESSION ADJOURNED AT 11:49 A.M.)

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1 (PUBLIC SESSION RECONVENES AT 12:09 P.M.)

2 MR. CHAIRMAN: We are back now on the
3 public record and in public session.

4 MR. SALVADORE: Mr. Chairman?

5 MR. CHAIRMAN: I think we're ready to
6 go.

7 MR. SALVADORE: Mr. Chairman, the CEO
8 Committee recommends that the Board adopt Resolution
9 2008:15.

10 MR. CHAIRMAN: We have a motion by
11 Commissioner Salvadore to pass Resolution 2008:15,
12 seconded by Commissioner Cruise.

13 MR. DICHIRO: Second the motion,
14 Mr. Chairman.

15 MR. CHAIRMAN: Richard, did you second
16 the motion? Second. Is there discussion on
17 Resolution 2008:15? Hearing none, all of those that
18 are in favor will say aye?

19 (VOICE VOTE TAKEN)

20 MR. CHAIRMAN: Are there any opposed?
21 There are none opposed, and the motion carries.
22 Commissioner DiChiro?

23 MR. DICHIRO: I'd like to make a
24 motion to seal the minutes of the meeting from the
25 executive session that we just had.

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1 MR. CHAIRMAN: We have a motion to
2 seal the minutes, the previous executive session
3 minutes, seconded by Commissioner Farnum, Commissioner
4 Montanari, and Commissioner Salvadore. Discussion on
5 sealing of the minutes? Hearing none, all of those
6 that are in favor will say aye.

7 (VOICE VOTE TAKEN)

8 MR. CHAIRMAN: Are there any opposed?
9 There are none opposed, and that motion carries. Does
10 that conclude this matter, Laurie?

11 MS. HORRIDGE: Yes.

12 MR. CHAIRMAN: John, thank you very
13 much. Thank you very much for coming today. You have
14 a further report, Commissioner Salvadore?

15 MR. SALVADORE: Yes, Mr. Chairman. We
16 have Item B, review and approval of Resolution
17 2008:16, fiscal year 2010-2014 Capital Improvement
18 Program, and the CEO Committee recommends passage.

19 MR. CHAIRMAN: Okay. We have a motion

20 to pass Resolution 2008:16, which is approval of the
21 fiscal year 2010-2014, Capital Improvements Program.
22 Most of our members were here for a discussion and a
23 presentation. Commissioner Montanari, do you have a
24 motion?

25 MR. MONTANARI: I do.

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1 MR. CHAIRMAN: We have a motion to
2 approve Resolution 2008:16. I think that's a second
3 of the motion by Commissioner Salvadore to pass it,
4 seconded by Commissioner Montanari. Discussion on our
5 Capital Improvements Program, Resolution 2008:16?
6 Hearing none, all of those in favor will say aye.

7 (VOICE VOTE TAKEN)

8 MR. CHAIRMAN: Are there any opposed?
9 There are none opposed. That motion carries. Further
10 report?

11 MR. SALVADORE: That concludes our
12 report, Mr. Chairman.

13 MR. CHAIRMAN: That concludes the
14 report. Next committee reporting is the Finance
15 Committee. Commissioner Andrade, do you have a
16 report?

17 MR. ANDRADE: Mr. Chairman, the Joint
18 Long-Range Planning and Finance Committee did meet
19 earlier this morning. We do have no action items for

20 the full Board, but the Executive Director thought it
21 might be a good idea for Karen to give the full Board
22 a brief update on the variable rate program, so --

23 MR. CHAIRMAN: Proceed, Karen.

24 MS. GIEBINK: Good morning. I believe
25 in the past I have mentioned to you the fact that we

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1 have approximately \$65.7 million outstanding in
2 variable rate demand bonds that are priced in a weekly
3 mode, and due to some issues in the subprime market,
4 our pricing of those instruments has been adversely
5 impacted. Those variable rate demand bonds are
6 currently insured by MBIA, and as a result of the
7 subprime issue, MBIA has had some problems with their
8 credit resulting from their investments in the
9 subprime mortgage market. So as a result, NBC is not
10 pricing very favorably compared to the SIFMA index.
11 As a result of this, we've been working with our
12 financial advisors to come up with an alternative
13 method for staying within the variable rate demand
14 bond market. We solicited proposals from FSA as an
15 alternative for replacing MBIA as the insurer. We
16 also initiated discussions with Citizens Bank and
17 Dexia Credit Locale, in an effort to either secure a
18 bridge loan or a letter of credit, and we did receive
19 a favorable response from Citizens Bank, and we have

20 executed a commitment letter with Citizens Bank for a
21 letter of credit for the \$65.7 million, and basically
22 what our financial advisor has said is that what
23 they're seeing in the market these days is that VRDB
24 backed by a letter of credit is trading through SIFMA
25 or slightly below SIFMA. So there definitely are

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1 interest rate advantages to staying in the short-term
2 market, and that is our plan of action. Based upon
3 the commitment letter, we have 90 days to close the
4 transaction, so that's what we'll be working on over
5 the next 90 days.

6 MR. ANDRADE: Thank you, Karen.

7 MR. CHAIRMAN: Further report,
8 Mr. Chairman?

9 MR. ANDRADE: That concludes the
10 report, Mr. Chairman.

11 MR. CHAIRMAN: Thank you very much.

12 Next committee reporting is Personnel Committee.
13 Chairman Campbell was not available today. The Chair
14 did chair the meeting. There was a -- there was a
15 simple change to the organizational plan, which does
16 not require the approval of the Board. It's an
17 internal change. Do we need to go through that?

18 MR. MARSHALL: I don't think so.

19 MR. CHAIRMAN: It's just an internal

20 change. Other than that, there were no actions taken
21 that would require the Board's approval. The next
22 committee reporting is the Legislative Committee.
23 Joanne, we have a couple of interesting issues going
24 on at the State House. Do you want me to go through
25 these, Jo, or --

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1 MS. MACERONI: Go ahead.

2 MR. CHAIRMAN: The first bill that I
3 think is of interest is a bill -- I'm looking for the
4 number. Which one is the legislation with regard to
5 change orders?

6 MS. MACERONI: That was --

7 MR. CHAIRMAN: 2942. That's a bill
8 that I mentioned earlier, because we were in
9 discussion with regard to the resolution that we
10 passed which required a change order, pretty
11 significant change order in the amount of over a
12 million dollars, and this bill would be, or the
13 results of this bill, could possibly impact what could
14 have been a change order, and so Counselor, why don't
15 you share your experiences at the State House with
16 regard to this?

17 MR. DEANGELIS: First of all, I want
18 to thank you for sending me back up there after an
19 absence of 14 years. But the bill, as originally

20 drafted by the Senate Oversight Committee, would have
21 applied to any contract over \$250,000 which
22 experienced a ten percent increase, and essentially
23 what the bill required is that the contract then had
24 to be rebid, and obviously, that would have created
25 all kinds of problems. So we, Joanne and I, went to

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1 the State House and spent the afternoon one day, and
2 shared our wisdom of construction contracts with the
3 members of the Senate Oversight Committee, and they
4 made a number of amendments to the bill. They
5 increased the number to contracts over \$500,000, and
6 change orders that amounted to 25 percent, and then
7 they put in a very important provision. They put in a
8 provision that if the chief purchasing officer of a
9 particular state agency determines that it would not
10 be in the best interest of the State to rebid, then he
11 could submit a letter in writing to the Senate leaders
12 and the House leader explaining the reason why it
13 should not be rebid, and the contract could continue.
14 The problems with the bill as originally drafted were,
15 I mean, just the bonding issue would be significant,
16 because the bonding company for the contractor working
17 on the job is going to -- they're not going to pay
18 anything, because that contractor got thrown off the
19 job. The new bonding company coming in with the new

20 bidder, if there's a new successful bidder, they're
21 not going to cover the work done by the prior
22 contractor. So while we don't like the bill, we've
23 agreed with the Senate that we would not oppose it.
24 The bill continues to be opposed by just about all the
25 other State agencies, and I would think it may pass

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1 the Senate, but I would think it will find its way
2 into the trash can someplace.

3 MR. CHAIRMAN: Do you have a question?

4 MR. DICHIRO: I don't understand it.

5 So this is a contract that's in process? They want to
6 rebid the contract after it's already been executed or
7 started?

8 MR. DEANGELIS: Yes.

9 MR. DICHIRO: How do you do that?

10 MR. DEANGELIS: We pointed out that
11 there could be difficult contracts that a contractor
12 would never bid at the first outset if he knew the
13 problems he was going to run into. He may look for an
14 opportunity to get out of it, and then you're going to
15 be held hostage by everybody else.

16 MR. DICHIRO: No one will want to bid
17 on it, or they'll bid a much higher amount.

18 MR. CHAIRMAN: Just to take this a
19 step forward, we just resolved, the Board just

20 resolved an issue, let's say, for instance, and this
21 is just hypothetical, that Rich and his crew agree
22 with Walsh, that there was a change in conditions, and
23 that it's a change order to the extent of a million
24 dollars. Well, that's 20 -- that's 20 percent of the
25 contract. We would then, now have to say, stop the

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1 project. Stop the project. Forget delay claims and
2 everything else that goes along with it. Stop the
3 project, as a result of this change in condition, and
4 rebid the project.

5 MR. DICHIRO: Wow.

6 MR. CHAIRMAN: Now, how -- I mean,
7 now, we're dealing, you know, most of our projects
8 are -- all of our projects are basically subsurface
9 projects. We have no idea what's going on under the
10 ground. So this has -- would have enormous potential
11 adverse impacts on us, and so I mean, I think we're
12 working to make the language better, and but, I mean,
13 it's like Joe said. We've agreed, you know, not to go
14 out an actively oppose this, but it's really, for our
15 industry, it's pretty impractical. We know where it
16 had its genesis. It had its genesis in, I think it
17 was that DOT contract that just continued on from an
18 \$800,000 contract to an \$11 million contract, but it's
19 not practical in our industry, but that's it. The

20 other bill, Jo, we were going to talk about we have
21 some concerns with, which I alluded to earlier, I
22 guess. Is that the --

23 MS. MACERONI: The City of Providence.

24 MR. CHAIRMAN: The City of Providence

25 bill. I alluded to that earlier.

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1 MS. MACERONI: That's the first bill
2 that's listed. On the first page in my report are
3 just the additional bills that were added since last
4 month's report, and Mr. DeAngelis just spoke on the
5 second one. The first one was introduced by two
6 representatives from the City of Providence relative
7 to Narragansett Bay and our eminent domain procedure.
8 And as we do with any bills that we oppose, we will be
9 speaking with the sponsors and making our case
10 relative to it. The bills were just introduced within
11 the last week.

12 MR. CHAIRMAN: I -- obviously, it's
13 obvious to me. I think it's obvious to this
14 Committee. We've had these powers since the inception
15 of the Narragansett Bay Commission, and the powers
16 have obviously never been abused, and they're really
17 powers that are necessary to accomplish the mission
18 which has been imposed upon us, not only by the State
19 of Rhode Island, Department of Environmental

20 Management, but Environmental Protection Agency of the
21 United States, and pursuant to our condemnation
22 powers, we only implore them when a negotiation
23 becomes really impossible, and when it looks like the
24 terms of a sale or an acquisition become totally
25 unreasonable. The timing of the introduction of this

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1 legislation, of course, gives me cause for concern.
2 We were -- been discussing this issue, and
3 incidentally, this legislation was introduced by two
4 Representatives and a Senator from the City of
5 Providence. Basically, we think the motivation, of
6 course, is to provide that we would not have the
7 ability to take the property that we need for our own
8 expansion. So I'm suggesting that we vigorously
9 oppose this legislation, and I -- with the Board's
10 concurrence, we'll continue to do that. I don't know
11 if I can get a formal vote on that, but can I get a
12 consensus from the members that we vigorously oppose
13 this legislation? Okay. Thank you. Is there
14 anything else that the Board needs to be aware of
15 that's pressing for us?

16 MS. MACERONI: Not at this time.

17 MR. CHAIRMAN: Okay. Thank you.

18 MR. GRAY: Any update on separation of
19 powers?

20 MS. MACERONI: There's been no
21 activity on the three bills that we have. They're
22 still -- not that we have, but that have been
23 introduced relative to us. They still remain in
24 committee, and they have -- there are other bills,
25 also, that have been introduced relative to CRMC, and

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1 I'm not sure if there are any other boards and
2 commissions that are still left out there, but I think
3 I initially said, I think the budget is of main
4 concern at the State House, and I think that seems to
5 be the focus of a lot of legislation and a lot of
6 attention at this point.

7 MR. CHAIRMAN: When is the 60th day?

8 MS. MACERONI: May -- it's in towards
9 the end of May.

10 MR. CHAIRMAN: That would be the 60th
11 day? Joe, do you recall?

12 MR. DEANGELIS: No.

13 MS. MACERONI: I know it usually goes
14 to June.

15 MR. DEANGELIS: The Senate Committee
16 did pass out the CRMC bill. They've been giving all
17 the appointments to the Governor.

18 MR. CHAIRMAN: The Senate did?

19 MR. DEANGELIS: The Senate did.

20 MR. CHAIRMAN: Okay. Any other
21 questions regarding Legislative Committee or
22 committee -- legislative reports? Okay. Rules and
23 Regs did not meet. Long-Range Planning was part and
24 parcel of the Finance Committee meeting. Harold, the
25 Citizens Advisory Group. Do you have a report for us

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1 today?

2 MR. GADON: Yes. Thank you,
3 Mr. Chairman. The CAC meeting was held May 14 with a
4 quorum present, and the minutes of the April 9 meeting
5 were approved. The appointment of Michelle Zwerber as
6 a member of the CAC was approved by Chairman
7 Mesolella. We regret losing George Redman as a member
8 due to his health problems, but appreciate the
9 Chairman making him a CAC member emeritus. We
10 reviewed the CAC charter and bylaws, and voted to
11 place them on the agenda next month to bring them up
12 to date and vote their approval. A nominating
13 committee comprised of Armand Oliver and Chris
14 Hanniferd was appointed to make recommendations to be
15 voted on at our next meeting. As he had done at our
16 last Board meeting, Howard Schecter did bring and
17 distribute to those present the filtered water bottles
18 and delivered a presentation on them. The bottles
19 were well received, and Howard was profusely thanked.

20 He also showed us an NBC label that NBC is going to be
21 acquiring that really looks terrific on it. Jamie
22 presented the monthly reports for Field's Point and
23 Bucklin Point, and they were basically good. Jamie
24 also reported that our booth at the Business Expo did
25 not receive the expected attention, most likely

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1 because of poor location in the back of the exhibit
2 space. Our next meeting is scheduled for June 11.
3 Thank you.

4 MR. CHAIRMAN: Thank you, Harold.
5 Next committee reporting, Executive Committee. The
6 Executive Committee did not meet. The next committee,
7 Ad Hoc Committee on Compensation. Commissioner
8 Kimball, report?

9 MR. KIMBALL: We met on April 30, and
10 were able to review some additional data that Ray was
11 able to gather from other wastewater treatment
12 facilities. We will meet again on June 18, prior to
13 the next Board meeting, and we anticipate a report for
14 the full Board at that point in time.

15 MR. CHAIRMAN: Okay. Thank you. The
16 Ad Hoc Committee on Ethics has not met. The Paperless
17 Board Committee has not met. The next report is the
18 Chairman's report. A couple of issues. First,
19 Harold, I would like to appoint former Commissioner

20 Christine Sullivan to the Citizens Advisory Committee,
21 and she'd be notified immediately. I would like to
22 thank the Commissioners and staff and all the
23 volunteers who participated in the river clean-up. It
24 was very successful this year. Tom, John, and
25 everyone else who was affiliated with that clean-up,

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1 you did a wonderful job. It was enormously
2 successful. It's getting more popular every year. I
3 know we're going to do it next year. Some big plans
4 for next year, and I want to thank everyone for
5 participating in that.

6 I would like to just briefly talk to you or tell
7 you what's been going on with the discussions
8 regarding the Providence Water Supply Board. A number
9 of Commissioners have inquired as to, you know, what
10 the process is. I can just simply say that I continue
11 to express our interest to anybody who wants to hear
12 it. I've formally notified the Executive Director of
13 the Division of Public Utilities. I've notified the
14 Chairman of the Public Utilities Commission. I've
15 spoken to the Mayor, the Chairman of the Subcommittee,
16 and expressed our interest in at least being consulted
17 with and the progress, if any, with regard to the
18 disposition of that asset, and expressed how important
19 it is to the efficacy of our own operation, and our

20 interest in the discussion on the matter. What else?

21 The next Board meeting is June the 16th, as

22 Commissioner Kimball --

23 MR. MARSHALL: 18th.

24 MR. CHAIRMAN: I'm sorry. June 18th,

25 as Commissioner Kimball alluded to. Is there anything

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1 else that I'm missing?

2 MR. MARSHALL: No. The only other
3 one, and I think all the Commissioners heard about it,
4 was the long-term plan for Field's Point. I think
5 everyone was in the room at that time.

6 MR. CHAIRMAN: Yes. I think everyone
7 was in the room with regard to our long-term plan for
8 Field's Point, which is the acquisition of the
9 property. I don't think we need to go through that
10 again, do we? Okay. In that case, that concludes the
11 Chairman's report. Is there any new business to come
12 before the Commission? New business? Okay. Other
13 than the update on Field's Point, is there any other
14 business to come before the Commission today? Okay.
15 Item Number 9, Commissioner Salvadore?

16 MR. SALVADORE: Item Number 9? I move
17 to adjourn, Mr. Chairman.

18 MR. CHAIRMAN: We have a motion by
19 Commissioner Salvadore to adjourn, seconded by

20 Commissioner Farnum and Commissioner Andrade.
21 Discussion on the motion? Hearing none, all of those
22 in favor will say aye.
23 (VOICE VOTE TAKEN)
24 MR. CHAIRMAN: Any opposed? None
25 opposed. The motion carries. Thank you very much,

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1 everyone, today for your patience. Thank you.

2 (CLOSED AT 12:26 P.M.)

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1 C E R T I F I C A T E

2

3 I, Carole J. Ogden, hereby certify that the
4 foregoing is a true, accurate, and complete transcript of
5 my notes taken at the above-entitled hearing.

6 IN WITNESS WHEREOF I have hereunto set my hand
7 this 5th day of June, 2008.

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11

CAROLE J. OGDEN, RPR, NOTARY PUBLIC
12 My commission expires 10/4/08.

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