

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

3 In Re: Monthly Board Meeting of the Commission

4 DATE: November 3, 2010  
5 TIME: 11:00 a.m.  
6 PLACE: Narragansett Bay Commission  
Corporate Office Building  
One Service Road  
Providence, RI 02905

7 PRESENT:

- 8 Vincent Mesolella, Chairman
- Raymond Marshall, Secretary–Executive Director
- 9 Robert Andrade, Treasurer
- Joseph DeAngelis, Esquire
- 10 Bruce Campbell
- Michael DiChiro
- 11 Jonathan K. Farnum
- Leslie Gray, III
- 12 Joseph Kimball
- Joan P. Milas
- 13 Al Montanari
- Alan Nathan
- 14 Michael Salvatore
- Richard Worrell
- 15

16 ALSO PRESENT:

- 17 Richard Bernier, NBC
- Tom Brueckner, NBC
- 18 Mike Caruolo, NBC
- Patricia Chiellini, NBC
- 19 Robin Christensen, NBC
- Anthony E. Ciacciarelli, NBC
- 20 Anthony DiIorio, NBC
- Harold Gadon, CAC
- 21 Linda George, Senate Fiscal
- Karen Giebink, NBC
- 22 Meg Goulet, NBC
- Jennifer Harrington, NBC
- 23 Laurie Horridge, NBC
- Joanne Maceroni, NBC
- 24 Karen Musumeci, NBC
- David Negris, NBC

ALLIED COURT REPORTERS, INC. (401) 946-5500

1 ALSO PRESENT, cont.

2 Kathy Perez, NBC  
Joe Pratt, Louis Berger Group

3 Jamie Samons, NBC  
Deborah Samson, NBC

4 Thomas Uva, NBC  
Gil Veilleux, NBC

5 John Zuba, NBC

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23  
24  
25

ALLIED COURT REPORTERS, INC. (401) 946-5500

3

1 (MONTHLY BOARD MEETING COMMENCED AT 11:15 A.M.)

2 CHAIRMAN MESOLELLA: I'd like to call the  
3 meeting to order of the Narragansett Bay Commission of  
4 November 3rd to order at 11:15. I'm sure everybody was  
5 enthralled with the results of last night's election.

6 We're not going to have a discussion about that today,  
7 but we will move on to the first order of business.

8 Unfortunately, we're not going to be able to approve  
9 the previous minutes at the moment, maybe in the next  
10 15, 20 minutes we will, so I think we'll move on to Old  
11 Business. Do any of our members have any old business  
12 to bring before the Commission, old business of any  
13 kind?

14 THE COMMISSION: (No response)

15 CHAIRMAN MESOLELLA: Hearing none, Item  
16 Number 4 is the Staff Award Presentation. We have some  
17 presentations to make to some of our elite staff, and  
18 for that, I'm going to call on our Executive Director,  
19 Ray Marshall.

20 RAYMOND MARSHALL: This is a continuation of

21 the series of our Employee Awards that we have given out  
22 at prior meetings. Both of these individuals that  
23 receive the award today were engaged in other activities  
24 and weren't able to be here, so we're going to take care  
25 of their acknowledgement today. I'm going to have Paul

ALLIED COURT REPORTERS, INC. (401) 946-5500

4

1 Nordstrom come up to present the awards because they're  
2 both in the Operations section. Paul.

3 MR. NORDSTROM: We have two recipients in  
4 the Operations Division for Excellence Awards. The  
5 first is Robin Christiansen from Bucklin Point, if you  
6 would come up.

7 Robin has been with us a number of years. She's  
8 instrumental to the success of the Bucklin Point Safety  
9 Committee. She ensures that everyone feels comfortable  
10 bringing up their concerns in the meetings. She often  
11 points out safety problems before there's an incident.  
12 She consistently looks for ways to improve the facility  
13 and helps come up with solutions to some of the toughest  
14 issues over the years.

15 She's a pleasure to work with and has garnered the  
16 respect and goodwill of her coworkers, and she's one of  
17 the handful of operators at Bucklin Point that work the  
18 off-shifts; so it's a very difficult position to be in

19 because you don't have the support system that you have  
20 during the day shift, but I can tell you, I sleep well  
21 at night knowing that Robin and some of the other  
22 operators are watching the facility. So, for that,  
23 Robin gets the excellence award.

24 (AWARD PRESENTATION)

25 RAYMOND MARSHALL: Thank you, Robin.

ALLIED COURT REPORTERS, INC. (401) 946-5500

5

1 MR. NORDSTROM: The next recipient is Tony  
2 DiIorio from Interceptor Maintenance. So, despite the  
3 fact that I constantly heckle him for being a Yankee  
4 fan, Tony has proven to be a very valuable asset to the  
5 Interceptor Maintenance Department.

6 He's proactive in resolving issues. He does a great  
7 job of managing the multiple tasks in the field and  
8 converting them into office work. He pays attention to  
9 details. He has an excellent work ethic. He gets along  
10 with his coworkers and is a respected leader by all.  
11 So, for that, Tony gets the Excellence Award.

12 (AWARD PRESENTATION)

13 CHAIRMAN MESOLELLA: Thank you very much.  
14 The next order of business is the Executive Director's  
15 Report. Do you have a report for us today, Mr.  
16 Secretary?

17 RAYMOND MARSHALL: Yes, I do, Mr. Chairman.  
18 CHAIRMAN MESOLELLA: Then proceed.  
19 RAYMOND MARSHALL: If you click on to Page 2  
20 of my report, which gives you all the effluent data,  
21 you'll see that the flows have been pretty low. That's  
22 because we've had very little rain, so the average daily  
23 flows are down. Treatment has been uniformly excellent  
24 with single digits at Bucklin Point and in the teens for  
25 numbers at Field's Point. So, everything is going well

ALLIED COURT REPORTERS, INC. (401) 946-5500

6

1 treatment-wise.  
2 It's been a real challenge at Field's Point and a  
3 real sense of just how great a staff we have over there  
4 with all the construction activity that's going. You  
5 probably noticed a bunch of it as you pulled into the  
6 parking lot today, and that extends throughout the  
7 entire site.  
8 One of the more challenging aspects of the work over  
9 there is we're changing over the aeration blowers,  
10 that's the units that pump air into the biological  
11 system. Five old blowers are being changed over to nine  
12 new blowers, a newer technology, more energy efficient,  
13 and ultimately, when we have to meet the new permits, we  
14 will need more air.

15 So, we had a few very tense days as we take old units  
16 off line and put the new ones on, but it's all worked  
17 out well; and the Operations staff has done a great job  
18 along with contractors who have been cooperative in  
19 terms of timing everything so that we continue to meet  
20 our permit.

21 The other big item over there in terms of equipment  
22 is we're putting in new screw lift pumps. Those are  
23 pumps that look like big Archimedean screws that bring  
24 flow from the primary tank up to the aeration tanks, and  
25 we are replacing those as well as part of this contract.

ALLIED COURT REPORTERS, INC. (401) 946-5500

7

1 So, those are the really big technical challenges  
2 we've had, and probably in terms of public relations or  
3 the average person's view of what's going on over there,  
4 the progress they're making on the new operations  
5 building has been significant. They're trying to close  
6 that in for the winter weather. So, they have a couple  
7 more weeks to do that, and they're working hard to  
8 accomplish it.

9 One major maintenance activity at Field's Point in  
10 the last month or in the month of September is that they  
11 went through and they did the preventative maintenance  
12 on all of our emergency generators both at the pump

13 stations and at the treatment plant so that they'd be  
14 ready for the bad weather, which will most likely  
15 descend upon us this winter. There are a total of 16  
16 generators, so they had a lot of work to do, and they  
17 accomplished all of that. That's on Page 4, by the way.

18 Moving on to Page 5, we've done some work over at the  
19 Ernest Street pump station. We dismantled the two  
20 boilers we had over there, the two old ones, and we  
21 installed new energy efficient boilers in their place.  
22 So, hopefully, long term, we'll be saving money on  
23 running those.

24 We also have been able to tie in the odor control  
25 unit, which is located at the end of the tunnel up at

ALLIED COURT REPORTERS, INC. (401) 946-5500

8

1 the Foundry shaft into our operations monitoring system  
2 down here at Field's Point. We can track what's going  
3 on up there without actually having to send people up on  
4 a regular basis and on the off shifts.

5 On Page 5 starts the information on the Bucklin Point  
6 operations, and everything there is going very well.  
7 The process is in a steady state mode. They've really  
8 been able to zero in on what parameters they need to  
9 adjust and where they need to keep things to make sure  
10 that we get the proper nitrogen removal at Bucklin

11 Point, and our limit right now is 8 1/2 parts per  
12 million. In the month of September they were at 6.2, so  
13 they're operating better than what the plan was designed  
14 for. Our next step will be to get down to 5, and that  
15 design is presently underway.

16 On Page 7 with Interceptor Maintenance, there were no  
17 dry weather overflows reported in the month of  
18 September, and at the Lincoln Septage Receiving Station,  
19 258 trucks showed up delivering just over 700,000  
20 gallons of septage that were taken out of cesspools and  
21 people's septic systems, and we treated that. That  
22 eventually flows to the Bucklin Point plant for  
23 additional treatment.

24 Some of the improvements, interceptor improvement  
25 contracts that we have underway, one is concluding, and

ALLIED COURT REPORTERS, INC. (401) 946-5500

9

1 that's the one on the Pleasant Valley Parkway and Allens  
2 Avenue. It's about 4.4 miles. It's the very largest  
3 pipe that we have, and it's about 94 percent complete.

4 The improvement project that was awarded last spring  
5 has begun, and they've done a few of the items of work.

6 That's up in the Geneva Mills, which is Branch Avenue,  
7 Melrose Street, Sumter Street, areas of Providence, so  
8 that one's just getting started. They'll be another one

9 for your action later on in this meeting, and that will  
10 continue that string of improvements that we've been  
11 trying to make over the last several years.

12 On Page 10, the CSO Phase II facilities, the projects  
13 are in the state of being finalized for plans and  
14 specifications. We are now beginning to work on  
15 acquiring easements and land takings, permits with DEM,  
16 CRMC to try to package the contracts into logical sizes  
17 and sequences.

18 On November 16th, we're going to have an open meeting  
19 for the construction industry, and we're going to  
20 explain to them what Phase II is going to look like. It  
21 will be at 10:00 in this room. If you'd like to attend,  
22 you're welcome to, and we'll have packages of  
23 information for them explaining to them what the  
24 contracts are going to look like. They'll be small,  
25 medium and large size contracts. We do believe that

ALLIED COURT REPORTERS, INC. (401) 946-5500

10

1 will maximize the competitive aspect of these jobs.

2 We'll give them some handouts on exactly what the  
3 projects entail, where they're located, and what the  
4 sequence of them will be. We've had a lot of inquiries  
5 about, when are the projects coming out? What are they  
6 going to look like? So, rather than try to handle it on

7 a phone-call-by-phone-call basis, if you will, we  
8 decided to have one session, this is the Chairman's  
9 recommendation, and it's going to work out really well  
10 so that everyone out there in the construction industry  
11 will know what's coming up in terms of what the  
12 Narragansett Bay Commission is doing and have a chance  
13 to prepare their responses.

14 We are not actually going out for bid on these jobs  
15 at that point in time. We're just going to explain what  
16 the flow of the work will be, so we will also present  
17 that to the Board at the December Board Meeting; and  
18 we'll give you the same handouts, so you'll have an idea  
19 as to what we're planning to do; and if anyone  
20 approaches you as a Commissioner, then you'll have the  
21 information at your fingertips.

22 On Page 11 we list a number of projects that are  
23 currently underway. We're working with a number of our  
24 communities, as you know, from North Providence,  
25 Cumberland and Johnston trying to help them with their

ALLIED COURT REPORTERS, INC. (401) 946-5500

11

1 systems, and they have a couple of problems that they  
2 struggle with that we're happy to provide some technical  
3 advice to them on; but overall, that's going well. They  
4 seem to be appreciative of that.

5 We are also making progress on some design work. The  
6 floatables control project in Pawtucket, that's being  
7 designed. The biological nutrient removal, the next  
8 upgrade at Bucklin Point, which I mentioned earlier, and  
9 integrating all of our control systems which will  
10 eventually feed into the new operations building control  
11 room that you passed a number of resolutions on last  
12 spring, it is also starting to be put in place.

13 Going to Page 13, in the Construction Division, I  
14 mentioned already that we've been having excellent  
15 cooperation and progress at Field's Point on the plant  
16 upgrade. The project is almost, or just over 20 percent  
17 complete through September, or a little further than  
18 that now, so that's good. The contractor, I think, will  
19 probably scale back his operation once the winter  
20 weather sets in, but he's going great guns at the  
21 moment, and he has been for several months.

22 We had the ribbon-cutting ceremony for the Animal  
23 Control Facility back on September 28th. That was  
24 well-attended, and there was a lot of press coverage on  
25 that with a lot of positive feedback on that project .

ALLIED COURT REPORTERS, INC. (401) 946-5500

12

1 The last item I want to mention for Construction on  
2 Page 14, we'll have an item for you to improve the last

3 section of the Branch Avenue Interceptor. That will  
4 occur under the CEO Committee Report.

5 Administration and Finance, which begins on Page 15,  
6 the rate filing for FY 2012, we came before you last  
7 month and asked you for permission to go in for a rate  
8 filing that will be less than 15 percent which would  
9 include debt service, increase in O&M cost and the  
10 reduction in consumption, the decline in consumption  
11 factor that we have to deal with.

12 We have decided that we need to make a modification  
13 to that. The Finance Committee heard it earlier and  
14 approved it. We want to break the debt portion out of  
15 that larger general filing. The reason being, a general  
16 filing with the PUC can take up to 9 months to decide.

17 On a debt service filing, they have 60 days, and they  
18 normally approve those fairly quickly; and we want to be  
19 ready for when Clean Water Finance actually goes out  
20 with their loan programs sometime early in 2011.

21 So, the total won't be any different, or it will  
22 actually be slightly less than maybe what we told you in  
23 September. We're just kind of breaking that piece out,  
24 so we can accelerate and be prepared for the Clean Water  
25 Finance actions.

ALLIED COURT REPORTERS, INC. (401) 946-5500

1 Our FY '11 Operating Budget, this is still on Page  
2 15, now, so far has been tracking where it should be.  
3 We have made some debt service payments, but those are  
4 early in the year payments; and they're well within our  
5 budgeted amount, but if you look at where we are overall  
6 in the budget, it looks a little bit concerning; but  
7 it's not. If you just focused on the O&M, we're  
8 actually running just slightly under budget.

9 Page 16, there's a couple of pages that explains what  
10 IT's been working on, which includes a new E-mail  
11 archiving system, and we're working to enhance our  
12 security monitoring system. We're always constantly  
13 experiencing new, I'll call them attacks, from the  
14 outside trying to get into our system, and because our  
15 staff keeps up with the software and hardware  
16 technologies available, we've been able to fight those  
17 off in every instance.

18 If you move on to Page 18, under Customer Service,  
19 last month or in September we billed \$6.6 million, so  
20 that was encouraging. The monthly billing seems to be  
21 working out well. For those accounts that are becoming  
22 delinquent, we have been doing water shutoffs and  
23 collected \$1.8 million via the water shutoff process in  
24 this year, and we also had a lien sale, which I'll  
25 report on generally when we get to the Legal Report.

1 If you move ahead to Page 22, Policy, Planning &  
2 Regulation, our staff has been participating in meetings  
3 that involve the Blackstone Valley User's Conference,  
4 the Governor's Coordination Team as well as the CRMC  
5 workshop, all of which focus on the water quality in the  
6 urban rivers and Narragansett Bay.

7 We've been able to position ourselves very favorably  
8 because of all the good work we're doing with  
9 environmental monitoring, and we have more data on  
10 what's happening in the Bay than anyone else out there,  
11 so our participation has been welcomed; and I believe  
12 we're gaining more and more credibility as the months  
13 and the years go by as the source to go to for the  
14 information.

15 We are also starting to update our strategic plan.  
16 We hope to have that to you in the next couple of  
17 months. It's been a couple of years since the last time  
18 we updated it, and we need to make sure that we're  
19 current on that document. We report on that. That's on  
20 Page 23.

21 The next area is, if you jump all the way to Page 30,  
22 30 through 34 we report on all the sampling that we're  
23 doing, which I just referenced, as well as the lab  
24 analysis that we've come up with. Nothing really  
25 changed.

1 There's lots of samples and lots of analysis which  
2 shows that we are making improvements to the Bay and  
3 that the money that we invested in Phase I of the CSO is  
4 paying off as well as the money that's been invested in  
5 nutrient removal at Bucklin Point.

6 Page 36 we touch upon the energy projects. We had a  
7 video done which simulates the three wind turbines that  
8 will be operating here at Field's Point. That's for  
9 public consumption.

10 To give people an idea of what it will look like, I  
11 believe we actually have showed that here in the past,  
12 but we updated it recently based upon the award that you  
13 authorized last month.

14 Executive Division, which begins on Page 38, we have  
15 a new format here a little bit for you. A number of the  
16 press clippings, if you will, we now have links to those  
17 if you want to go directly to them so that you can  
18 actually read them as they were presented in the  
19 publications that they appeared in.

20 Moving on to Page 39, under Government Affairs, we  
21 received a request from the Executive Director of the  
22 Rhode Island EDC, Keith Stokes. They wanted to have a  
23 contact person that can be part of a newly-formed Office

24 of Regulatory Reform, and this is meant to help promote  
25 job growth in the State of Rhode Island; and they want

ALLIED COURT REPORTERS, INC. (401) 946-5500

16

1 to be able to streamline the regulatory review process.

2 They asked that we name a representative to that  
3 activity, and so our Government Affairs Manager,  
4 Joanne Maceroni, is going to be our representative on  
5 that Board so that anything that we need to do, she'll  
6 be our intermediary, and the information can flow back  
7 and forth.

8 We're happy to work with any businesses or industries  
9 that would like to locate within our district. We do  
10 have rules and regulations, but we try to be expeditious  
11 about review; and we try to be clear upfront on what  
12 they need to do so that anything that they do, it's as  
13 painless as possible.

14 Page 41 starts talking about the lien sales that  
15 we've had. You can see a year ago we've collected  
16 \$625,000, and in April it was \$677,000; and I don't have  
17 the final number at the tip of my tongue for the most  
18 recent one. Jen, would you know what the number is off  
19 the top of your head? I think it's somewhere in the  
20 \$600,000 range also.

21 MS. HARRINGTON: Yes. It was, I think we

22 were about anywhere from 2 to \$700 short of \$600,000. I  
23 know that one of the attorneys working on it was very  
24 disappointed about that.

25 RAYMOND MARSHALL: It's kind of an internal

ALLIED COURT REPORTERS, INC. (401) 946-5500

17

1 goal, \$600,000. You can see over the last three lien  
2 sale activities that we've collected somewhere  
3 approaching \$1.9 million.  
4 That's about it. There's a few miscellaneous items  
5 on Page 45, including, we have one taking that was  
6 associated with CSO Phase II that's going to proceed to  
7 Superior Court for trial. It's property that's located  
8 where the Delta Dental building is. They don't agree  
9 with the award that they got from the appraisers when we  
10 had the property appraised back several years ago, so  
11 we'll see how that one turns out. We'll keep you  
12 posted.

13 The last item I want to bring to your attention is  
14 the schedule of the 2011 Board Meetings. Karen's going  
15 to hand out a copy of those meetings. There are nine of  
16 them scheduled. There's one every month from January  
17 through June because we believe we will have probably  
18 one CSO Phase II Contract, construction contract for  
19 your approval starting in February.

20 So, we wanted to make sure that we had a meeting  
21 every month for the first six months of the year, so we  
22 can get those projects out on the street and begin to  
23 make progress for meeting our requirements that DEM has  
24 imposed on us, and that is it, Mr. Chairman.

25 CHAIRMAN MESOLELLA: Thank you. Any

ALLIED COURT REPORTERS, INC. (401) 946-5500

18

1 questions for the Executive Director regarding his  
2 report?

3 THE COMMISSION: (No response)

4 CHAIRMAN MESOLELLA: Any questions of the  
5 Executive Director regarding his report?

6 COMMISSIONER WORRELL: I have one obvious  
7 question. When you do the lien sales, 70 some percent  
8 get collected before the actual sales. I think in  
9 April, 20 percent went to auction. What happens to the  
10 homeowner's property when the sale goes to auction?

11 RAYMOND MARSHALL: I'll let Jen handle that.

12 MS. HARRINGTON: Mr. Worrell, when the  
13 property goes to auction, basically, the minute the  
14 property is sold, if it is sold, the homeowner still has  
15 the option, right after it's sold and it's paid, they  
16 have the opportunity to redeem it right then and there  
17 but a 10 percent fee put onto that; and it's not

18 something that we do. It's a state law that goes to the  
19 bidders that bid on the property.  
20 For the first six months, it remains at that 10  
21 percent. So, if it's \$2,000, from the minute it's sold  
22 and paid to the six-month mark, it's an additional \$200,  
23 so they would only consider \$2,200. Every month after  
24 that, there's an additional 1 percent, so for a total of  
25 16 percent on these properties, properties that are sold

ALLIED COURT REPORTERS, INC. (401) 946-5500

19

1 at lien sale.  
2 The bidders who actually get a lien on the property  
3 can do nothing with the property for the entire year.  
4 The homeowner comes through us. According to statute,  
5 we aid in the redemption process, and the redemption  
6 certificate is final so that there's no clouding of the  
7 title of that.  
8 After the 12 months, according to state law, NBC is  
9 cut out, and depending on how much the actual lien was  
10 sold for, whether it's, it initially starts at, it's  
11 presumed that 100 percent of the lien is sold, but  
12 sometimes these guys start bidding against each other  
13 because they want a specific property or whatnot, and  
14 they can bid as low, according to state law, as 1  
15 percent. So, anywhere from 1 percent to 100 percent is

16 purchased.  
17 No matter what percentage it is, the person who  
18 acquired the actual property they have to, and they have  
19 to take it to Superior Court and go through foreclosure  
20 proceedings. Again, a new title is run, because a year  
21 had passed, and everyone is given notice of the change  
22 that has any interest in the property.  
23 They can then go to the foreclosure proceedings, and  
24 pay off the lien because still at that point, they can  
25 still pay and redeem their property, but there's no real

ALLIED COURT REPORTERS, INC. (401) 946-5500

20

1 set fee on the amount of interest.  
2 According to state law, we can hope that they can  
3 only charge up to 15 percent, but after that time and  
4 they may put money into the property or collect rents or  
5 take care of the property, they can then tack those fees  
6 on. They can tack attorneys fees on. It's out of our  
7 hands and control at that time.  
8 What we do, which is above and beyond state law, is  
9 that during this time that we're sending them the  
10 notices, we send two or three extra notices on top of  
11 what they initially require. We make every effort  
12 through an additional search effort to find these  
13 people.

14 We then spend probably a week or two before the sale  
15 because it does take countless hours to try to put a  
16 phone call into these people. Do you know that your  
17 property is on the lien sale? Do you know that there's  
18 a lien sale next week?  
19 The biggest thing we find in the last few years is  
20 that people say, I walked away from that property two  
21 years ago. I don't own that anymore, but what's  
22 happening is mortgage companies are not either going  
23 through the foreclosure proceedings, so no deed is  
24 recorded, and it's still in these homeowner's names; or  
25 I don't know or a lot of mortgage companies have folded.

ALLIED COURT REPORTERS, INC. (401) 946-5500

21

1 COMMISSIONER WORRELL: Do most of the lien  
2 properties belong to nonowner occupants?

3 MS. HARRINGTON: I can't say that. A few  
4 years ago they were. I would say that a lot of the  
5 properties that were taken were in this trend -- and I  
6 could say they were bank-owned properties. In the past  
7 sale, I would say that the trend has changed, and banks  
8 didn't want to be realtors. That's the biggest thing  
9 we're finding when we're calling banks, Deutsche Bank,  
10 Bank of America.  
11 I mean, to try to get a hold of somebody who actually

12 has a clue, it's unbelievable. We're calling all over  
13 the world on some of these. We're not calling all over  
14 the world, but we're calling California because that's  
15 what's on the deed. They're having us call their  
16 headquarters to try to find out where the green cards  
17 should go.

18 COMMISSIONER WORRELL: We're not foreclosing  
19 out or selling out homeowners when we're doing this, are  
20 we? How often does that happen? Out of 10 liens, how  
21 many will be homeowners?

22 MS. HARRINGTON: I could never give you that  
23 answer as far as what's foreclosed because after the 12  
24 months --

25 COMMISSIONER WORRELL: No, no. I'm talking

ALLIED COURT REPORTERS, INC. (401) 946-5500

22

1 about on the front end of it where you --

2 MS. HARRINGTON: Well, no foreclosure  
3 happened.

4 COMMISSIONER WORRELL: No, no, no. Where  
5 you have a lien sale. How many of those lien sales will  
6 be for owner occupied --

7 MS. HARRINGTON: We have no idea, because if  
8 you send a person a letter and you're never responded  
9 to, and if you put in a phone call to this person, I

10 don't know if they're living there. I mean, we do  
11 drive-bys. Sometimes they're boarded. They're not  
12 paying other utilities. I mean, we check with other  
13 utilities, but there's years these people are not paying  
14 their bills. Well, I say people, but these accounts  
15 have not had bills paid, so I couldn't tell you there's  
16 an actual number that I could say.

17 Usually the ones that go to sale, though, is when  
18 really, just no contact. There's no response back.  
19 Rhode Island Housing works to try to take, buy some of  
20 these owner-occupied properties. I mean, granted,  
21 they're working within a budget.

22 Usually when we get a homeowner, we do not just say,  
23 you have to pay the full amount or to heck with you type  
24 of thing. We'll work with them. We'll try to get them  
25 on a budget. We do everything we can.

ALLIED COURT REPORTERS, INC. (401) 946-5500

23

1 We start giving them notices six months before this,  
2 and they're already years behind that. We do what we  
3 can because unfortunately, it falls on the back of the  
4 other ratepayers who are still struggling. I know we  
5 agonize over it. We definitely agonize over it. Is  
6 there anything else you want to add?

7 COMMISSIONER WORRELL: Thank you.

8 CHAIRMAN MESOLELLA: Okay, where are we?

9 RAYMOND MARSHALL: We just finished up with  
10 my long report.

11 CHAIRMAN MESOLELLA: Commissioner DiChiro is  
12 due to arrive in a very short period of time at which  
13 point we can take up Items for Action, so if the Board  
14 doesn't mind, we'll just continue on with Committee  
15 Reports; and we're going to go out of order. So,  
16 Harold, do you mind if we take up the Citizens Advisory?  
17 I hope you have about a 15-minute presentation.

18 MR. GADON: I'll talk slowly. The CAC  
19 meeting was held last Wednesday, October 27th, with a  
20 quorum present. Jamie presented the reports for both  
21 Field's Point and Bucklin Point and backup details  
22 showing the usual busy month the staff had including the  
23 Highland Corporation Park Pump Station odor problem in  
24 Cumberland.  
25 One of our members, who is also a member of the

ALLIED COURT REPORTERS, INC. (401) 946-5500

24

1 Resource Recovery Board, commented that the contract  
2 with NBC is definitely moving forward as they try to  
3 work out the various charges that they have with the  
4 City of Cranston. I understand there's a Construction  
5 committee going on, but that actual physical

6 construction has not yet started; but it will certainly  
7 be a welcomed thing and bring in more income.  
8 Richard Bernier, Director of Construction, gave a  
9 well-received PowerPoint presentation of the progressing  
10 NBC construction that you can all see going on out here  
11 and responded to questions.

12 Our next meeting is in December on Wednesday the 8th,  
13 and you had the schedule passed out for the NBC  
14 meetings. Our meetings will take place about a week  
15 before that next year, and that's all I can give you  
16 right now.

17 CHAIRMAN MESOLELLA: Thank you, Harold. I  
18 don't believe there's any Personnel Committee Meeting.  
19 There's no report.

20 RAYMOND MARSHALL: Right.

21 CHAIRMAN MESOLELLA: Rules and Regs, there  
22 is no report, and Long Range Planning there is no  
23 report. There was no Executive Committee meeting this  
24 month. None of the Ad Hoc Committees have met, that I'm  
25 aware of.

ALLIED COURT REPORTERS, INC. (401) 946-5500

25

1 The Chairman's Report, I'd just like to talk a little  
2 bit about the changing skyline here at our facility. As  
3 you probably noticed on the way up, the sidewalls are

4 going down on the new building. They're starting to  
5 take shape.

6 (COMMISSIONER DiCHIRO IS NOW PRESENT)

7 CHAIRMAN MESOLELLA: I'm very pleased with  
8 putting a meeting together and inviting all of the trade  
9 groups in the next couple of weeks to come to our  
10 Boardroom here at the Narragansett Bay Commission. I  
11 always felt that part of our responsibility to add to  
12 the stimulus package by putting as much work out as we  
13 possibly can. I just hope we can stimulate this economy  
14 in Rhode Island.

15 The purpose of this meeting, as the Executive  
16 Director has indicated, is to try and encourage a lot of  
17 the trade groups to bid on Narragansett Bay Commission  
18 work. We have a substantial amount of work which is  
19 going to be hitting the streets in the very near future,  
20 and hopefully, a lot of our Rhode Island contractors  
21 will be participating in that big process.

22 We've been working very closely with Joe Pratt with  
23 the Berger Group, our own engineering staff and  
24 construction staff to try to see if we can get some of  
25 these larger bid packages to make them smaller bid

ALLIED COURT REPORTERS, INC. (401) 946-5500

1 packages so we can encourage some of our smaller

2 contractors in Rhode Island to participate in this very  
3 extensive construction project that the Narragansett Bay  
4 Commission is doing.

5 So, I'm very pleased that's coming together, and I  
6 guess we are expecting a big turnout for that  
7 presentation; and I think it's going to be successful,  
8 and get our smaller subcontractors in Rhode Island  
9 taking part in all of the economic generation we're  
10 going to be providing in our district.

11 Having said that, the Chairman has no further report,  
12 but Commissioner DiChiro has arrived, and therefore, we  
13 can move on to Items for Action starting with the  
14 Construction, Engineering and Operations Committee.  
15 Commissioner Salvadore, do you have a report for us  
16 today?

17 COMMISSIONER SALVADORE: Yes, we do, Mr.  
18 Chairman.

19 CHAIRMAN MESOLELLA: Proceed.

20 COMMISSIONER SALVADORE: We have two items  
21 for consideration and discussion by the Board of  
22 Commissioners today, the first being, Review and  
23 Approval of Resolution 2010:32, Award of Contract  
24 304.54C, Branch Avenue Interceptor Improvement in the  
25 amount of \$1,544,777, and CEO recommends approval, Mr.

ALLIED COURT REPORTERS, INC. (401) 946-5500

1 Chairman.

2 CHAIRMAN MESOLELLA: We have a motion to  
3 approve Contract 304.54C, Branch Avenue Interceptor  
4 Improvement. Is there a second?

5 COMMISSIONER MONTANARI: Second.

6 COMMISSIONER WORRELL: Second.

7 COMMISSIONER DiCHIRO: Second.

8 CHAIRMAN MESOLELLA: Seconded by  
9 Commissioner Montanari, Commissioner Worrell and  
10 Commissioner DiChiro.

11 CHAIRMAN MESOLELLA: Further discussion on  
12 the matter.

13 THE COMMISSION: (No response)

14 CHAIRMAN MESOLELLA: Further discussion.

15 THE COMMISSION: (No response)

16 CHAIRMAN MESOLELLA: Hearing none, all of  
17 those that are in favor will say aye.

18 THE COMMISSION: Aye.

19 CHAIRMAN MESOLELLA: Are there any opposed?

20 THE COMMISSION: (No response)

21 CHAIRMAN MESOLELLA: There are none opposed,  
22 and the motion carries. Counselor, should I recognize a  
23 quorum being present?

24 MR. DeANGELIS: Yes, sir.

25 CHAIRMAN MESOLELLA: I should have done that

1 first, right?

2 MR. DeANGELIS: Yes.

3 CHAIRMAN MESOLELLA: So, I should say,  
4 recognizing that there is a quorum, all of those that  
5 are in favor will say aye.

6 THE COMMISSION: Aye.

7 CHAIRMAN MESOLELLA: Are there any opposed?

8 THE COMMISSION: (No response)

9 CHAIRMAN MESOLELLA: There are none opposed,  
10 and the motion carries.

11 (MOTION PASSED UNANIMOUSLY)

12 CHAIRMAN MESOLELLA: Further, business  
13 Commissioner?

14 COMMISSIONER SALVADORE: Item B, Review and  
15 Approval of Resolution 2010:33, Authorization to Acquire  
16 Land and Temporary and Permanent Easements for Contract  
17 303.02C:OF106-Constructed Wetlands Facility, and CEO  
18 recommends passage, Mr. Chairman.

19 CHAIRMAN MESOLELLA: We have a motion to  
20 approve Contract 303.02C:OF106. Is there a second?

21 COMMISSIONER MONTANARI: Second.

22 COMMISSIONER MILAS: Second.

23 CHAIRMAN MESOLELLA: Commissioner Montanari,  
24 Commissioner Milas. Is there discussion on the matter?

25 THE COMMISSION: (No response)

ALLIED COURT REPORTERS, INC. (401) 946-5500

29

1 CHAIRMAN MESOLELLA: Discussion on the  
2 Resolution?

3 THE COMMISSION: (No response)

4 CHAIRMAN MESOLELLA: Hearing no further  
5 discussion, all of those that are in favor will say aye.

6 THE COMMISSION: Aye.

7 CHAIRMAN MESOLELLA: Are there any opposed?

8 THE COMMISSION: (No response)

9 CHAIRMAN MESOLELLA: There are none opposed,  
10 and that motion carries.

11 (MOTION PASSED UNANIMOUSLY)

12 CHAIRMAN MESOLELLA: Further business?

13 COMMISSIONER SALVADORE: That concludes our  
14 report for 3 November, Mr. Chairman.

15 CHAIRMAN MESOLELLA: Thank you very much.

16 Moving right along, the next committee reporting is the  
17 Finance Committee. Do you have a report for us,  
18 Chairman Andrade?

19 COMMISSIONER ANDRADE: Yes, I do, Mr.  
20 Chairman.

21 CHAIRMAN MESOLELLA: Proceed.

22 COMMISSIONER ANDRADE: The committee met

23 earlier today, and there are two resolutions that we  
24 bring to the full Board for their approval. First is  
25 Resolution 2010:34, Authorization to File a Compliance

ALLIED COURT REPORTERS, INC. (401) 946-5500

30

1 Filing for Rate Relief Related to Debt Service with  
2 Rhode Island Public Utilities, and that was discussed  
3 earlier by the Executive Director. I would make a  
4 motion to approve the resolution.

5 CHAIRMAN MESOLELLA: Thank you. We have a  
6 motion to approve Resolution 2010:34. Is there a  
7 second?

8 COMMISSIONER GRAY, III: Second.

9 COMMISSIONER MILAS: Second.

10 COMMISSIONER KIMBALL: Second.

11 CHAIRMAN MESOLELLA: Commissioner Gray,  
12 Commissioner Milas, Commissioner Kimball. Further  
13 discussion on that resolution.

14 THE COMMISSION: (No response)

15 CHAIRMAN MESOLELLA: Discussion on 2010:34.

16 THE COMMISSION: (No response)

17 CHAIRMAN MESOLELLA: Hearing none, all of  
18 those in favor will say aye.

19 THE COMMISSION: Aye.

20 CHAIRMAN MESOLELLA: Are there any opposed?

21 THE COMMISSION: (No response)

22 CHAIRMAN MESOLELLA: There are none opposed,  
23 and the motion carries.

24 (MOTION PASSED UNANIMOUSLY)

25 CHAIRMAN MESOLELLA: Further business.

ALLIED COURT REPORTERS, INC. (401) 946-5500

31

1 COMMISSIONER ANDRADE: Yes, Mr. Chairman.

2 The next Resolution is 2010:35, Recommendation for Use  
3 of Environmental Enforcement Funds. I move approval of  
4 that Resolution.

5 CHAIRMAN MESOLELLA: We had a presentation  
6 with regard to the use of Environmental Enforcement  
7 Funds for, is it World Toilet Day, or is it National  
8 Toilet Day? World Toilet Day.

9 I think all of our members, except Commissioner  
10 DiChiro, heard it, but we'll give you a private, in  
11 fact, it should be private. It's kind of a private  
12 matter. All those in favor of the use of Environmental  
13 Enforcement Funds will say aye.

14 THE COMMISSION: Aye.

15 CHAIRMAN MESOLELLA: Are there any opposed?

16 THE COMMISSION: (No response)

17 CHAIRMAN MESOLELLA: There are none opposed,  
18 and that motion carries.

19 (MOTION PASSED UNANIMOUSLY)

20 CHAIRMAN MESOLELLA: Is there further

21 business?

22 COMMISSIONER ANDRADE: That concludes the

23 report, Mr. Chairman.

24 CHAIRMAN MESOLELLA: Before we conclude our

25 business, we have one last official order of business,

ALLIED COURT REPORTERS, INC. (401) 946-5500

32

1 which is the approval of the previous minutes of

2 September 22, 2010. Have all of our members had an

3 opportunity to review the previous minutes, and if so,

4 are there any comments, questions or corrections?

5 THE COMMISSION: (No response)

6 CHAIRMAN MESOLELLA: Hearing none, is there

7 a motion to approve the previous minutes?

8 COMMISSIONER SALVADORE: Move approval, Mr.

9 Chairman.

10 COMMISSIONER KIMBALL: Second.

11 CHAIRMAN MESOLELLA: Commissioner Kimball,

12 seconded by Commissioner Salvatore. All of those that

13 are in favor will say aye.

14 THE COMMISSION: Aye.

15 CHAIRMAN MESOLELLA: Are there any opposed?

16 THE COMMISSION: (No response)

17 CHAIRMAN MESOLELLA: There are none opposed,  
18 and that motion carries.

19 (MOTION PASSED UNANIMOUSLY)

20 CHAIRMAN MESOLELLA: Is there any other new  
21 business to come before the Commission or other business  
22 of any kind?

23 THE COMMISSION: (No response)

24 CHAIRMAN MESOLELLA: Prior to adjournment,  
25 we do have something for our Commissioners, NBC lunch

ALLIED COURT REPORTERS, INC. (401) 946-5500

33

1 bags. Personally, I think with the economy going the  
2 way it is, we're probably going to be brown-bagging it,  
3 but not Commissioners of Narragansett Bay Commission.  
4 We're going to be, NBC lunch-bagging it. So, we have  
5 one of these for all of our members, and if we could get  
6 these passed out. Commissioner Salvadore.

7 COMMISSIONER SALVADORE: Move to adjourn,  
8 Mr. Chairman.

9 CHAIRMAN MESOLELLA: We have a motion to  
10 adjourn by Commissioner Salvadore.

11 COMMISSIONER ANDRADE: Second.

12 CHAIRMAN MESOLELLA: Seconded by  
13 Commissioner Andrade. All of those that are in favor of  
14 adjournment will say aye.

15 THE COMMISSION: Aye.  
16 CHAIRMAN MESOLELLA: Are there any opposed?  
17 THE COMMISSION: (No response)  
18 CHAIRMAN MESOLELLA: There are none opposed,  
19 the motion carries.

20 (MOTION PASSED UNANIMOUSLY)

21 CHAIRMAN MESOLELLA: Thank you very much for  
22 your patience. We appreciate it. The meeting is  
23 adjourned.

24 (MONTHLY BOARD MEETING CLOSED AT 11:55 A.M.)

25

ALLIED COURT REPORTERS, INC. (401) 946-5500

34

1 CERTIFICATE

2

3

4 I, Heather Marie Finger, do hereby certify  
5 that the foregoing is a true, accurate, and complete  
6 transcript of my notes taken at the above-entitled  
7 hearing.

6

7 IN WITNESS WHEREOF, I hereunto set my hand  
8 this 12th day of November 2010.

8

9

10

11

12

HEATHER MARIE FINGER, CSR, NOTARY PUBLIC

13 MY COMMISSION EXPIRES 4/02/12

14

15

16

17

18

19

20

21

22

23 DATE: November 3, 2010

24 IN RE: Monthly Board Meeting of the Commission

25 HEARING OF: Narragansett Bay Commission

ALLIED COURT REPORTERS, INC. (401) 946-5500