

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

3 In Re: Monthly Board Meeting of the Commission

4 DATE: June 15, 2011
5 TIME: 11:00 a.m.
6 PLACE: Narragansett Bay Commission
7 Corporate Office Building
8 One Service Road
9 Providence, RI 02905

10 PRESENT:

- 11 Vincent Mesoletta, Chairman
- 12 Raymond Marshall, Secretary–Executive Director
- 13 Angelo S. Rotella, Vice Chairman
- 14 Robert Andrade, Treasurer
- 15 Joseph DeAngelis, Esquire
- 16 Bruce Campbell
- 17 Mario Carlino
- 18 Michael DiChiro
- 19 Jonathan K. Farnum
- 20 Leslie Gray, III
- 21 Joseph Kimball
- 22 John MacQueen
- 23 Joan P. Milas
- 24 Al Montanari
- 25 Michael Salvatore
- 26 Leo Thompson

27 ALSO PRESENT:

- 28 Cecille Antonelli, NBC
- 29 Sherri Arnold, NBC
- 30 Lawrence Banek, NBC
- 31 Paul Berger, NBC
- 32 Rich Bernier, NBC
- 33 David Brouillard, NBC
- 34 Tom Brueckner, NBC
- 35 Diane Buerger, NBC
- 36 Terry Cote, NBC
- 37 Joe Crosby, NBC
- 38 Leah Foster, NBC
- 39 John Furtado, NBC
- 40 Harold Gadon, CAC

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- 1 ALSO PRESENT, cont.
- 2 Karen Giebink, NBC
Meg Goulet, NBC
- 3 Jennifer Harrington, NBC
Mark Healy, NBC
- 4 Laurie Horridge, NBC
Kimberly Kirwan, NBC
- 5 Brian Lalli, NBC
Anthony J. Lena, NBC
- 6 Jean Lynch, Johnston
Joanne Maceroni, NBC
- 7 Steve Morelli, NBC
Karen Musumeci, NBC
- 8 Paul Nordstrom, NBC
Joe Pratt, Louis Berger Group
- 9 Pamela Reitsma, NBC
Norman Rodolewicz, NBC
- 10 Gary Ruggiero, NBC
Deborah Samson, NBC
- 11 Brenda Smith, NBC
Mark Thomas, NBC
- 12 Thomas Uva, NBC
Eddie Viveiros, NBC
- 13 John Zuba, NBC

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1 (MONTHLY BOARD MEETING COMMENCED AT 11:06 A.M.)

2 CHAIRMAN MESOLELLA: Good morning, everyone.

3 We will commence the monthly Board Meeting of the

4 Narragansett Bay Commission, Wednesday, June 15, 2011 at

5 11:06. Thank you, all, for coming. This is an

6 important meeting before we adjourn for the summer.

7 Recognizing a quorum, I'll call the meeting to order.

8 The first order of business is the approval of the

9 previous Minutes. Have all of our members had an

10 opportunity to review the minutes, and if so, are there

11 any comments, questions or corrections? Commissioner

12 Milas.

13 COMMISSIONER MILAS: Mr. Chairman, I was

14 unable to attend the last meeting. I was away on

15 business, and I don't know if it's allowable; but I

16 would like to go on record that I also support your

17 nomination for Chair of the Narragansett Bay Commission.

18 CHAIRMAN MESOLELLA: Well, thank you very

19 much. I appreciate that. Let the record reflect we

20 have gained the support of Commissioner Milas, and thank

21 you very much. I appreciate that.

22 COMMISSIONER SALVADORE: Move passage, Mr.

23 Chairman.

24 CHAIRMAN MESOLELLA: We have a motion by

25 Commissioner Salvadore to pass the minutes of the

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1 previous meeting. Do we have a second?

2 COMMISSIONER FARNUM: Second.

3 CHAIRMAN MESOLELLA: Commission Farnum

4 seconded the motion. Further discussion on the minutes

5 of the previous meeting. Further discussion.

6 THE COMMISSION: (No response)

7 CHAIRMAN MESOLELLA: Hearing none, all of

8 those that are in favor will say aye.

9 THE COMMISSION: Aye.

10 CHAIRMAN MESOLELLA: Are there any opposed?

11 THE COMMISSION: (No response)

12 CHAIRMAN MESOLELLA: There are none opposed,

13 and the motion carries.

14 (MOTION PASSED UNANIMOUSLY)

15 CHAIRMAN MESOLELLA: Next order of business

16 is Item Number 3, which is Old Business. Is there any

17 old business to come before the Commission, old business

18 of any nature?

19 THE COMMISSION: (No response)

20 CHAIRMAN MESOLELLA: Any old business?

21 THE COMMISSION: (No response)

22 CHAIRMAN MESOLELLA: Hearing none, moving

23 right along to Item Number 4, which is Acknowledgement

24 of Awards. The first award is NBC Outstanding Service

25 Award, Mr. Secretary.

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1 RAYMOND MARSHALL: Yes. This award is going

2 to be presented to Ed Viveiros. Ed has done an

3 incredible job for us through the years on so many

4 projects, but in particular, we're honoring him today

5 for his great work working with Jamie and Rafael on

6 World Toilet Day and putting in place the display of all

7 of those wonderful pieces of art that the kids put

8 together.

9 The facility that we hosted that activity at really

10 did not have the resources to properly display all of

11 those items. Ed stepped up. He came up with how it

12 should be done, what needed to be done and also got it

13 done in a very compressed time schedule. So, I would

14 like to call Ed up, and have him accept his award.

15 (APPLAUSE/AWARD PRESENTATION)

16 RAYMOND MARSHALL: The award, by the way, is

17 a pen and pencil set.

18 CHAIRMAN MESOLELLA: Thank you very much.

19 The next award is, Narragansett WPCA Best Large

20 Secondary Facility Award for Field's Point.

21 RAYMOND MARSHALL: This is an award that

22 that association gives based upon the treatment results

23 that each of the plants provide to the DEM reporting

24 mechanisms, and accepting the award today for Field's

25 Point are Rich Williams, Dave Brouillard and Mike Spring

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1 all from the Maintenance group. Would you guys come on

2 up.

3 (APPLAUSE/AWARD PRESENTATION)

4 CHAIRMAN MESOLELLA: Nice job, guys. Thank

5 you very much. The next award, the Atlantic States

6 Water & Wastewater Association, Outstanding Operations

7 Award.

8 RAYMOND MARSHALL: This is a group that

9 acknowledges organizations that are outstanding in the

10 wastewater field, in particular, for our educational

11 outreach that ensures environmental awareness continues

12 to be a vital part of the local and national agenda, and

13 because of the outreach, we want Rafael Cuello and

14 Cynthia Morissette to come up and accept the award.

15 (APPLAUSE/AWARD PRESENTATION)

16 CHAIRMAN MESOLELLA: The next award is the
17 GFOA, the Certificate of Achievement for Excellence in
18 Financial Reporting in the Accounting Section.

19 RAYMOND MARSHALL: This is an award that our
20 Accounting group has won year after year because of
21 their wonderful reporting mechanisms, and I would like
22 Leah Foster and Robin Simoes and Cheryl Pescarino to
23 come forward.

24 (APPLAUSE/AWARD PRESENTATION)

25 CHAIRMAN MESOLELLA: Greater Providence

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1 Chamber of Commerce Worksite Wellness Award.

2 RAYMOND MARSHALL: For this award, we, as
3 you know, have the wellness program here, and Cecille
4 Antonelli and Brenda Smith aggressively promote this
5 among the employees; and we were recognized by the
6 Chamber of Commerce for our outstanding and expansive
7 efforts, so can we have those two individuals come
8 forward, please, Cecille and Brenda?

9 (APPLAUSE/AWARD PRESENTATION)

10 CHAIRMAN MESOLELLA: The NACWA Award, the
11 National Achievement Award for Excellence in Public
12 Education.

13 RAYMOND MARSHALL: This award is given by
14 the national organization that we belong to you've heard
15 me speak of many times. It's for our new video,
16 Environmentalism at Work. I know many of you have seen
17 it. Those of you who haven't, if you'd like a copy,
18 contact the individual that I'm about to call up to the
19 front now to accept the award, Jamie Samons, who was
20 instrumental in putting this together.

21 (APPLAUSE/AWARD PRESENTATION)

22 CHAIRMAN MESOLELLA: And next, the
23 Providence Business News, Best Places to Work in Rhode
24 Island Award.

25 RAYMOND MARSHALL: This is the award that I

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1 think speaks to the greatest spectrum of what we do here
2 in that it's an award that is, that requires us to meet
3 certain criteria, but it also requires that your
4 employees back up how great you claim that you are, and
5 there are polls that the employees have to weigh in on,
6 and you don't get the award, unless the employees
7 actually believe this truly is one of the great places
8 to work.

9 And frankly, it starts at the top. It's the result
10 of the policies and procedures that this Board allows us

11 to put into place and to administer on an day-in and
12 day-out basis. Without it, we couldn't do some of the
13 things that we do, and the employees couldn't enjoy some
14 of the situations that they do have.

15 So, I would like to have our Chairman, Vin Mesolella,
16 the Chairman of our Personnel Committee, Bruce Campbell,
17 and the Chairman of our Compensation Committee, Joe
18 Kimball, come up and accept this award.

19 (APPLAUSE/AWARD PRESENTATION)

20 CHAIRMAN MESOLELLA: Thank you.

21 RAYMOND MARSHALL: That concludes the
22 awards.

23 CHAIRMAN MESOLELLA: Okay, that concludes
24 the awards portion of our show. Moving right along, we
25 have a lot of business today, so we'll move right along

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1 to the Executive Director's Report. Mr. Secretary, do
2 you have a report for us today?

3 RAYMOND MARSHALL: Very, very briefly, I
4 promise. There's very good treatment, CSO Phase II,
5 contracts are starting to come out, and we'll act on
6 those in just a couple of minutes, about four of them.

7 Construction at Field's Point is going well. The
8 Operations Building should be ready this summer. Maybe

9 by the September Board Meeting, if the Chairman would
10 like and the Commissioners are interested, we could have
11 a tour of that facility before the meeting.

12 I've met with all the staff members on all the shifts
13 at each facility. The employee population appears to be
14 in very good spirits. Collective Bargaining Agreements
15 just needs a couple more signatures on it, and it will
16 be official effective July 1.

17 And probably the biggest announcement, which you saw
18 in the newspapers and maybe heard on the radio, DEM has
19 decided that the shellfish closure areas can now stay
20 open longer in rainstorms from going from 1/2 an inch to
21 8/10 of an inch in area A, and from 1 inch to 1 1/2
22 inches of rain in Area B, allowing for between 45 and 65
23 more shellfishing days over the course of any given
24 year, and that's a result of the CSO Phase I activities.
25 So, we're very proud of that. That's the point of why

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1 we did it to begin with, and to realize those results at
2 such an early date is really a testament to all the
3 people who have worked on that project. That is it, Mr.
4 Chairman.

5 CHAIRMAN MESOLELLA: Thank you, Mr.

6 Secretary. Moving right along to Item Number 6, which

7 is Committee Reports and Action Items Resulting, we have
8 a number of matters before the Construction Engineering
9 and Operations Committee, so let us begin. Commissioner
10 Salvadore, do you have a report?

11 COMMISSIONER SALVADORE: Yes, we do, Mr.
12 Chairman. We met this morning very early, 8:30 a.m. I
13 just want to try to convince you that we are
14 hardworking.

15 CHAIRMAN MESOLELLA: You don't have to
16 convince me.

17 COMMISSIONER SALVADORE: We have ten items
18 this morning for consideration by the Board of
19 Commissioners, the first being Item A, Review and
20 Approval of Resolution 2011:15, Contract 303.05C,
21 Combined Sewer Overflow Facilities Program, Phase II,
22 Sewer Separation Flow Modification, OFO27,
23 Recommendation of Award, and CEO recommends passage,
24 Mr. Chairman.

25 CHAIRMAN MESOLELLA: We have a motion to

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1 approve Resolution 2011:15, Contract 303.05C, CSO
2 Facilities Program Phase II.

3 COMMISSIONER MONTANARI: Second.

4 CHAIRMAN MESOLELLA: We have a second from

5 Commissioner Montanari. I think since all of what we
6 are talking about today is included in a package you
7 received last week, and because it can get quite
8 lengthy, unless you want to go into the detailed
9 explanation of the project, we'll just hit the
10 highlights. Is that okay with everyone?

11 THE COMMISSION: (No response)

12 CHAIRMAN MESOLELLA: Okay, great. Ray, just
13 the highlights.

14 RAYMOND MARSHALL: On this project, six bids
15 on April 14th were accepted. The low bid was John
16 Rocchio Corporation at \$6,580,587. Their bid was
17 reviewed. They were evaluated for their qualifications,
18 and they are the lowest responsive, responsible bidder;
19 and it was well within the estimate, and we ask for your
20 approval. They do have to get MBE/WBE and EEO approval
21 from the Department of Administration. Other than that,
22 the project is ready to proceed.

23 CHAIRMAN MESOLELLA: We have a motion and a
24 second for passage of Resolution 2011:15. Are there any
25 comments or questions regarding this Resolution?

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1 THE COMMISSION: (No response)

2 CHAIRMAN MESOLELLA: Comments or questions

3 regarding the Resolution?

4 THE COMMISSION: (No response)

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

7 THE COMMISSION: Aye.

8 CHAIRMAN MESOLELLA: Are there any opposed?

9 THE COMMISSION: (No response)

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

12 (MOTION PASSED UNANIMOUSLY)

13 CHAIRMAN MESOLELLA: Continue on,
14 Commissioner Salvadore.

15 COMMISSIONER SALVADORE: Item B, Review and
16 Approval of Resolution 2011:16, Contract 303.09C, CSO
17 Control Facilities Program Phase II, WCSO1, Regulator
18 Modifications Recommendation for Award, and CEO
19 recommends passage, Mr. Chairman.

20 CHAIRMAN MESOLELLA: We have a motion to
21 approve Resolution 2011:16.

22 COMMISSIONER FARNUM: Second.

23 CHAIRMAN MESOLELLA: Seconded by
24 Commissioner Farnum. Ray?

25 RAYMOND MARSHALL: Yes, Mr. Chairman, on May

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1 3rd we accepted four bids for this contract, the second
2 in the Phase II sequence, and Grove Construction,
3 Incorporated, at \$894,000 was evaluated, and they have
4 been determined to be the lowest responsive and
5 responsible bidder, and we ask for your approval to
6 award this contract as part of this Resolution 2011:16.

7 CHAIRMAN MESOLELLA: Everyone has heard the
8 very brief explanation. We have a motion and a second.
9 Is there any discussion regarding this matter?
10 Commissioner Carlino.

11 COMMISSIONER CARLINO: Was the estimate
12 within your internal engineering estimate?

13 RAYMOND MARSHALL: On this one, this one was
14 slightly higher. Of the four that you'll be
15 entertaining today, this the only one that was slightly
16 higher. All of the rest have been under the engineer's
17 estimate.

18 COMMISSIONER CARLINO: Do we know why it was
19 higher?

20 RAYMOND MARSHALL: I think just because of
21 the complexity of the work, the contractors, I guess,
22 maybe had a little bit of hesitation on exactly what
23 they'd be getting themselves into. Sometimes that can
24 factor in.

25 CHAIRMAN MESOLELLA: Further discussion?

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1 THE COMMISSION: (No response)

2 CHAIRMAN MESOLELLA: Hearing none, all of
3 those that are in favor of passing Resolution 2011:16
4 will say aye.

5 THE COMMISSION: Aye.

6 CHAIRMAN MESOLELLA: Are there any opposed?

7 THE COMMISSION: (No response)

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

10 (MOTION PASSED UNANIMOUSLY)

11 CHAIRMAN MESOLELLA: Continue on,
12 Commissioner Salvadore.

13 COMMISSIONER SALVADORE: Item C, Review and
14 Approval of Resolution 2011:17, Authorization to Acquire
15 Land and Structures from the City of Providence for
16 Contract 109:01, Biological Nutrient Removal Project,
17 and CEO recommends passage, Mr. Chairman.

18 CHAIRMAN MESOLELLA: Thank you. Is there a
19 second?

20 COMMISSIONER MILAS: Second.

21 COMMISSIONER MONTANARI: Second.

22 COMMISSIONER MacQUEEN: Second.

23 CHAIRMAN MESOLELLA: Commissioner Milas,
24 Commissioner Montanari and Commissioner MacQueen second
25 the motion. Is there any discussion or comments

1 regarding Resolution 2011:17?

2 If you recall, we've been talking about this

3 particular piece of property for quite some time now.

4 It was the subject of discussion when we acquired this

5 portion of Terminal Road, the frontage road here from

6 the City of Providence. This is a continuation of that

7 matter. So, it's been before the Board several times

8 already. So, is there any comments, questions,

9 discussion regarding this Resolution?

10 THE COMMISSION: (No response)

11 CHAIRMAN MESOLELLA: Hearing none, all of

12 those that are in favor of Resolution 2011:17 will say

13 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: Further report.

21 COMMISSIONER SALVADORE: Item D, Review and

22 Approval of Resolution 2011:18, Award of Contract

23 304.35, Interceptor Services, East Providence

24 Interceptors from Pawtucket Avenue to Omega Pump Station
25 and Bourne Avenue to Bucklin Point Wastewater Treatment

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1 Facility in East Providence, and CEO recommends
2 approval, Mr. Chairman.

3 CHAIRMAN MESOLELLA: Thank you. We have a
4 motion to approve Resolution 2011:18. Is there a
5 second?

6 COMMISSIONER FARNUM: Second.

7 CHAIRMAN MESOLELLA: Commissioner Farnum
8 seconds the motion. Ray?

9 RAYMOND MARSHALL: This is a standard
10 inspection and cleaning contract for our interceptors
11 we've been working on for several years. We received
12 three bids on April 26th. The low bidder was National
13 Water Main at \$48,764.55.

14 They have done a number of these types of contracts
15 for us. They do a fine job, and staff evaluated them.
16 They recommend award to National Water Main being the
17 lowest, responsive and responsible bidder.

18 We're also asking as part of your approval, action, a
19 \$10,000 contingency, in case we find anything out there
20 in the East Providence interceptor that we need to
21 immediately take action on because we will be adjourning

22 for three months, and we might need to get to something
23 quickly, and we hope that anything we find will be
24 contained within that amount. So, the total
25 authorization is 58,764.75.

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1 CHAIRMAN MESOLELLA: So, you've heard the
2 explanation. We have a motion. We have a second.
3 Discussion on Resolution 2011:18.

4 THE COMMISSION: (No response)

5 CHAIRMAN MESOLELLA: In such case, all of
6 those -- time. I'm sorry, commissioner Carlino.

7 COMMISSIONER CARLINO: So, the 10,000 is if
8 they find something and they have to clean it out,
9 that's additional, that's above and beyond what they had
10 bid on?

11 RAYMOND MARSHALL: Yes.

12 COMMISSIONER CARLINO: How about the other
13 contractors? I guess, when you look at the bids, it's
14 barring, so were the other contractors, did that
15 include, like, if they found anything --

16 RAYMOND MARSHALL: No, it did not.

17 COMMISSIONER CARLINO: Thank you.

18 CHAIRMAN MESOLELLA: Further comment or
19 questions?

20 THE COMMISSION: (No response)

21 CHAIRMAN MESOLELLA: All of those that are
22 in favor will say aye.

23 THE COMMISSION: Aye.

24 CHAIRMAN MESOLELLA: Are there any opposed?

25 THE COMMISSION: (No response)

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1 CHAIRMAN MESOLELLA: There are none opposed,
2 and the motion carries.

3 (MOTION PASSED UNANIMOUSLY)

4 CHAIRMAN MESOLELLA: Continue.

5 COMMISSIONER SALVADORE: Item E, and we're
6 halfway, Review and Approval of Resolution 2011:19,
7 Fiscal Year 2013 to 2017 Capital Improvement Program,
8 and CEO recommends approval, Mr. Chairman.

9 CHAIRMAN MESOLELLA: Is there a second?

10 COMMISSIONER MONTANARI: Second.

11 COMMISSIONER MacQUEEN: Second.

12 CHAIRMAN MESOLELLA: We have a second,
13 Commissioner Montanari and Commissioner MacQueen.

14 RAYMOND MARSHALL: The Capital Improvement
15 Program is a document that we produce every year. It
16 gives you a picture of what will be happening in the
17 next several years. It is a 5-year window, but it also

18 includes 6 years, which would include the year we're
19 about to enter.
20 You have it in electronic copy. If you need a hard
21 copy, we have more copies over on the desk. Karen can
22 give you one, if you'd like one. It simply breaks down
23 everything we plan to do over the next several years
24 into the types of projects, what the different phases of
25 the projects are, that is planning, design,

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1 construction, and how much each of them is going to
2 cost. So, we use this as a basis for projecting
3 borrowing over the next several years. It is one of the
4 guiding documents that we have, along with the Strategic
5 Plan and the Operating Budget, that we follow so that
6 people can keep track of what it is that we're doing and
7 how we're doing in terms of accomplishing our goals.

8 We can get into this in detail, if you'd like. It
9 outlines every individual project, one per page, so if
10 there are questions, we'll entertain the questions.

11 CHAIRMAN MESOLELLA: Perhaps you want to
12 tell them what the anticipated expenditures are over the
13 next five years.

14 RAYMOND MARSHALL: Anticipated expenditures
15 are, well, over the three-year window, 2013 to 2017,

16 it's \$430 million, but if you include the fiscal year
17 we're about to enter, which is the one that precedes the
18 five-year interval that we're talking about in this
19 document, it's \$530 million.
20 We will be spending, starting July 1, that fiscal
21 year, for the next four years over \$100 million per
22 year, based upon Phase II CSO Program, finishing the
23 upgrade on Field's Point and upgrading at Bucklin Point.
24 Again, those are the major expenditures.

25 CHAIRMAN MESOLELLA: So, it's not chump

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1 change. So, we have the document that's available
2 online, and we have hard copies available. So, I
3 encourage all of our members to become familiar with the
4 document. It may very well be that, and I don't believe
5 they're in any order of priority, they can be taken out
6 of priority, but of course, it will always require a
7 Board approval at any of our projects; but I encourage
8 you to become familiar with the document inasmuch as --

9 RAYMOND MARSHALL: That's actually a very
10 good point that the Chairman made. Every project you
11 see in here, when you approve the CIP, you're only
12 approving it at the Planning phase. Each of these
13 projects will come back to you for approval when we go

14 out to bid on these jobs, and you'll also hear about
15 them along the way as we come before you for design or
16 construction, engineering or whatever different phases
17 that you're used to seeing this done before. So, this
18 is not a blanket approval to go out and spend any money.
19 We will come back to you with each individual
20 construction contract as they go out to bid.

21 CHAIRMAN MESOLELLA: Before we take the
22 vote, are there any comments or questions regarding our
23 Capital Improvement document?

24 THE COMMISSION: (No response)

25 CHAIRMAN MESOLELLA: Okay. We have a motion

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1 to approve and a second to approve Resolution 2011:19;
2 we have a second. All of those that are in favor will
3 say.

4 THE COMMISSION: Aye.

5 CHAIRMAN MESOLELLA: Are there any opposed?

6 THE COMMISSION: (No response)

7 CHAIRMAN MESOLELLA: There are none opposed,
8 and that motion carries.

9 (MOTION PASSED UNANIMOUSLY)

10 CHAIRMAN MESOLELLA: Continue.

11 COMMISSIONER SALVADORE: What happened

12 between E and F? We're missing 2011:20.

13 RAYMOND MARSHALL: That was at the
14 Long-Range Planning. Because we had the numbers all set
15 for May and then we had to rotate everything into June,
16 that 20 is the Strategic Plan, I believe.

17 COMMISSIONER SALVADORE: So, go on to Item
18 F, Review and Approval of Resolution 2011:21,
19 Recommendation to Award Contract 303.11C, WCSO1 West,
20 and CEO recommends approval, Mr. Chairman.

21 CHAIRMAN MESOLELLA: We have a motion to
22 approve Resolution 2011:21. Is there a second?

23 COMMISSIONER MacQUEEN: Second.

24 CHAIRMAN MESOLELLA: Commissioner MacQueen
25 seconds the motion. On Resolution 2011:21, are there

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1 any questions, or is there any discussion?

2 THE COMMISSION: (No response)

3 CHAIRMAN MESOLELLA: Mr. Secretary.

4 RAYMOND MARSHALL: This one has a little bit
5 of a twist to it, but we're following everything, all
6 procedures that we should, but bids were received on May
7 18th. We received seven bids. They are listed for you
8 in the memo. The apparent low bidder, J.H. Lynch &
9 Sons, the day after the bids were accepted, sent us a

10 correspondence that said that they went back and looked
11 at their bid and determined that they had made a
12 mistake, and they asked to be allowed to withdraw their
13 bid.

14 It was grossly underpriced at 3.418 million, so we
15 sat down. We've had this occur from time to time over
16 the years, but it's not a common occurrence at all. We
17 met with legal counsel. We considered all the relevant
18 procurement laws and regulations. We looked at four
19 options, which include compelling Lynch to accept the
20 job, allowing them to adjust their bid upward, rejecting
21 their bid and moving to the second bidder or to rebid
22 all the contracts. Because of the time constraint, we
23 decided not to rebid all the contracts. We don't let
24 people adjust their bids upwards after the bids are
25 accepted.

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1 Forcing him to take the job at this price would be in
2 no one's best interest, and so the option that's
3 available to us and is followed in any number of venues
4 is to go to the second bidder because he has indicted,
5 he meaning Lynch, that he did not submit a responsible
6 bid. There was a mistake in it, and the key words here
7 are lowest, responsive, responsible bid, and that would

8 be the second bidder, DiGregorio.

9 The Berger Group evaluated their qualifications and
10 ability to complete the job. They fall into that
11 category, and they are determined to be the lowest
12 responsive, responsible bidder and that we respectfully
13 request your approval of Resolution 2011:21 in the
14 amount of \$6,848,518, subject to MBE/WBE and EEO
15 approval from the Department of Administration.

16 CHAIRMAN MESOLELLA: Okay. With regard to
17 Resolution 2011:21, we have a motion, and we have a
18 second. You have heard an explanation from the
19 Executive Director, are there any comments or questions
20 regarding Resolution 2011:21? Commissioner Gray.

21 COMMISSIONER GRAY, III: Just as a matter of
22 information, can you actually legally force someone to
23 take a bid if they misbid it? Is there Option #1?

24 RAYMOND MARSHALL: I suppose we could push
25 it, but I don't know how we could force them to actually

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1 sign the documents; and then of course you have
2 insurance and bonding and all of those things. I don't
3 know that necessarily bonding company would stand behind
4 a bid like that.

5 COMMISSIONER GRAY, III: So, you really

6 can't compel them.

7 CHAIRMAN MESOLELLA: We can't force them to
8 forfeit the bid bond. You want to weigh in or this,
9 Laurie?

10 MS. HORRIDGE: Well, you can sue them for
11 breach of contract once he didn't do it, but that's sort
12 of silly. You could say, what more can you do if you
13 say, no, I can't do it for that price anymore, so we
14 would sue them for breach of contract.

15 COMMISSIONER GRAY, III: Is a bid a
16 contract, or is it only a contract once they've bid?

17 MS. HORRIDGE: It is, yes. It's an
18 acceptance of the offer.

19 CHAIRMAN MESOLELLA: As a practical matter,
20 I don't think it's in anyone's best interest --

21 COMMISSIONER GRAY, III: No, and I agree. I
22 was just surprised to see Number 1 as an option.

23 CHAIRMAN MESOLELLA: I will tell you, and we
24 talked a bit about this at this CEO Meeting, we did have
25 a contractor who, by the way, won one of the contracts,

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1 won an award for one of the contracts we put out, and
2 he, Grove Construction, and actually, two years and one
3 month now, I guess, he submitted two consecutive bids

4 and then withdrew from both of those bids, and we wanted
5 to make certain that we didn't send a message that you
6 could just arbitrarily throw some low bid in, so we had
7 the option to either keep the bid bond, and he would
8 lose \$50,000, or we'd give him an opportunity to get his
9 bid bond back under the condition that he not bid NBC
10 work as a penalty for two years, and he accepted that.
11 Then he came back exactly two years later and won this
12 job, and he was significantly below anyone else. So, we
13 were interested to see if he was going to withdraw from
14 that bid as well.

15 But it's not in anyone's best interest to move
16 forward with a contractor who's probably not going to
17 perform. Anyway, that's the history of this particular
18 one. So, having said that, all of those that are in
19 favor of passing this Resolution 2011:21 will say aye.

20 THE COMMISSION: Aye.

21 CHAIRMAN MESOLELLA: Are there any opposed?
22 Commissioner Carlino, under discussion, go ahead.

23 COMMISSIONER CARLINO: Under discussion, I'm
24 going to take the safe route. I'm going to recuse
25 myself. As we know, this is Rhode Island, so the owner

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1 of this company is my godfather's son, and I'll get an

2 advisory opinion if I can vote in the future, but to
3 play it safe, I'm going to recuse myself from this vote.

4 CHAIRMAN MESOLELLA: Let the record reflect
5 that Commissioner Carlino is going to recuse himself
6 from the vote on Resolution 2011:21.

7 (COMMISSIONER CARLINO RECUSING FROM VOTE)

8 CHAIRMAN MESOLELLA: Anyone else?

9 THE COMMISSION: (No response)

10 CHAIRMAN MESOLELLA: In such case, all of
11 those that are in favor will say aye.

12 THE COMMISSION: Aye.

13 CHAIRMAN MESOLELLA: Are there any opposed?

14 THE COMMISSION: (No response)

15 CHAIRMAN MESOLELLA: There are none opposed,
16 and the motion carries.

17 (MOTION PASSED UNANIMOUSLY)

18 (COMMISSIONER CARLINO RECUSED FROM VOTE)

19 CHAIRMAN MESOLELLA: Next order of business,
20 Item G.

21 COMMISSIONER SALVADORE: Item G, Review and
22 Approval of Resolution 2011:22, Recommendation to Award
23 Contract 303.06C, Sewer Separation/Flow Modification
24 OF037 West, and CEO recommends approval, Mr. Chairman.

25 CHAIRMAN MESOLELLA: We have a motion to

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1 approve Resolution 2011:22. Is there a second?

2 COMMISSIONER FARNUM: Second.

3 CHAIRMAN MESOLELLA: Commissioner Farnum
4 seconds the motion. Ray.

5 RAYMOND MARSHALL: Five bids on June 8th.

6 The low bidder was C.B. Utility out of Bristol,

7 \$7,429,700. Their bid and the company was evaluated.

8 They do have the qualifications to perform the work, and

9 they have been determined to be the lowest responsive,

10 responsible bidder, and we ask your approval to award

11 this contract under Resolution 2011:22 to C.B. Utility

12 for the amount stated subject to the contract of MBE/WBE

13 approval and EEO requirement by the Department of

14 Administration.

15 CHAIRMAN MESOLELLA: Having heard the brief

16 explanation, comments or questions regarding Resolution

17 2011:22? Commissioner Milas.

18 COMMISSIONER MILAS: I'm just curious. A

19 project like this, what's the life expectancy of a

20 project like this; does the work last for 20 years?

21 RAYMOND MARSHALL: No. I'm not sure what

22 the time for completion is. My guess would be on this

23 job, probably in to 2 to 2 1/2 year range.

24 MR. BERNIER: About 530 days, I think.

25 CHAIRMAN MESOLELLA: I'm sorry, is that what

1 you asked?

2 COMMISSIONER MILAS: How long does the
3 actual work last? You're replacing pipes and manholes.

4 CHAIRMAN MESOLELLA: You mean the life
5 expectancy of the project?

6 COMMISSIONER MILAS: Yes, the life
7 expectancy of the project.

8 CHAIRMAN MESOLELLA: That's what I thought
9 you meant.

10 RAYMOND MARSHALL: New pipes in the ground,
11 by the time they need to be replaced, I'm not sure
12 anybody in this room will still be walking the Earth.

13 COMMISSIONER MILAS: So, most of these
14 projects have a long life expectancy.

15 RAYMOND MARSHALL: Oh, yes. You're talking
16 probably 50 years.

17 MR. NORDSTROM: Asset management we tag it
18 at 50 years and then the condition surveys it was longer
19 we extend.

20 RAYMOND MARSHALL: We've got pipes in the
21 ground, the large interceptors, they're 120 years old.

22 COMMISSIONER SALVADORE: Yes, but that's
23 cast iron.

24 RAYMOND MARSHALL: No. That's brick.

25 COMMISSIONER SALVADORE: It's brick.

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1 RAYMOND MARSHALL: As they say, they don't
2 build them like that anymore.

3 CHAIRMAN MESOLELLA: Yes, they sure don't.

4 So, Resolution 2011:22, we have a motion, we have a
5 second. I think we have a motion and a second already.

6 Is there further discussion on the matter?

7 THE COMMISSION: (No response)

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

10 THE COMMISSION: Aye.

11 CHAIRMAN MESOLELLA: Are there any opposed?

12 THE COMMISSION: (No response)

13 CHAIRMAN MESOLELLA: There are none opposed,
14 and the motion carries.

15 (MOTION PASSED UNANIMOUSLY)

16 CHAIRMAN MESOLELLA: Further report,
17 Commissioner Salvadore.

18 COMMISSIONER SALVADORE: Item H, Review and
19 Approval of Resolution 2011:23, Authorization to Bid
20 Work for Repair of the Omega Pump Station Wet Well Under
21 Project 706.00.C, and to Award the Bid in Accordance
22 with NBC's Procurement Regulations, and CEO recommends

23 passage, Mr. Chairman.

24 CHAIRMAN MESOLELLA: We have a motion to
25 approve Resolution 2011:23.

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1 COMMISSIONER THOMPSON: Second.

2 COMMISSIONER CARLINO: Second.

3 COMMISSIONER MONTANARI: Second.

4 CHAIRMAN MESOLELLA: Seconded by
5 Commissioner Thompson and Commissioner Carlino and
6 Commissioner Montanari. Ray?

7 RAYMOND MARSHALL: This is a small job at
8 the Omega Pump Station. We are doing some work there
9 now which you authorized before. There's a crack in the
10 wall between the two wet wells. We need to get it
11 repaired in the next few months because the Board will
12 be off until the end of September.

13 We're asking for your approval to not only bid it,
14 but to actually award it to whomever the low bidder is
15 who will follow the NBC procurement regulations. We
16 estimate the cost not to exceed \$15,000. That's a very
17 small job.

18 CHAIRMAN MESOLELLA: All of those that are
19 in favor will say aye.

20 THE COMMISSION: Aye.

21 CHAIRMAN MESOLELLA: Are there any opposed?
22 THE COMMISSION: (No response)
23 CHAIRMAN MESOLELLA: There are none opposed,
24 and the motion carries.
25 (MOTION PASSED UNANIMOUSLY)

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1 CHAIRMAN MESOLELLA: Further business.
2 COMMISSIONER SALVADORE: Item I, Review and
3 Approval of Resolution 2011:24, Authorization to Bid and
4 Award Work Needed to Attain Compliance with State Fire
5 Code Requirements Under Project 123-00C, and CEO
6 recommends passage, Mr. Chairman.
7 CHAIRMAN MESOLELLA: Okay, we have a motion
8 to approve 2011:24.
9 COMMISSIONER MONTANARI: Second.
10 COMMISSIONER FARNUM: Second.
11 COMMISSIONER MacQUEEN: Second.
12 CHAIRMAN MESOLELLA: Seconded by
13 Commissioner Montanari, Farnum and MacQueen. The
14 Director will give us his explanation. Mr. Director, an
15 explanation.
16 RAYMOND MARSHALL: This one also is simple.
17 The State Fire Marshal had a number of items that we
18 needed to correct. They alerted us last fall. We've

19 done most of them with our own staff. There are two
20 that we need to get contractors to do. One is to
21 install heat sensors at the Field's Point Wastewater
22 Treatment Facility in several locations. We estimate
23 that will cost \$60,000, and then the second piece of the
24 work is to install ceiling clips on the tiles in the
25 lab. Because of the high negative pressure we have in

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1 that building, the ceiling tiles tend to pop up, and
2 they are deemed to be a fire hazard.
3 So, we will competitively bid this in accordance with
4 the NBC Procurement Regulations. We hope to have the
5 work done in the next few months. Again, you'll be on
6 leave until the end of September, so we're asking for
7 your approval to award it at this time. It has not gone
8 out to bid yet. The total amount not to exceed \$68,750,
9 is the estimate.

10 CHAIRMAN MESOLELLA: Comments?

11 THE COMMISSION: (No response)

12 CHAIRMAN MESOLELLA: In such case, all of
13 those that are in favor of approval of Resolution
14 2011:24 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 and that motion carries.

20 (MOTION PASSED UNANIMOUSLY)

21 CHAIRMAN MESOLELLA: I believe the last item
22 on the CEO agenda is Item J, Commissioner Salvadore.

23 COMMISSIONER SALVADORE: Finally, Review and
24 Approval of Resolution 2011:25, Authorization to Amend
25 Agreement with CDM for Contract 09:809-00D to Provide

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1 Professional Engineering Design and Bidding Services for
2 Upgrade of Nitrogen Removal and Other Improvements at
3 the Bucklin Point Wastewater Treatment Facility, and CEO
4 recommends passage, Mr. Chairman.

5 CHAIRMAN MESOLELLA: We have a motion to
6 approve Resolution 2011:25.

7 COMMISSIONER MILAS: Second.

8 CHAIRMAN MESOLELLA: Seconded by
9 Commissioner Milas. Director?

10 RAYMOND MARSHALL: This project has been
11 under design now for a year and a half or so. The
12 Resolution 2009:27, you authorized the staff to come up
13 with a contract for design with CDM not to exceed \$2.2
14 million. We did that, and there's still about \$5,400

15 left on that authorization.

16 However, there was some additional work that needed
17 to be done over the course of the design. That adds up
18 to about \$166,000, and we have asked CDM to approve
19 bidding services under their design contract because of
20 the timing of the situation.

21 The design items that have required additional work
22 are, we needed to expand the odor control facilities
23 from, 1, biofilter, to 2, we needed move the carbon
24 storage tanks from outside to inside a building because
25 of the nature of the material that we will store in

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1 those tanks, and we are changing the electrical service
2 over there from an outdated 600 volt electric service to
3 a 480 volt service that required quite an extensive
4 rehab to a number of our systems at the Bucklin Point
5 Treatment Plant.

6 We're also adding flood protection around the
7 existing effluent pumping station and changing out some
8 old piping that we didn't think needed to be addressed
9 until we went through our Asset Management Plan, and in
10 addition to those items that were part of the design,
11 bidding services are normally part of the construction
12 engineering contract, but again, because we want to bid

13 this contract or put it out to bid sometime in late
14 summer, accept bids in October, we need your permission
15 now to spend that \$150,000 for bidding services before
16 the next time you meet.

17 You will then act on the construction contract bid,
18 probably at the November 2nd Board Meeting, and there
19 may be a construction engineering contract either at
20 that meeting, November 2nd, or the September 28th
21 meeting. We'll see how the negotiations go on that.

22 So, it all adds up to \$316,000 for a total of
23 \$2,510,529. That's what this new contract amount will
24 be, should you authorize this request in 2011:25.

25 CHAIRMAN MESOLELLA: Okay, we have a motion,

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1 and we have a second to approve Resolution 2011:25. Is
2 there any discussion on this matter?

3 THE COMMISSION: (No response)

4 CHAIRMAN MESOLELLA: Further discussion.

5 THE COMMISSION: (No response)

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

8 THE COMMISSION: Aye.

9 CHAIRMAN MESOLELLA: Are there any opposed?

10 THE COMMISSION: (No response)

11 CHAIRMAN MESOLELLA: There are none opposed,
12 and that motion carries.

13 (MOTION PASSED UNANIMOUSLY)

14 CHAIRMAN MESOLELLA: Do you have a further
15 report, Commissioner Salvatore?

16 COMMISSIONER SALVADORE: No, Mr. Chairman,
17 but I would like to thank the Committee for attending a
18 very early morning meeting to deliberate over these ten
19 items in preparation for the Commissioners meeting at
20 11:00. Thank you, gentlemen. That concludes our
21 report, Mr. Chairman.

22 CHAIRMAN MESOLELLA: Thank you, Commissioner
23 Salvatore. The next committee reporting is Long Range
24 Planning. There was no committee meeting. However, we
25 do have matters to present to the full Board this

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1 morning.

2 The first item is Item A, which is Review and
3 Approval of Resolution 2011:20, which is Adoption of the
4 Narragansett Bay Commission Strategic Plan Update. Tom.

5 MR. UVA: Good morning, Commissioners. I'm
6 going to be very brief. I'm going to forego my
7 PowerPoint presentation to be brief because we have such
8 an action-packed agenda today, Mr. Chairman.

9 CHAIRMAN MESOLELLA: Okay, then proceed.

10 MR. UVA: Everyone should have on their

11 computer a copy of our new Strategic Plan, and Karen has

12 hard copies for you, if you'd like one to follow along.

13 Our last Strategic Plan was developed in 2006. The

14 Board approved it on November 15, 2006, and the

15 Strategic Plan, basically, details the future direction

16 of our agency; and we have established goals over the

17 years.

18 The establishment of these goals began in 2003. They

19 were established with the Board's assistance. The

20 Board members were interviewed, stakeholders,

21 regulators, staff members were interviewed, and that's

22 how we established our seven major goals.

23 These goals were reaffirmed in the development of

24 this new Strategic Plan. Through this process, my team

25 interviewed all of the managers and directors, and we

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1 updated this plan. The last plan took us over the past

2 4 1/2 years. It was about 4 1/2 years since the last

3 plan was approved, and we've completed many construction

4 projects. As you know, the CSO Tunnel, Bucklin Point

5 upgrade, and now we have many projects ahead over next 5

6 years, and this plan will take us to that.

7 I will just briefly give you a little bit of a
8 summary of what you'll find in this document. On Page 3
9 is the Preface. You have a letter from our Chairman and
10 our Executive Director, basically, telling you a little
11 bit about the Strategic Plan, our accomplishments over
12 the past 5 years and where we're heading over the next 5
13 years.

14 On Page 9, we have an Executive Summary, which
15 basically, gives you a little history of the
16 Narragansett Bay Commission, and where we're heading,
17 what we've accomplished over the past 5 years, and where
18 we're heading again over the next five years, and then
19 the document gets you into the goals.

20 Our goals are mentioned on Page 1 of the document,
21 and that gives us our 7 major goals. Goal 1 is,
22 basically, to operate, maintain, protect our collection
23 and treatment systems to ensure that we are in
24 compliance with all state and federal regulations, and
25 that's really just to be in compliance all the time.

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1 That's really our major goal. It's our core business
2 goal.

3 Our Goal 2 is an Environmental Performance Goal, and
4 that is to continue to evaluate how we're doing, and one

5 of the benefits of that is that we don't waste money on
6 unnecessary mandates that the State may impose upon us.
7 We want to know what the science is; we want to know how
8 we're doing, and we want to know that when we spend \$100
9 million that we're going to get actual water quality
10 improvements for those costs.

11 We have a Financial Management Goal, basically,
12 manages NBC's finances through strong financial planning
13 and controls, such as sewer user fees are minimized, and
14 we accomplished that with our great Finance team and
15 also through our engineering and operational
16 performance, what we do every day at the NBC.

17 Goal 4 is a Customer Focus Goal. Basically, we have
18 a customer focused attitude throughout the organization
19 and provide exemplary internal and external customer
20 service.

21 The fifth goal is the Staffing Goal, attract, develop
22 and retain highly-qualified employees, and it was a
23 testament today when we saw One of the Best Places to
24 Work Award for our agency. So, we, obviously, are doing
25 something right and are heading towards meeting this

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1 goal by hiring the best, the brightest and being able to
2 keep them here and offer them long-term opportunities.

3 Goal 6 is our Communication Goal. Basically, to
4 improve, enhance internal and external communications.
5 We do that every day. One of the goals to enhance
6 internal communications, we do that with our intranet
7 and things like that, and also external communications.
8 While we issue press releases, but you may have seen the
9 article in the paper about the wonderful job that our
10 tunnel has done on the effect on shellfishing, but once
11 again, the Journal didn't publish our name in that
12 article, and it's unfortunate, but we do make that
13 effort to try to get them to recognize the hard work
14 that we do here every day, and we're not giving up on
15 that. We'll continue to get the word out.
16 We'll be having a symposium tomorrow. The Board, you
17 may recall two months ago, the Board approved funding
18 \$2,500 for us to do a nutrients symposium, and we will
19 be conducting that tomorrow. It will be a day-long
20 workshop, and we'll be educating all of our stakeholders
21 about the money we spend and the great job we do and the
22 science that we've learned by all of the monitoring that
23 we do. That will be at the Johnson & Wales Culinary
24 Museum. If any of the Board members would like to
25 attend, you are welcome.

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1 Our final goal, Goal 7, is our Organizational
2 Performance Goal, and basically, that's to ensure that
3 our organization is aligned with and supports our
4 Strategic Goal. So, we basically, reevaluate our
5 system, our processes, to make sure we're getting, we're
6 meeting all of our goals.

7 In the back of the document, we have an Appendix
8 Section that has a list of awards that we've received
9 since the last Strategic Plan, 2 1/2 pages of awards
10 over the past 4 1/2 years, which is quite impressive, a
11 list of acronyms and abbreviations and also some
12 definitions about the Strategic Plan.

13 We, basically, have a goal, and to meet that goal, we
14 identify objectives. To meet those objectives, we have
15 strategies and we have performance measures and
16 performance indicators to see how we're doing at meeting
17 our strategies, and those are what are incorporated into
18 our budget process, which Karen spoke about earlier
19 today.

20 So, I would like to recognize my PP&R Team, Kim
21 Kirwin, if you can stand up, and Pamela Reitsma. They
22 were instrumental in preparing this document, and they
23 did a lot of the heavy lifting and met and interviewed
24 everyone in the staff to make sure we updated this plan.
25 So, I want to thank you guys for doing a great job. I

1 also want to recognize Barry Wenskowitz for his
2 photography and Rafael Cuello for his photography and
3 graphics on this, and I'm available to answer any
4 questions, if you'd like.

5 CHAIRMAN MESOLELLA: Any questions for Tom
6 regarding our Strategic Plan?

7 COMMISSIONER THOMPSON: Is the NBC pipeline
8 on line for directors to see?

9 MR. UVA: The pipeline is through the
10 intranet, so that goes out to NBC staff internally. So,
11 I'm sure that that could be put on the Director's
12 website without a problem.

13 COMMISSIONER GRAY, III: You don't put this
14 on the public website, correct?

15 MR. UVA: The Strategic Plan itself?

16 COMMISSIONER GRAY, III: Yes.

17 MR. UVA: No. It is on the intranet so that
18 our staff knows their strategies to follow and what they
19 should do. It really gives you a blueprint of how we
20 respond to situations. Thank you very much, Mr.
21 Chairman.

22 CHAIRMAN MESOLELLA: Any other questions for
23 Tom, any comments regarding the Strategic Plan?

24 THE COMMISSION: (No response)

25 CHAIRMAN MESOLELLA: Thank you, Tom. Thank

1 you very much. You've heard the issues contained in the
2 NBC Strategic Plan. In such case, do we have a motion
3 to accept the Strategic Plan?

4 COMMISSIONER FARNUM: Move to accept the
5 Plan.

6 COMMISSIONER CARLINO: Second.

7 COMMISSIONER KIMBALL: Second.

8 COMMISSIONER MacQUEEN: Second.

9 CHAIRMAN MESOLELLA: Commissioner Farnum
10 moves to accept the Plan, seconded by Commissioner
11 Carlino, Kimball and I think MacQueen, if I'm not
12 mistaken. Comments, questions.

13 THE COMMISSION: (No response)

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

16 THE COMMISSION: Aye.

17 CHAIRMAN MESOLELLA: Are there any opposed?

18 THE COMMISSION: (No response)

19 CHAIRMAN MESOLELLA: There are none opposed,
20 and that motion carries.

21 (MOTION PASSED UNANIMOUSLY)

22 CHAIRMAN MESOLELLA: So, in the event that
23 any of our Commissioners have to leave during the course

24 of the meeting, which I hope they stay, I would like to
25 move right along to an item on the Finance Committee

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1 agenda, Item C, which is the approval of the NBC Budget.

2 Do you mind, Mr. Chairman, taking that matter up now?

3 COMMISSIONER ANDRADE: Sure.

4 CHAIRMAN MESOLELLA: Is there any objection,

5 by the way?

6 THE COMMISSION: (No response)

7 CHAIRMAN MESOLELLA: No objection.

8 COMMISSIONER ANDRADE: The Finance Committee

9 met previously and met again this morning to review the

10 final document, the Operating Budget, and it's quite

11 impressive. Do we want Karen to go through a couple of

12 highlights or Ray?

13 CHAIRMAN MESOLELLA: Karen, do you want to

14 hit the highlights.

15 MS. GIEBINK: It's a great budget.

16 CHAIRMAN MESOLELLA: It is a great budget.

17 It's a great budget. It's a great document.

18 MS. GIEBINK: 4.2 percent higher than last

19 year. On the revenue side, 3.3 percent increase in user

20 fees that a rate increase approved by the PUC effective

21 July 1st of this year.

22 The most significant changes, they're all highlighted
23 in the document. Personnel's up by 4.5 percent, O&M by
24 1.1, and Professional Services are down 9.2 percent,
25 Operating Capital Outlays are up 13 percent. Debt

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1 Service is up 6 percent. It's an overall balanced
2 budget.

3 COMMISSIONER ANDRADE: It's amazing she has
4 the numbers memorized. We did go through it, again,
5 twice, once at the other meeting that we called a
6 special meeting and then this morning.

7 So, I would like to recommend approval or make a
8 motion to approve Resolution 2011:28, Narragansett Bay
9 Commission's FY 2012 Operating Budget.

10 COMMISSIONER MacQUEEN: Second.

11 RAYMOND MARSHALL: A motion has been made
12 and seconded. Is there any discussion or questions?
13 Commissioner, you seconded it. So, we have a motion and
14 a second. I just posed the question, if anybody had any
15 questions or comments.

16 CHAIRMAN MESOLELLA: Were there any?

17 RAYMOND MARSHALL: No, there were not.

18 CHAIRMAN MESOLELLA: In such case, all of
19 those that are in favor of passing the Resolution

20 2011:28 will say aye.

21 THE COMMISSION: Aye.

22 CHAIRMAN MESOLELLA: Are there are any
23 opposed?

24 THE COMMISSION: (No response)

25 CHAIRMAN MESOLELLA: There are none opposed,

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1 and that motion carries.

2 (MOTION PASSED UNANIMOUSLY)

3 CHAIRMAN MESOLELLA: Thank you. We'll go
4 back on to Long Range Planning. On the Long Range
5 Planning Committee, we're at Item B, which is Review and
6 Approval of Resolution 2011:26, Recommendation for Use
7 of Environmental Enforcement Funds.

8 RAYMOND MARSHALL: It's the same two.
9 \$7,500 for the Water Ways Exhibit at the Providence
10 Children's Museum. They were featured in our
11 Environmentalism at Work video. It is the most popular
12 exhibit at the Children's Museum, and it gives the Bay
13 Commission a lot of great exposure in its service
14 district to underprivileged children, primarily.

15 COMMISSIONER ANDRADE: Mr. Chairman, I move
16 approval of Resolution 2011:26.

17 COMMISSIONER THOMPSON: Second.

18 CHAIRMAN MESOLELLA: We have a motion and a
19 second for Resolution 2011:26. Comments, Commissioner
20 Rotella.

21 COMMISSIONER ROTELLA: Mr. Chairman, I need
22 to recuse myself. I have a family member who's a
23 volunteer board member at the Children's Museum.

24 CHAIRMAN MESOLELLA: Commissioner Kimball.

25 COMMISSIONER KIMBALL: I need to recuse

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1 myself as well.

2 CHAIRMAN MESOLELLA: Let the record reflect
3 also that Commissioner Kimball recuses himself from vote
4 on this matter.

5 (COMMISSIONERS ROTELLA & KIMBALL RECUSING FROM VOTE)

6 CHAIRMAN MESOLELLA: Having said that,
7 Commissioner Salvadore.

8 COMMISSIONER SALVADORE: How much is left in
9 the Environmental Enforcement Funds?

10 CHAIRMAN MESOLELLA: Tommy.

11 MR. UVA: We have about \$48,000 in
12 uncommitted funds right now, sir.

13 COMMISSIONER SALVADORE: Thank you.

14 CHAIRMAN MESOLELLA: All of those that are
15 in favor of Resolution 2011:26 will say aye.

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

21 (COMMISSIONERS ROTELLA & KIMBALL RECUSED FROM VOTE)

22 (MOTION PASSED UNANIMOUSLY)

23 CHAIRMAN MESOLELLA: Commissioner Andrade,
24 reporting on the further use of Environmental
25 Enforcement Funds?

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1 COMMISSIONER ANDRADE: Yes, Mr. Chairman,
2 the next resolution is 2011:27, Recommendation for Use
3 of Environmental Enforcement Funds, something that we've
4 done previously. Ray, do you want to give just a brief
5 explanation?

6 RAYMOND MARSHALL: Yes. \$2,500 for the
7 Walker Scholarship Fund, a program that you have
8 supported for many years. It includes both promoting
9 the environment and education for Met School graduates
10 who are continuing beyond the high school into the
11 college level and meets all the criteria of the
12 Environmental Enforcement Funds for these types of
13 expenditures.

14 COMMISSIONER ANDRADE: I'd like to move
15 approval of Resolution 2011:27.

16 COMMISSIONER MONTANARI: Second.

17 COMMISSIONER SALVADORE: A hardy second.

18 CHAIRMAN MESOLELLA: Seconded by
19 Commissioner Montanari and also Commissioner Salvatore.
20 Further discussion on Resolution 2011:27. Commissioner
21 Milas.

22 COMMISSIONER MILAS: How many students does
23 that \$2,500 service, do you know? Because it seems like
24 a low number, \$2,500, you're not really giving students
25 that much money, depending on how many students are

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1 getting it, so I would recommend upping the amount. You
2 have \$50,000 in the fund. It's actually a two-part
3 question. Also, do you get a lot of grant requests?
4 Are you bombarded with organizations asking for
5 donations, or do you have designated charities and
6 that's it?

7 CHAIRMAN MESOLELLA: Bombarded, no. We
8 often get requests from people who are looking for
9 funds, but we don't, and we can't just arbitrarily give
10 money out of our Environmental Enforcement Fund. If
11 we're going to use funds out of that restricted fund,

12 they have to go to a purpose which meets our Mission.
13 It could be education or something like that, so just to
14 hand out dollars is not a practice that we have engaged
15 in, unlike, I might add, many others.

16 We've been very, very concerned about our image with
17 regard to how we use those funds. So, for purposes of
18 the monies that we do provide through Environmental
19 Enforcement Funds, they always have a theme that will
20 advance our Mission and our goals at NBC. So, it's the
21 environment, clean water. Do you want to weigh in on
22 that? Where is Jamie?

23 MS. SAMONS: According to the statute, the
24 uses for this fund are very defined according to our
25 statute, and so we when get a request, we do as the

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1 Chairman said, we try to pursue those requests that are
2 in line with our Mission, and there are some
3 organizations, the Children's Museum is one of them,
4 that we have provided support to just because we believe
5 strongly in their mission. We feel like it is a good
6 opportunity for us to have some community exposure, but
7 we are not, in any sense, bombarded. I'm not getting
8 100 requests a year.

9 COMMISSIONER MILAS: Do you know how many

10 students are actually benefiting from \$2,500?

11 MS. SAMONS: At the Met School?

12 COMMISSIONER MILAS: Yes.

13 MS. SAMONS: Well, I don't know exactly how
14 many, but I know that this money goes into a larger
15 scholarship pool; so I don't believe we are providing a
16 direct scholarship to any one student, but it goes into
17 a larger pool.

18 CHAIRMAN MESOLELLA: They go on a
19 scholarship campaign, so to speak, so there are numerous
20 contributors to that funds, of which NBC is one, and
21 then once they raise, it's probably \$25,000.

22 RAYMOND MARSHALL: It's probably 20 to
23 \$25,000 a year they probably raise.

24 MS. SAMONS: The Met School is very, very
25 aggressive with their programs in leveraging their

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1 scholarship dollars with the local CCRI, URI and RIC.

2 CHAIRMAN MESOLELLA: But your point is well
3 taken, and perhaps next year when we move to do this
4 again, you might want to raise the issue.

5 COMMISSIONER SALVADORE: Isn't Lenny
6 Walker's Fund the one we visit every year?

7 CHAIRMAN MESOLELLA: This is the one we do

8 every year. In fact, I think at some point in the past,
9 you've raised the issue of providing more funds, but
10 this is about where we have been through the years, and
11 we can visit this again next year.

12 COMMISSIONER MILAS: I'm actually curious.
13 I'm very familiar with the Met School and their mission,
14 so if you're saying the funds get pooled by a number of
15 sources, that's one thing, but this is a designated
16 scholarship under Len Walker's name.

17 MS. SAMONS: Right. Since that's a
18 scholarship fund, we are not the only contributor to
19 that scholarship fund.

20 RAYMOND MARSHALL: So, the Walker family
21 actually helps to grow that fund for the Met School, so
22 they're the ones that are out there approaching people
23 about what they can do to help out. We're just one cog
24 in the entire wheel.

25 COMMISSIONER MILAS: Well, I hope we can

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1 revisit it next year because there's a number of
2 students, and if you divide that by \$2,500, it's not a
3 lot of money.

4 CHAIRMAN MESOLELLA: They pay close
5 attention to what's going on in the NBC, they're

6 reporting the environmental issues, the clean water
7 issues, so it's a mutually beneficial program for us.

8 COMMISSIONER MILAS: Thank you.

9 CHAIRMAN MESOLELLA: All right, having said
10 that, further discussion on the use of Environmental
11 Enforcement Funds.

12 THE COMMISSION: (No response)

13 CHAIRMAN MESOLELLA: All of those that are
14 in favor of Resolution 2011:27 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 and that motion carries.

20 (MOTION PASSED UNANIMOUSLY)

21 CHAIRMAN MESOLELLA: So, that concludes our
22 report under Long Range Planning. We do have some
23 additional matters under Finance. Commissioner Andrade.

24 COMMISSIONER ANDRADE: Thanks, Mr. Chairman.

25 There was one additional item that came before the

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1 Finance Committee this morning, and that was Resolution
2 2011:29, Authorizing the Narragansett Bay Commission to
3 Borrow an Amount Not to Exceed \$750,000 from the Rhode

4 Island Clean Water Finance Agency and Authorizing the
5 Commission to Issue an Amount Not to Exceed \$750,000 in
6 Revenue Bonds. Just to note that the agenda doesn't
7 quite spell out 750,000, but it is 750,000. I'll make
8 that motion.

9 CHAIRMAN MESOLELLA: We have a motion to
10 approve Resolution 2011:29, which provides for the
11 borrowing authority of \$750,000 from Clean Water
12 Finance. Is there a second?

13 COMMISSIONER FARNUM: Second.

14 COMMISSIONER KIMBALL: Second.

15 COMMISSIONER CARLINO: Second.

16 CHAIRMAN MESOLELLA: Commissioner Farnum,
17 Commissioner Kimball, Commissioner Carlino second the
18 motion. Is there discussion?

19 THE COMMISSION: (No response)

20 CHAIRMAN MESOLELLA: For those who were not
21 present at the Subcommittee Meeting, these are dollars
22 that were not utilized by the Town of Johnston for one
23 of their approved projects, and Karen indicated that she
24 was contacted by the Rhode Island Clean Water Finance
25 Agency to ask, they wanted to know if we had any use for

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1 \$750,000, so of course we responded, yes, and so that's

2 where these funds come from. Having said that, further
3 discussion on this matter?

4 THE COMMISSION: (No response)

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

7 THE COMMISSION: Aye.

8 CHAIRMAN MESOLELLA: Are there any opposed?

9 THE COMMISSION: (No response)

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

12 (MOTION PASSED UNANIMOUSLY)

13 CHAIRMAN MESOLELLA: Further report,
14 Commissioner Andrade?

15 COMMISSIONER ANDRADE: That concludes my
16 report, Mr. Chairman.

17 CHAIRMAN MESOLELLA: Moving right along, the
18 next Committee reporting would be Personnel.

19 COMMISSIONER CAMPBELL: No Personnel
20 Committee.

21 CHAIRMAN MESOLELLA: No Personnel Committee
22 Meeting. Rules and Regulations, there was no meeting.

23 The next committee reporting is the Citizens Advisory
24 Committee. Harold, do you have a report for us today?

25 MR. GADON: I have a short report, Mr.

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1 Chairman.

2 CHAIRMAN MESOLELLA: Well, then, proceed.

3 MR. GADON: The CAC Meetings were held on
4 May 11th and June 8th. The May meeting had Marcie Cole
5 of Save the Bay give a report on Eel Grass Program this
6 year. She did give thanks to NBC for the support
7 funding received from the NBC Environmental Enforcement
8 Funds.

9 Recognition was also given to Treasurer, Gina
10 Raimondo, being the speaker at the NBC Industry
11 Recognition Breakfast on June 2nd. She did assist the
12 Chairman in presenting the awards. She gave special
13 praise to NBC for their fine credit rating and the good
14 condition of the NBC Pension Plan, and she hopes to have
15 the State finances rise to that level. Our next meeting
16 is on September 21st, and you all are wished a great
17 summer. Thank you.

18 CHAIRMAN MESOLELLA: Thank you, Harold.

19 Thank you very much.

20 (COMMISSIONERS THOMPSON & DiCHIRO ARE NOW NOT PRESENT)

21 CHAIRMAN MESOLELLA: The Executive Committee
22 did not meet, nor did the Ad Hoc Committee on
23 Compensation, I believe. Ad Hoc on Internal Ethics did
24 not meet. Legislative Report, Joanne, you are on.

25 MS. MACERONI: Thank you, Mr. Chairman,

1 Members of the Committee. I don't have a formal report.

2 We're continuing to monitor legislation that's up there.

3 The budget is scheduled to come out of Committee on

4 Friday, which means, hopefully, the session will last

5 just another week or two, so there may be some more

6 movement on legislation.

7 One piece of legislation that is quickly making its

8 way through both the Senate and House is the Net

9 Metering Bill, one of the renewable energy bills in the

10 packet, and I'm happy to report that the General

11 Assembly has increased the main plate capacity to 5

12 megawatts, which will allow our project across the

13 street to qualify for net metering.

14 They've also included biogas as an eligible project.

15 So, again, we're very happy for that, and I would like

16 the Board members to know that the members of the House

17 and Senate Environment Committees are as excited about

18 our wind turbine project as we are, so we're very happy

19 to report that.

20 CHAIRMAN MESOLELLA: Thank you very much,

21 Jo. Does anybody have any questions for Joanne

22 regarding the Legislative Report?

23 THE COMMISSION: (No response)

24 CHAIRMAN MESOLELLA: Okay, the next report

25 is the Chairman's Report. I'd just like to talk little

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1 bit about something Harold Gadon touched in, which is
2 Gina Raimondo, who is our guest speaker at the
3 Environmental Awards Ceremony we have annually for the
4 companies that are in our system that have achieved or
5 exceeded compliance limits, permitted users.

6 We had about 80 or 90 people from industries from
7 across our district attend the Environmental Award
8 Breakfast. Gina Raimondo was extremely complimentary to
9 the Narragansett Bay Commission. She talked a little
10 bit about how successful the implementation of our
11 pension program for our employees is.

12 She has mentioned that at numerous hearings across
13 the state that NBC could actually be a model, not only
14 because of its pension program, but also the way this
15 Commission is run. She stayed the entire day, and she's
16 very a effective and welcomed speaker.

17 The next thing I'd like to do is, I'd like to take a
18 moment just to welcome our dear friend and former
19 Executive Director from the Narragansett Bay Commission.
20 He's wearing a tan that he's never had before. Paul
21 Pinault, welcome back. How is it going so far, is
22 everything okay? All right, thank you.

23 I would like to announce, of course, that our next
24 Board Meeting is scheduled for September 28th. I also
25 would like to just talk to the Board members about

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1 something we've been discussing for the last year and a
2 half, which is our system expansion initiative.

3 We recognize that there are areas of our service
4 area, which can be, we think, expanded upon. We looked
5 at our reduction and consumption and our corresponding,
6 of course, reduction and revenue. We've talked about
7 the expansion initiative several times.

8 Our staff is extremely busy. I talked to the
9 Executive Director about the possibility of engaging
10 independent companies to do the needs assessment and
11 expansion assessment. So, over the next couple of
12 months, we'd like to continue that engagement, and we
13 would like to engage a consultant of that regard. It
14 would be something below, we're hoping, something below
15 the necessary value that would require Board approval,
16 but I believe it's essential.

17 I'd like to be back, engage them very quickly, be
18 back to the Board with a recommendation for our
19 September or certainly, our October meeting. I just
20 wanted to inform the Board that we're moving forward on

21 that.

22 The last item I have to report is, I'm going to ask

23 Commissioner Rotella to read a Resolution of

24 Congratulations. Commissioner Rotella.

25 VICE CHAIRMAN ROTELLA: This is a Resolution

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1 of Congratulations.

2 Whereas, Providence Business News held its annual

3 competition to determine the best places to work in

4 Rhode Island; and,

5 Whereas, the Pawtucket Credit Union entered this

6 competition and was rated based on responses to a

7 management survey as well as confidential employee

8 surveys on issues such as innovative benefit programs,

9 flexible work arrangements, consistent opportunities for

10 advancement and personal development to name a few; and,

11 Whereas, based on its policies and the rating of its

12 employees, the Pawtucket Credit Union was ranked Number

13 One in the Large Company (150 plus employees) category

14 of the annual Best Places to Work in Rhode Island

15 Competition for 2011;

16 Now, therefore let it be resolved, that we, the Board

17 of Commissioners of the Narragansett Bay Commission,

18 express our sincere congratulations to Commissioner

19 Robert Andrade, Chief Operating Officer, and the
20 Pawtucket Credit Union on receiving top honors and being
21 recognized as a business that values its employees and
22 serves as a model employer that other businesses should
23 emulate. Presented on June 15, 2011.

24 RAYMOND MARSHALL: Our goal is to knock
25 Pawtucket Credit Union out of that --

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1 CHAIRMAN MESOLELLA: We're moving towards
2 conclusion of the Board Meeting. That concludes the
3 Chairman's Report. The next order of business is New
4 Business. Is there any new business to come before the
5 Commission this morning? New business of any nature?

6 THE COMMISSION: (No response)

7 CHAIRMAN MESOLELLA: Item Number 8, Other
8 Business. Any business that we've covered in the past
9 that leads to -- Commissioner Carlino.

10 COMMISSIONER CARLINO: Maybe it's new
11 business and not other business.

12 CHAIRMAN MESOLELLA: Okay, under New
13 Business, then.

14 COMMISSIONER CARLINO: I believe we all
15 received a letter from Governor Chafee asking us to
16 review any contracts, and I'm assuming that the

17 Executive Director has received the same letter. Have
18 we responded back to the Governor?

19 RAYMOND MARSHALL: Yes, we have. We did
20 receive the same letter. We responded within a couple
21 of days, well within the targeted deadline. They asked
22 for us to report on contracts for public relations,
23 advertising and lobbying. We don't have any contracts
24 directly with anyone specifically for those purposes.
25 For example, on lobbying, Joanne Maceroni does almost

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1 all of our lobbying. We did report that we asked Joe
2 DeAngelis to help us lobby on a couple of specialty
3 bills over the past couple of years, and we had to
4 report the amounts; and they're very, very low amounts.
5 I think the total of everything came to maybe \$7,000
6 over the three-year window that they asked us to report.
7 So, we complied, and we're certainly not part of the
8 concern that they appear to have on those specific
9 items.

10 COMMISSIONER CARLINO: Thank you.

11 CHAIRMAN MESOLELLA: So, are there any other
12 matters for discussion before the Board before we
13 conclude our business today?

14 THE COMMISSION: (No response)

15 CHAIRMAN MESOLELLA: I don't know if we're
16 going to have a summer, but if, in fact, we do, I wish
17 everyone would enjoy their summer. The winds are
18 picking up. You've got plenty of wind for sailing,
19 Bruce.

20 COMMISSIONER CAMPBELL: I'll be out there
21 tonight.

22 CHAIRMAN MESOLELLA: You'll be out there
23 tonight. So, Item Number 9.

24 VICE CHAIRMAN ROTELLA: Motion to adjourn.

25 CHAIRMAN MESOLELLA: We have a motion to

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1 adjourn, seconded by the entire Board. Enjoy your
2 summer. Lunch has arrived, so I'd appreciate it if you
3 would just stay and engage in some lunch, and have a
4 great summer, everyone. The meeting is adjourned.

5 (MONTHLY BOARD MEETING CLOSED AT 12:20 P.M.)

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

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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.

8 IN WITNESS WHEREOF, I hereunto set my hand
9 this 1st day of July 2011.

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HEATHER MARIE FINGER, CSR, NOTARY PUBLIC
MY COMMISSION EXPIRES 4/02/12

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23 DATE: June 15, 2011

24 IN RE: Monthly Board Meeting of the Commission

25 HEARING OF: Narragansett Bay Commission

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