

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

3 In Re: Monthly Board Meeting of the Commission

4 DATE: September 28, 2011
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 Joseph DeAngelis, Esquire
- Richard Burroughs
- 10 Bruce Campbell
- Mario Carlino
- 11 Michael DiChiro
- Jonathan K. Farnum
- 12 John MacQueen
- Joan P. Milas
- 13 Alan Nathan
- Michael Salvadore
- 14 Leo Thompson
- Richard Worrell
- 15

16 ALSO PRESENT:

- 17 Paul Annicelli, NBC
- Sherri Arnold, NBC
- 18 Rich Bernier, NBC
- Pat Boucher, Bacon & Co.
- 19 Tom Brueckner, NBC
- Diane Buerger, NBC
- 20 Anthony Di Iorio, NBC
- Charles J. Donovan, Jr., House Policy
- 21 Pam Duckworth, NBC
- Robert Dutra, NBC
- 22 Tim Faulkner, ECO RI News
- Leah Foster, NBC
- 23 Linda George, Senate
- Karen Giebink, NBC
- 24 Meg Goulet, NBC
- Jennifer Harrington, NBC

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1 ALSO PRESENT, cont.

- 2 Kathryn Kelly, NBC
- Jennifer Lachnmayz, Malcolm Pirnie/Arcadis
- 3 Jean Lynch, CAC
- Joanne Maceroni, NBC
- 4 Chris Moran, NBC
- Karen Musumeci, NBC
- 5 Paul Nordstrom, NBC
- Robert Otoski, CDM
- 6 Dennis Place, NBC
- Joe Pratt, Louis Berger Group
- 7 Jamie Samons, NBC
- Deborah Samson, NBC
- 8 Mark Thomas, NBC
- Thomas Uva, NBC
- 9 John Zuba, NBC

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1 (MONTHLY BOARD MEETING COMMENCED AT 11:30 A.M.)

2 CHAIRMAN MESOLELLA: We need to call the
3 Wednesday, September 28th, Board of Commissioners
4 Narragansett Bay Commission to order. We do have some
5 time constraints. Some of our members will be leaving
6 shortly, so we want to conclude the business portion.

7 The first order of business is the approval of the
8 previous minutes. I don't think we can have approval of
9 the previous minutes without the quorum, correct,
10 counselor?

11 MR. DeANGELIS: Correct.

12 CHAIRMAN MESOLELLA: So, moving right along
13 to Item 2, is there any old business to come before the
14 Commission? Any old business?

15 THE COMMISSION: (No response)

16 CHAIRMAN MESOLELLA: Item Number 4 is
17 Acknowledgement of Awards. This would be the NACWA
18 Management Excellence Award. Mr. Secretary, would you
19 care to enlighten us?

20 RAYMOND MARSHALL: Yes. If you wouldn't

21 mind, Mr. Chairman, before I do that, I would like to
22 acknowledge a group of employees that we asked to be
23 here today. They're standing in the back there, the
24 members of our Interceptor Maintenance crew.
25 I don't know if you noticed when you came in this

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1 morning, we have all new sidewalks out in front,
2 improved landscaping, and we also improved the drainage
3 in the parking lot immediately adjacent to the building;
4 and the work was done by our own staff here.
5 The individuals involved are, from the right, Dennis
6 Place, Paul Annicelli, Bob Dutra, Tony Di Iorio and
7 Chris Moran. They did a great job. We knew we needed
8 some work done out there; Paul Nordstrom and I were
9 talking about it, and he suggested that had we do it
10 with our own in-house forces; and in the matter of a
11 week, they pulled up the old sidewalks, they improved
12 the base, they improved the drainage, they tore up part
13 of the parking lot and put it all back together in the
14 fine fashion that you see now, all while allowing our
15 visitors and our customers continued access to the front
16 door, and while they were at it, they did some
17 landscaping improvements.
18 The place was looking a little rough after the

19 summer, and they really spruced it up nicely. I wanted
20 to acknowledge that. I believe the Chairman even had an
21 observation of his own.

22 CHAIRMAN MESOLELLA: Phenomenal work. As a
23 matter of fact, I'm expecting you guys at my house this
24 weekend. I've got a lot of work to do. It's great. If
25 you haven't noticed it when you first walked in, you

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1 should really observe it. The work is spectacular.

2 Thank you, guys. It was great.

3 (APPLAUSE)

4 RAYMOND MARSHALL: So, you guys are welcome
5 to stay and to listen to this, if you'd like, but again,
6 thanks for all of your great work; and I just wanted the
7 Board to have the opportunity to put some faces with the
8 names, and so, hopefully, when they see you guys out in
9 the street, they'll stop, and they'll talk to you and
10 maybe they'll even buy you a cup of coffee. Who knows?
11 Thanks, guys.

12 CHAIRMAN MESOLELLA: Thank you very much.
13 Really, thank you.

14 RAYMOND MARSHALL: The Management Excellence
15 Award for NACWA is something that we won and we're very
16 proud of. There are about 300 agencies throughout the

17 United States that are part of NACWA, and they're all
18 eligible to submit an application to receive this
19 designation; but the threshold's pretty high to qualify.
20 Only 15 saw fit to actually submit an application
21 because it's so comprehensive and so extensive, and we
22 were only one of five who actually received it. So,
23 five out an entire enrollment of about 300, and only 1/3
24 of those that did submit actually received the award.
25 I also might add that had we are one of four agencies

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1 throughout the country that have received this
2 designation three times in the last decade. It's a
3 three-year honor. We received it in 2007 and in 2003 as
4 well.
5 What they look for is progressive management
6 initiatives that advance the goal of the Clean Water
7 Act. They want to see how you're maximizing your
8 resources and you're operating at an efficient manner.
9 You have to show progress over the three-year window
10 that shows that you have continuous improvement going
11 on, and they want it across a broad spectrum of
12 categories, not just one focused area.
13 So, we mentioned our, highlighted our capital
14 program, our aggressive water quality monitoring effort,

15 the public outreach activities that we do, whether it's
16 the school systems that we go out to or the World Toilet
17 Day, which was a big hit, and our employee retention and
18 development efforts, and our wellness program, and
19 finally, our financial reporting which wins awards, for
20 both the budget presentation and the actual financial
21 recording keeping that we do from the GFOA.

22 The presentation was made at the summer conference in
23 Chicago. It was a very nice ceremony. I'll pass around
24 the brochure, the letter, and the actual certificate
25 that we received.

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1 I especially want to thank the Board for all of your
2 support, because without your support, we wouldn't be
3 able to implement these programs and undertake some of
4 these projects that we're so highly acclaimed for.

5 I also want to thank my directors, Paul, Rich,
6 Laurie, Karen and Tom, because they're the ones that
7 actually carry out the programs on a day-to-day basis,
8 otherwise, these programs would just be, essentially,
9 empty boxes sitting on the shelf, look nice, but not
10 really have any meaning, so I want to thank them, also.

11 So, I hope the Board's proud of this award, as you
12 should be, and we'll strive to win it every year we are

13 eligible; so thank you very much.

14 CHAIRMAN MESOLELLA: Thank you.

15 COMMISSIONER SALVADORE: What does NACWA
16 stand for?

17 RAYMOND MARSHALL: The National Association
18 of Clean Water Agencies.

19 (COMMISSIONER DiCHIRO IS NOW PRESENT)

20 CHAIRMAN MESOLELLA: Okay, at this point, we
21 can recognize a quorum. Thank you, Commissioner
22 DiChiro, for gracing us with your presence.

23 So, back to Item Number 2, which is the approval of
24 the previous minutes of June 15, 2011, have all of our
25 members had an opportunity to review the previous

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1 minutes, and if so, are there any comments, questions or
2 corrections on the previous minutes?

3 THE COMMISSION: (No response)

4 COMMISSIONER SALVADORE: Move approval, Mr.
5 Chairman.

6 CHAIRMAN MESOLELLA: We have a motion to
7 approve the previous minutes of June 15, 2011. Is there
8 a second?

9 COMMISSIONER FARNUM: Second.

10 CHAIRMAN MESOLELLA: Seconded by

11 Commissioner Farnum. Discussion?

12 THE COMMISSION: (No response)

13 CHAIRMAN MESOLELLA: Hearing none, all of
14 those that are in favor of approval 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: The next order of
22 business is Item Number 5, which is the Executive
23 Director's Report. Do you have a report for us, Mr.
24 Secretary?

25 RAYMOND MARSHALL: Yes, I do, Mr. Chairman.

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1 CHAIRMAN MESOLELLA: Proceed.

2 RAYMOND MARSHALL: I'll try to be brief in
3 the interest of time. I just wanted to let everyone
4 know that we came through the hurricane with flying
5 colors, kind of an interesting mix of situations.
6 Field's Point, which has lots of backup generation
7 power available to it, never lost power. We were fine
8 at Field's Point, at the Tunnel Pump Station and at the

9 Ernest Street Pump Station never lost power, but we were
10 ready, in case we did.

11 The Interceptor Maintenance crews did a good job
12 coordinating with the Hurricane Barrier people to make
13 sure that we were ready to close the sewer gates, if we
14 needed to, that never became necessary.

15 At Bucklin Point, while we never lost power, the
16 power was fluctuating quite a bit, just like in your own
17 house you get brownouts, you get spikes, so what we did
18 is, we dropped off the grid, and we ran on our own
19 generators because we didn't want to take the chance
20 that we'd have equipment tripping out while we burn out
21 some very expensive motors; so that's how we handled the
22 situation there.

23 The interesting part was here at the main building.

24 The only backup generator we have here is to run the IT
25 system, but our electricians scrambled around on Monday

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1 morning and ran some large extension cords around and
2 were able to get the building operational, so we were
3 able to serve the public.

4 I believe, I think Karen's still here, right? I
5 think it was one of the biggest days for walk-in
6 traffic, people paying their bills in a long time, so I

7 guess they didn't have anything else better to do, so
8 they just came in and paid in person.
9 So, we were here and open. We didn't miss any work
10 at all. Nice sunny day. I had everybody open the
11 windows because we couldn't run the AC, except in the IT
12 area. So, we managed to get through that without too
13 much of a problem.

14 At the lab where we have a backup generator, it only
15 handles a limited number of the pieces of equipment. We
16 brought in what they call a tag-along generator, which
17 is run on a trailer, and again, the electricians that we
18 have on staff scrambled around, got them up and running
19 so they could do all their analysis; and we finally had
20 power restored to this side of the street by Wednesday
21 morning.

22 What it has done is it has caused us now to step back
23 and take a look at, see what we can do to provide
24 emergency power to this side of the street, this
25 building, IM, and the new lab, when it moves across the

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1 street, will draw its backup power from the Field's
2 Point Treatment Plant, excess capacity. Commissioner,
3 do you have a question?

4 COMMISSIONER NATHAN: Yes. Let's go out a

5 couple of years, and we have this windmill. With heavy
6 winds, I assume it closes down.

7 RAYMOND MARSHALL: At certain speeds it will
8 shut down, yes. I think it's 55 miles an hour.

9 MR. UVA: YES, 50 miles an hour.

10 COMMISSIONER NATHAN: So, we would still
11 need backup, even though we have an ability to make our
12 own power.

13 RAYMOND MARSHALL: Right, that's correct.
14 So, overall, it went really well. We went through quite
15 a few days of preparation prior to, and that included
16 coordinating with the City and the Hurricane Barrier
17 people, like I mentioned.

18 Overall, things are going very well. Treatment is
19 very good, both at Field's Point and Bucklin Point.
20 They're making great progress across the street,
21 bringing that new system on line. They're doing the
22 administration building. It should be turned over to us
23 sometime in the month the October.

24 We'll probably arrange for you all to have a tour at
25 our next Board meeting on November 2nd. We'll let you

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1 know the time of that. We might do it at 10:30, get you
2 through the building in a half an hour, so we can come

3 back here to act on any business we might have.
4 They are loading up the irrigation tanks after they
5 make all the structural changes with those plastic discs
6 that I've shown you before. Here is one them. I'm
7 holding it in my hand. They are bringing bags and bags
8 of them in.

9 In one irrigation tank, which has a volume of 1 million
10 gallons, there are 78 million of these in each tank.
11 It's hard to believe, but the guys have checked the
12 numbers several times; and they assure me that that is
13 the number.

14 CHAIRMAN MESOLELLA: They counted them one
15 by one. We know. We know.

16 RAYMOND MARSHALL: We have to check and make
17 sure if there's any missing, but it is also helping
18 improve treatment. We're getting better BOD removal
19 already.

20 Other than that, construction is really ramping up as
21 the contractors are getting out there, getting their
22 trailers set up for all the new CSO Phase II facilities,
23 whether it's out by the bike path, out by the Hartford
24 Avenue Housing Project, or up around the North Main
25 Street area, over on Hope Street, several projects, I'm

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1 not going in any particular order here because I'm
2 trying to get through this quickly, but overall, things
3 are going really well.

4 We have another bid opening tomorrow for the Bucklin
5 Point upgrade. You've got two awards to make as part of
6 the CEO presentation today.

7 I guess the last item I'll let you know about is, we
8 do have a lien sale scheduled for October 27th. We had
9 308 properties that we identified that needed to be
10 pursued, and we are down to 154.

11 So, we've cut it in half with about a month to go,
12 and it's, generally, on track for the way these things
13 play out. So, we're continuing to try to follow up and
14 collect our money. I'll leave it at that for now
15 because I know we have other items of business we have
16 to get through.

17 CHAIRMAN MESOLELLA: Okay. Do any of our
18 members have any questions for the Executive Director
19 relative to his report?

20 THE COMMISSION: (No response)

21 CHAIRMAN MESOLELLA: Okay, good. The next
22 order of business are Committee Reports and Action Items
23 Resulting. The first Committee Reporting is the
24 Construction, Engineering and Operations Committee.
25 Chairman Salvadore, do you have a report for the members

1 today?

2 COMMISSIONER SALVADORE: Yes, we do, Mr.
3 Chairman.

4 CHAIRMAN MESOLELLA: Please proceed.

5 COMMISSIONER SALVADORE: CEO met earlier
6 this morning. We have six items for consideration by
7 the Board of Commissioners this morning. The first
8 item, Item A, Review and Approval of Resolution 2011:30,
9 Contract 303.12C, Combined Sewer Overflow Control
10 Facilities Program, Phase II-SCS01, Regulator
11 Recommendation for Award in the amount of \$598,000, and
12 CEO recommends approval.

13 CHAIRMAN MESOLELLA: Okay, we have a motion
14 to approve Resolution 2011:30, Contract 303.12C, CSO
15 Control Facilities. Is there a second?

16 COMMISSIONER FARNUM: Second.

17 CHAIRMAN MESOLELLA: Commissioner Farnum
18 seconds the motion. Is there discussion on Resolution
19 2011:30?

20 THE COMMISSION: (No response)

21 CHAIRMAN MESOLELLA: Further discussion.

22 THE COMMISSION: (No response)

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

25 THE COMMISSION: Aye.

1 CHAIRMAN MESOLELLA: Are there any opposed?

2 THE COMMISSION: (No response)

3 CHAIRMAN MESOLELLA: There are none opposed,
4 and that motion carries.

5 (MOTION PASSED UNANIMOUSLY)

6 CHAIRMAN MESOLELLA: Further report,
7 Commissioner Salvadore?

8 COMMISSIONER SALVADORE: Item B, Mr.
9 Chairman, Review and Approval of Resolution 2011:31,
10 Contract 303.10C, Combined Sewer Overflow Control
11 Facilities Program Phase II-WCSO1, North Recommendation
12 for Award in the amount of \$5,368,000, and CEO
13 recommends approval, Mr. Chairman.

14 CHAIRMAN MESOLELLA: We have a motion to
15 approve Resolution 2011:31, Contract 303.10C-CSO Control
16 Facilities Program. Do we have a second?

17 COMMISSIONER DiCHIRO: Second.

18 COMMISSIONER NATHAN: Second.

19 CHAIRMAN MESOLELLA: Second, Commissioner
20 DiChiro and Commissioner Alan Nathan. Is the Board
21 interested in hearing a complete and comprehensive
22 explanation, or have they read the Resolution in its
23 entirety?

24 We don't have any issue going through a complete
25 explanation. Many of the Commissioners were here during

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1 that process. I don't know if they were listening or
2 not. In the essence of time, I really would like to get
3 through this, but comprehensive explanations are
4 available. Would you mind if we just go through the
5 business? Any objection?

6 THE COMMISSION: (No response)

7 CHAIRMAN MESOLELLA: No objection. Okay, we
8 have a motion and a second to approve Resolution
9 2011:31. All of 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 business,
17 Commissioner Salvadore.

18 COMMISSIONER SALVADORE: Item C, Review and
19 Approval of Resolution 2011:32; Award of Contract
20 306.00RS-Construction Related Engineering Services for
21 Floatable Control Project, Outfalls, 205, 219, 220,

22 Construction Contract 306.00 in the amount of \$130,000.

23 CHAIRMAN MESOLELLA: We have a motion to
24 approve Resolution 2011:32, Award of Contract 303.10C.

25 COMMISSIONER NATHAN: Second.

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1 CHAIRMAN MESOLELLA: We have a motion to
2 approve Resolution 2011:32, seconded by Commissioner
3 Nathan. Are there any comments or questions regarding
4 this Resolution?

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 the motion carries.

13 (MOTION PASSED UNANIMOUSLY)

14 CHAIRMAN MESOLELLA: But before we continue
15 on to Item D, I think we should point out which one of
16 these Resolutions are directly affiliated with Phase II
17 of our CSO Program, and that would be Item A, that would
18 be Item B, Item C is remotely connected to Phase II, but
19 not directly, and I think that's it, right?

20 RAYMOND MARSHALL: Yes, it is, that's it.

21 CHAIRMAN MESOLELLA: Moving right along,

22 Item D, Review and Approval of Resolution 2011:33.

23 Further report, Commissioner Salvadore.

24 COMMISSIONER SALVADORE: Right. Item D,

25 Review and Approval of Resolution 2011:33, Award of

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1 Contract 809.00RS-Construction Related Engineering

2 Services for Bucklin Point Wastewater Treatment Facility

3 Improvements, the Construction Contract is 809.00C in

4 the amount of \$3,150,000, and CEO recommends passage.

5 CHAIRMAN MESOLELLA: We have a

6 recommendation for approval of Resolution 2011:33,

7 Contract Award 809.00RS.

8 COMMISSIONER WORRELL: Mr. Chairman, I'd

9 like to recuse myself on this vote. I have a potential

10 possible conflict of interest as a result of my being

11 involved with Conservation Law Foundation.

12 CHAIRMAN MESOLELLA: Let the record reflect

13 that Commissioner Worrell has recused himself from this

14 vote.

15 (COMMISSIONER WORRELL RECUSING FROM VOTE)

16 CHAIRMAN MESOLELLA: I think, perhaps, a

17 brief explanation of this particular item is in order,

18 so why don't we go into that discussion, Ray.

19 RAYMOND MARSHALL: Sure. The services are
20 to be supplied by Camp Dresser & McKee, also known as
21 CDM. They have done the design for us on this project,
22 and as part of our procurement process when we bring an
23 engineering firm on board early in a project, it has a
24 provision for a continuing relationship throughout the
25 entire life of project, provided they perform

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1 adequately, which they have done in the design work.

2 The design actually includes the next step in the
3 upgrade of the Bucklin Point Treatment Plant to achieve
4 5 parts per million of nitrogen in the discharge as
5 opposed to the 8 that it's designed for now. I might
6 point out that we're actually achieving 6 1/2 because
7 it's being well run by our staff over there.

8 This is technical support during construction,
9 including shop drawing review, O&M manual, development,
10 startup, training, assistance in the first year of
11 operation and some field inspection services.

12 The amount, 3.15 million, is about 7 percent of the
13 anticipated bid price, which is in line with industry
14 standards, and our staff has reviewed that number with
15 them extensively and has actually reduced it to that

16 level. So, that is an important project that we're
17 opening bids on tomorrow afternoon at 3:00, and then we
18 will begin all the paperwork before construction
19 actually starts, probably later this year.

20 CHAIRMAN MESOLELLA: Having heard the
21 explanation, are there any questions?

22 THE COMMISSION: (No response)

23 CHAIRMAN MESOLELLA: Hearing none, all of
24 those that in favor of approval of Resolution 2011:33
25 will say aye.

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1 THE COMMISSION: Aye.

2 CHAIRMAN MESOLELLA: Are there any opposed?

3 THE COMMISSION: (No response)

4 CHAIRMAN MESOLELLA: There are none opposed,
5 and the motion carries.

6 (MOTION PASSED UNANIMOUSLY)

7 (COMMISSIONER WORRELL RECUSED FROM VOTE)

8 CHAIRMAN MESOLELLA: Further report,
9 Commissioner Salvadore.

10 COMMISSIONER SALVADORE: Item E, Mr.
11 Chairman, Review and Approval of Resolution 2011:34,
12 Authorization to Negotiate a Contract for Design
13 Services for Contract 2011:302.21D-Update NBC's

14 Hydraulic Model using Mike Urban Software in the amount
15 of \$203,000, CEO recommends approval.

16 CHAIRMAN MESOLELLA: Okay, we have a motion
17 to approve Resolution 2011:34.

18 COMMISSIONER FARNUM: Second.

19 CHAIRMAN MESOLELLA: Seconded by
20 Commissioner Farnum. Are there any comments or
21 questions regarding Resolution 2011:34?

22 THE COMMISSION: (No response)

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

25 THE COMMISSION: Aye.

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1 CHAIRMAN MESOLELLA: Are there any opposed?

2 THE COMMISSION: (No response)

3 CHAIRMAN MESOLELLA: There are none opposed,
4 and the motion carries.

5 (MOTION PASSED UNANIMOUSLY)

6 CHAIRMAN MESOLELLA: Further business.

7 COMMISSIONER SALVADORE: Our last item,
8 Item F, Review and Approval of Resolution 2011:35,
9 Request to Rebuild Four Ernest Street Pump Station
10 Motors in the amount of \$265,000, and CEO recommends
11 approval.

12 CHAIRMAN MESOLELLA: We have a motion to
13 approve 2011:35. Is that a second, Commissioner Nathan?

14 COMMISSIONER NATHAN: Motion, sure.

15 CHAIRMAN MESOLELLA: We have a second by
16 Commissioner Nathan. Discussion on the motion.

17 THE COMMISSION: (No response)

18 CHAIRMAN MESOLELLA: Further discussion.

19 THE COMMISSION: (No response)

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

22 THE COMMISSION: Aye.

23 CHAIRMAN MESOLELLA: Are there any 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: Does that conclude your
4 report today?

5 COMMISSIONER SALVADORE: That concludes our
6 report for September 28th, Mr. Chairman.

7 CHAIRMAN MESOLELLA: Thank you very much.

8 Moving right along to the Personnel Committee.

9 COMMISSIONER CAMPBELL: The Personnel

10 Committee met and reviewed the following Resolutions:
11 A, Review and Approval of Resolution 2011:36, Amendment
12 to the Amended and Restated Narragansett Bay Commission
13 Deferred Compensation Plan, 457 Plan, and we move
14 approval.

15 CHAIRMAN MESOLELLA: We have a motion to
16 approve Resolution 2011:36, which is restated,
17 Narragansett Bay Commission Deferred Compensation Plan
18 457. Do any of our members require a detailed
19 explanation of this matter?

20 THE COMMISSION: (No response)

21 CHAIRMAN MESOLELLA: Many of you were
22 present during that discussion. Do we have a second?

23 COMMISSIONER MacQUEEN: Second.

24 COMMISSIONER CARLINO: Second.

25 CHAIRMAN MESOLELLA: Commissioner MacQueen,

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1 Commissioner Carlino second the motion. Now that there
2 is a motion in order, all of those that are in favor
3 will say aye.

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: Further business.

11 COMMISSIONER CAMPBELL: Further business, B,

12 Review and Approval of Resolution 2011:37, Non-Union

13 Defined Benefit Plan-Termination of Agreement with

14 Nationwide; Approval of Investment Agreement with

15 Massachusetts Mutual Life Insurance Company; Approval of

16 Advisory Services Agreement with Mesirow Financial

17 Investment Management, Incorporated; and Appointment of

18 the State Street Bank and Trust Company as Trustee; and

19 Approval of the Trust Agreement with State Street Bank

20 and Trust Company.

21 CHAIRMAN MESOLELLA: That was a lot. All

22 right, we have a motion to approve 2011:37. Is there a

23 second?

24 COMMISSIONER MacQUEEN: Second.

25 CHAIRMAN MESOLELLA: Commissioner MacQueen

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1 seconds the motion. Before we vote on this, I think it

2 will suffice to say that there would appear to be some

3 questions on the organizational chart of the plan, so

4 the Executive Director and I were talking, discussing it

5 after the subcommittee meeting; and I think we've

6 concluded that maybe Karen can give us a little flow
7 chart on who is who with regard to the administration of
8 the plan. Is that possible, Karen?

9 MS. GIEBINK: I don't know about a flow
10 chart, but I probably can give you an overview.

11 CHAIRMAN MESOLELLA: An overview of who does
12 what in this arrangement, I think, just to make it
13 clearer.

14 MS. GIEBINK: Sure. We had a relationship
15 with Nationwide as the investment platform for the
16 Defined Benefit Plan when we first started the DB Plan
17 in 2005, and since that time, they've modified their
18 platform; and we've determined it was in our best
19 interest to move from that, and we worked with the
20 investment advisor to come up with an alternative and
21 went through due diligence to select Mass Mutual as a
22 result of that process.

23 So, they will provide the investment platform. They
24 will also provide the benefit payments to retirees and
25 all of that administrative end.

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1 In addition, we'll be contracting with Mesirow
2 Financial through Mass Mutual, and they will be the
3 investment advisor for us. They will help us to

4 determine the selection of funds, and as part of that,
5 there will also be a named fiduciary in the plan, which
6 helps to protect NBC.

7 In addition, we will have a relationship with State
8 Street Bank, and they will serve as trustee on the plan.
9 We also work with Abacus as a third party administrator
10 for the actuarial services as well as the determination
11 of the benefit amounts.

12 CHAIRMAN MESOLELLA: Correct, great, so
13 maybe we can get that down and everybody can see that so
14 we'll all know. Commissioner Nathan.

15 COMMISSIONER NATHAN: Karen, curiosity,
16 these various organizations that help with the
17 administration of that plan, in a total, what percentage
18 of the plan do they cost a year?

19 MS. GIEBINK: It should be under 100 basis
20 points total. Maybe a little bit more on average, but I
21 think that's a pretty good number.

22 CHAIRMAN MESOLELLA: Okay. We have a
23 motion, we have a second. You've heard an explanation.
24 Is there any further discussion or questions regarding
25 Resolution 2011:37?

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1 THE COMMISSION: (No response)

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

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 the motion carries.

9 (MOTION PASSED UNANIMOUSLY)

10 CHAIRMAN MESOLELLA: Is there further
11 business, Commissioner Campbell?

12 COMMISSIONER CAMPBELL: No further business.

13 CHAIRMAN MESOLELLA: No further business,

14 thank you. The next committee reporting is the Joint

15 Long Range Planning and the Finance Committee. There

16 are two items which need the Board's approval. Item A

17 is Review and Approval of Resolution 2011:38,

18 Authorization to Approve and Accept The Comprehensive

19 Annual Financial Report.

20 We got an explanation of the annual report. It was

21 in your packet that was sent to you. It was a pretty

22 comprehensive explanation of all of the business of

23 Narragansett Bay Commission in this report.

24 I don't know if everyone has had an opportunity to

25 review it, but do we need a further explanation? Many

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1 of you were here during the discussion of the Annual
2 Audited Financial Statement. So, if it's all right with
3 everyone else, we'll accept a motion to approve and
4 accept the Annual Financial Statement as presented.

5 COMMISSIONER MILAS: Motion.

6 CHAIRMAN MESOLELLA: Commissioner Milas
7 makes that motion. Is there a second?

8 COMMISSIONER CARLINO: Second.

9 COMMISSIONER DiCHIRO: Second.

10 CHAIRMAN MESOLELLA: Commissioner Carlino
11 and Commissioner DiChiro. Commissioner Worrell?

12 COMMISSIONER WORRELL: I have a comment.

13 CHAIRMAN MESOLELLA: Please proceed.

14 COMMISSIONER WORRELL: Great photographs.

15 CHAIRMAN MESOLELLA: Great photographs,
16 okay. Having heard the comments, we have a motion and a
17 second to approve the Auditor's Financial Statement for
18 Fiscal Year 2011. All 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 the motion carries.

24 (MOTION PASSED UNANIMOUSLY)

25 CHAIRMAN MESOLELLA: Thank you all, everyone

1 involved with this report. It's a great document and
2 something we should all be very proud of. The next
3 order of business is Review and Approval of a
4 Recommendation of Use for Environmental Enforcement
5 Funds by the Blackstone Valley Council. Commissioner
6 Milas.

7 COMMISSIONER MILAS: I have to recuse myself
8 from this vote.

9 CHAIRMAN MESOLELLA: Let the record reflect
10 that Commissioner Milas is recusing herself from this
11 vote.

12 (COMMISSIONER MILAS RECUSING FROM VOTE)

13 CHAIRMAN MESOLELLA: This is a grant of
14 \$3,000 to be used in the construction of a park, a small
15 park. The Blackstone Valley Commission has been a
16 partner with the Narragansett Bay Commission through the
17 years. It's been a very successful partnership. The
18 Chair would recommend approval of that Resolution
19 2011:39 for Use of Environmental Enforcement Funds in
20 the amount of \$3,000. Is there a second?

21 COMMISSIONER FARNUM: Second.

22 COMMISSIONER NATHAN: Second.

23 COMMISSIONER CARLINO: Second.

24 CHAIRMAN MESOLELLA: Seconded, Commissioner

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1 Discussion on the use of Environmental Enforcement

2 Funds?

3 THE COMMISSION: (No response)

4 CHAIRMAN MESOLELLA: Hearing none, all of

5 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 the motion carries.

11 (MOTION PASSED UNANIMOUSLY)

12 (COMMISSIONER MILAS RECUSED FROM VOTE)

13 CHAIRMAN MESOLELLA: That concludes the

14 business portion of our meeting. The next committee

15 reporting are Rules and Regulations.

16 RAYMOND MARSHALL: No report.

17 CHAIRMAN MESOLELLA: There was no report

18 from Rules and Regulations. Citizen Advisory Committee,

19 do you have a report for us today, Harold?

20 MR. GADON: Yes, I do, Mr. Chairman.

21 CHAIRMAN MESOLELLA: Proceed.

22 MR. GADON: With the ending of summer, the

23 CAC resumed meeting last Wednesday with a quorum
24 present. We welcomed a new member, Jean Lynch, of
25 Johnston appointed by the Chairman. Jean has been

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1 active with natural resources agencies.

2 Since NBC has been recently mentioned in the
3 newspapers in regard to foreclosures and liens which
4 tend to have the public receive the wrong impression of
5 how hard the NBC works to avoid liens due to lack of
6 payment of sewer bills, I had Jamie review the
7 procedure. She did give a good summary and explained
8 how NBC is mandated to do their utmost to collect unpaid
9 bills, since it does affect the paying ratepayers.

10 Jamie reported that the planning continues on CSO
11 Phase II, and NBC will be holding neighborhood meetings
12 to best explain disruption that will occur as
13 construction starts. One such meeting is scheduled on
14 the East Side on October 18th. As they have done in the
15 past, CAC will have our members present.

16 The CAC would welcome new members, if anyone wishes
17 to make recommendations. Our next meeting will be held
18 October 19th. This concludes my report.

19 CHAIRMAN MESOLELLA: Thank you, Harold.

20 There was no Executive Committee meeting. I don't

21 believe there was any committee meeting on the Ad Hoc
22 Compensation Committee or the Ethics Committee.
23 Legislative Report, I don't believe we have any.
24 Joanne?

25 MS. MACERONI: One was posted on the

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1 Commissioners website, my final report, which basically,
2 was what I had reiterated in June. I highlight the
3 passage of the net metering. Statutes will now allow
4 our wind turbine project to qualify for that metering,
5 and also our biogas project at Bucklin Point, that's
6 under review.

7 CHAIRMAN MESOLELLA: The next report is the
8 Chairman's Report. It's been an exciting summer. I do
9 have one unfortunate, maybe some of you know, maybe most
10 of you don't. Unfortunately, you noticed that
11 Commissioner Rotella is not here. He had some health
12 issues this past summer, which have rendered him
13 somewhat incapacitated. I've been in contact with him.
14 We're hoping that he'll be able to join us at our next
15 meeting. I can tell you only that whatever the issues
16 were, he's expected to make a full 100 percent recovery.
17 So, I will be extending on behalf of the entire
18 Commission our best wishes for him, and if anybody cares

19 to know any further details, you can see me later; but
20 hopefully, he'll be joining us next month. That's the
21 first thing.

22 It's been kind of an exciting summer. I hope you
23 noticed the condition or the progress of the building,
24 the Operations building, as you approached today.
25 You'll see it's nearing completion.

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1 It's the intention of the Chair to, hopefully, next
2 month, we don't have a really busy meeting. I'd like
3 the Commissioners to arrive as early as they can at some
4 designated time. We'd like to do a walkthrough through
5 the new facility. I think you'll be favorably
6 impressed.

7 The other thing is, if time allows next month, I'd
8 like to give the Commissioners a glimpse on the progress
9 that we're making with the new laboratory building. I
10 think you'll also be favorably impressed with that. We
11 had several meetings during the course of the summer
12 working on the programming of the building, the
13 appearance of the building, and I think you're going to
14 like what you see; so I'd like to do that.

15 You heard the Executive Director talk about the fact
16 that the Department of Environmental Management has

17 approved the Johnston Facilities Plan, and I'd like to
18 think that we had a hand in moving that along through
19 DEM because it really does impact some of the projects,
20 construction projects in Johnston, but also our
21 expansion initiative. It was critical that we get that
22 approval of the Facilities Plan. So, perhaps next month
23 we can talk a little bit about expanding the district's
24 authority in our plan.
25 So, other than that, it's been a great summer. I'm

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1 pleased that we're all back here and doing business
2 again. Is there anything else I forgot to mention?

3 RAYMOND MARSHALL: No, just the next
4 meeting.

5 CHAIRMAN MESOLELLA: The next meeting is
6 November the 2nd, and at that time, again, we'll take a
7 look-see at the plans for the new building, we'll walk
8 through the Operations building, and that's the plan for
9 next month. Anything else that I forget to mention?

10 RAYMOND MARSHALL: That is it.

11 CHAIRMAN MESOLELLA: So, having said that,
12 is there any new business to come before the Board?

13 THE COMMISSION: (No response)

14 CHAIRMAN MESOLELLA: Hearing none, other

15 business of any kind?

16 THE COMMISSION: (No response)

17 CHAIRMAN MESOLELLA: Item Number 9,

18 Commissioner Salvadore.

19 COMMISSIONER SALVADORE: Move adjournment,

20 Mr. Chairman.

21 CHAIRMAN MESOLELLA: We have a motion to

22 adjourn.

23 COMMISSIONER WORRELL: Second.

24 CHAIRMAN MESOLELLA: Seconded by

25 Commissioner Worrell and others. You can see that we

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1 have prepared for you a copious repass. Before you

2 leave, please stay and enjoy some lunch. Thank you very

3 much for attending. All in favor of adjournment will

4 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 the motion carries. Thank you very much.

10 (MOTION PASSED UNANIMOUSLY)

11 (MONTHLY BOARD MEETING CLOSED AT 12:00 NOON)

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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 17th day of October 2011.

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

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23 DATE: September 28, 2011

24 IN RE: Monthly Board Meeting of the Commission

25 HEARING OF: Narragansett Bay Commission

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