

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

2 NARRAGANSETT BAY COMMISSION

3

4 IN RE: :
Monthly Board Meeting:
5 Of the Commission :

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7

8 DATE: June 25, 2013
TIME: 11:00 a.m.
9 PLACE: One Service Road
Providence, RI

10

11 PRESENT:

12 VINCENT MESOLELLA, CHAIRMAN
ANGELO ROTELLA, VICE CHAIRMAN
13 RAYMOND MARSHALL, EXECUTIVE DIRECTOR
ROBERT ANDRADE, TREASURER
14 JOSEPH DEANGELIS, ESQUIRE
JOSEPH KIMBALL
15 BRUCE CAMPBELL
DR. RICHARD BURROWS
16 RICHARD WORRELL
MARIO CARLINO
17 JOAN MILAS
JOHN MCQUEEN
18 AL MONTANARI
RONALD LEONE
19 SETH HANDY
ALAN NATHAN
20 JONATHAN FARNUM
LEO THOMPSON
21 MICHAEL SALVADORE

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1 OTHER ATTENDEES:

- 2 LAURIE HORRIDGE, NBC
THOMAS UVA, NBC
- 3 HAROLD GADON, CAC
TOM BRUECKNER, NBC
- 4 KATHRYN KELLY, NBC
KAREN GIEBINK, NBC
- 5 SHAYLYN MCCAULEY, NBC
JAIME LEIGH OVERTON, NBC
- 6 SHERRI ARNOLD, NBC
MARK THOMAS, NBC
- 7 PAUL NORDSTROM, NBC
LINDA GEORGE, RI SENATE
- 8 ROBERT OTOSKI, CDM SMITH
JAMIE SAMONS, NBC
- 9 JOE PRATT, LOUIS BERGER GROUP
JOHN MOTTA, NBC
- 10 CECILLE ANTONELLI, NBC
LEAH FOSTER, NBC
- 11 PATRICIA PINELLA, NBC
CYNTHIA MORISSETTE, NBC
- 12 JACQUELINE GIROUX, NBC
CHERYL PASCARINO, NBC
- 13 JOHN ZUBA, NBC
MIKE SPRING, NBC
- 14 EDWARD MIDGLEY, NBC
EDWARD TAYLOR, NBC
- 15 RICHARD BERNIER, NBC
DEBORAH SAMSON, NBC
- 16 KAREN MUSUMECI, NBC

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1 (MEETING COMMENCED AT 11:20 A.M.)

2 CHAIRMAN MESOLELLA: Good morning,
3 everyone. Recognizing a quorum. This may be a
4 historic day for the Narragansett Bay Commission Board
5 of Commissioners. If Commissioner DiChiro shows up,
6 we will have 100 percent of our total board present
7 today. That's historical.

8 Having said that, recognizing a quorum, we will
9 call the meeting of Tuesday, June 25, 2013, at 11:20
10 to order. First order of business is the approval of
11 the previous minutes of May 21, 2013. Have all of our
12 members had an opportunity to review the previous
13 minutes, and if so, are there any comments or
14 corrections with regard to the previous minutes?

15 COMMISSIONER SALVADORE: Move passage,
16 Mr. Chairman.

17 CHAIRMAN Mesolella: We have a motion to
18 approve the previous minutes as presented, seconded by

19 Commissioner Farnum and Commissioner Nathan. Further
20 discussion? All in favor will say aye.

21 (UNANIMOUS VOTE)

22 CHAIRMAN MESOLELLA: Are there any
23 opposed? There are none opposed. That motion
24 carries.

25 Next order of business, item Number 3, which is

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1 old business. Is there any old business to come
2 before the Commission today, old business of any
3 nature? Any old business? Okay. Hearing none,
4 moving right along to item Number 4, which is
5 acknowledgement of awards. Mr. Secretary, proceed.

6 MR. MARSHALL: We have five awards to
7 present today to staff members. We want you all on
8 the board to know what great work our employees do.
9 The first group that we're going to recognize is the
10 Distinguished Budget Presentation Award. That comes
11 from the Government Finance Offices Association. It's
12 the 11th consecutive year that we received this award.

13 Most of you were in the room when the budget was
14 just reviewed, so you know what an outstanding
15 document it truly is. We also received special
16 recognition for our capital program as part of the

17 budget. That is for the fourth consecutive year we

18 get that special recognition.

19 I would like to invite Karen Giebenk, Sherri

20 Arnold, Shalayn McCauley and Jaime Overton up to the

21 front to accept the award and have their picture

22 taken. I believe that Bob Andrade has been Finance

23 Chairman every one of the years that we won the

24 awards.

25 The second award is also from the Government

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1 Finance Offices Association, also known as GFOA, it's

2 for a certificate of achievement in for excellence in

3 financial reporting. Again, this is the 11th

4 consecutive year. Our Chairman and our Finance

5 Chairman have been at the helm of each of those years.

6 The quality of our reporting is reflected in the fact

7 that we get clean audits with no management letters

8 every single year, or have. I would like to call Leah

9 Foster, Cheryl Pescarino, Robin Simoes, Jackie Giroux

10 and Patty Pinella up to the front. Nice job.

11 Next award is from the Providence Business News,

12 the Best Places to Work in 2013 Award. They

13 categorized the companies into large, medium and

14 small. We were in the large category.
15 This requires an extensive application process.
16 As well the employees need to go online, a certain
17 percentage of them, and to weigh in on what they think
18 of our policies and procedures and our programs here
19 at the Bay Commission, and whether it truly is
20 someplace that they enjoy working, or unlike what you
21 read in the paper probably in the last day or two
22 where there are so many people disengaged and
23 disinterested in their work, that apparently is
24 not the case here at the Bay Commission. I would like
25 to call Cecile Antonelli up to the front to receive

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1 this award.
2 We were ninth in this category. We're very proud
3 of that. I need to point out that the Pawtucket
4 Credit Union was number two in that category. We have
5 a little friendly competition here. We're going to
6 beat them one of these years.
7 The next two awards are given by the National
8 Association of Clean Water Agencies. It's called the
9 Peak Performance Award. Each of our treatment plants
10 are receiving one of those awards this year.
11 The first one goes to the Field's Point

12 Wastewater Treatment Facility. It's the gold award.
13 I mentioned this at an earlier meeting, that meant for
14 2012 they had zero exceedances of their discharge
15 permit, which is a remarkable feat when you consider
16 the number of parameters we have to report on every
17 single day.

18 Here to accept that award on behalf of Field's
19 Point is Rich Williams, our maintenance manager.
20 Rich, come on up. Rich is a 30-year employee that
21 started as an operator and has worked his way up
22 through the ranks and is now in the top three of
23 management across the street at Field's Point.

24 Next award is also from NACWA. It's the silver
25 award. At Bucklin Point they had less than

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1 5 exceedances of their discharge permit for the year
2 2012. Here to accept the award is a senior member of
3 the staff over there who has 22 years of service,
4 Ed Taylor, our operations foreman, and Ed Midgley, one
5 of our younger operators. He's now on the day shift
6 after working years on the eleven to seven and the
7 split shift, which is no easy assignment. Guys, come
8 on up and accept this award. Congratulations, good

9 job.

10 That concludes the awards, Mr. Chairman.

11 CHAIRMAN MESOLELLA: All right. Thank
12 you, everyone, for your service. We really appreciate
13 it. Thanks so much.

14 Moving right along, item Number 5, Executive
15 Director's report. Mr. Secretary, do you have a
16 report?

17 MR. MARSHALL: I do. I'm not going to go
18 by the extensive report that's on the website. You
19 can read through that over the summer. That will give
20 you, allow you to go to sleep more quickly on those
21 hot nights. Overall, the plants are running very well
22 right now. Things are good at both Field's Point and
23 Bucklin Point.

24 The interceptor system, there were no dry weather
25 overflows in May. The engineering group is getting

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1 ready to put two big jobs out to bid. One is the new
2 lab building, and the other is the bio gas utilization
3 project at Bucklin Point. So those might be before
4 you in the fall, depending on how the bidding process
5 goes.

6 The wind turbines continue to run well. There

7 are some minor problems that have been quickly
8 corrected, some software and controller issues. We're
9 still waiting for Verizon to install the hard line, as
10 they call it, from National Grid down to Field's
11 Point, so we can let the wind turbines run full out.
12 Right now they're only running at about 60 percent.
13 Even at that level, from May 13 through June 12
14 they produced 45.7 percent of the power that we use at
15 Field's Point wastewater treatment plant. That was
16 during a fairly light wind period. Since January 1
17 the wind turbines have produced 52.7 percent of the
18 power we need at Field's Point treatment plant.
19 They're doing their jobs and will get even better once
20 we can run them full speed ahead.
21 Utility Relocation Project right outside this
22 building and will be before you for approval later on
23 in the meeting. We will begin construction on the new
24 transfer station for the City of Providence at the
25 intersection of Ernest and Terminal Road. Contract

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1 has been signed.
2 CSO Phase 2, progress is being made on all fronts
3 and on all projects, some better than others, for

4 sure. We're just starting a couple of these projects,
5 and we're 100 percent on some of the other smaller
6 ones.

7 The latest news is that the paving on the East
8 Side is going very well. We hope to complete that
9 ahead of the current schedule. Hopefully in the next
10 few weeks we'll wrap that up, and we'll get out of the
11 Hope Street and side streets off of the Hope Street
12 area.

13 On June 6 the Executive Committee met. We told
14 you that we'd report to you on any change orders on
15 WCSOI west. There was a change order for the freeze
16 wall issue. That was part of Resolution 2013:08. You
17 gave that authority. The Executive Committee will let
18 you know where we ended up on that project when we get
19 to their report.

20 You heard about FY13 operating budget, and FY14
21 operating budget is coming up for your approval
22 shortly. PUC is getting ready to make a determination
23 on our rate increase. We closed the Rhode Island
24 Clean Water Finance Loan for \$25 million earlier in
25 the month. S & P has confirmed our AA minus credit

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1 rating. We have an investment banking services action

2 item for you today. We will act on that shortly.

3 In May we billed \$6.4 million. We collected
4 \$6.46 million. Water shutoffs are ongoing at this
5 time of year. We collected \$70,000 from May through
6 that program. On the nonunion retirement plan, we're
7 conducting workshops and individual meetings with
8 employees, so they can learn more about their options
9 and the status of their accounts.

10 PP&R water quality sampling analysis continues to
11 occur and provide valuable data to the scientific
12 community, building our positive reputation throughout
13 the region. Using some of that data, we have made
14 several presentations to various groups, including
15 USEPA Region 1 and the regional administrator, Curt
16 Spaulding, to promote a more holistic, sustainable
17 approach to improving water quality up in Narragansett
18 Bay as opposed to the traditional gray infrastructure
19 approach that's very costly. So we'll see where that
20 eventually leads.

21 Wrapping this up, the Watershed Education Program
22 had this end-of-the-year conference on May 10.
23 500 students from 11 schools, it was very successful
24 and another great year. Thanks to Cynthia Morisette
25 and all of her efforts. We have made numerous

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1 outreach efforts in the communities that we're
2 impacting on Phase 2. Jamie has been out there
3 meeting with people on Hope Street, North Main Street,
4 Hillside neighborhood, East Side, Olneyville, and the
5 Miriam Hospital people. So we're doing our very best
6 to keep them informed on what is going on. Once in
7 awhile we hit a bump in the road. We try to smooth it
8 over as quickly and efficiently as we can.

9 Legislation, Joanne has been monitoring, and
10 we've been commenting and testifying on bills that are
11 impacting or might impact the NBC. They are winding
12 their way through the House and the Senate. We'll see
13 if anything that comes through that is beneficial or
14 detrimental to us. We hope it will only be
15 beneficial, and there won't be any detrimental ones.

16 You never know in the last few days of session up
17 there what can happen. Joanne is keeping a close eye
18 on that for us. That is my report, Mr. Chairman.

19 CHAIRMAN MESOLELLA: Thank you. Are
20 there any questions for the Executive Director
21 pursuant to his report? Any questions? No? Okay.

22 Moving right along, item Number 6, which is
23 Committee Reports and Action Items Resulting. The
24 first committee reporting, as always, is the CEO
25 Committee. Commissioner Salvadore, do you have a

1 report for us today?

2 COMMISSIONER SALVADORE: We sure do,
3 Mr. Chairman. We have six action items for the Board
4 of Commissioners this morning, the first being review
5 and approval of Resolution 2013:22, authorization to
6 negotiate a contract for engineering services for
7 Contract 2013:304.57P, evaluation of the Providence
8 River siphon. CEO recommends passing, Mr. Chairman.

9 CHAIRMAN MESOLELLA: We have a motion to
10 approve Resolution 2013:22. Is there a second?
11 Commissioner Montanari and Commissioner McQueen second
12 the motion. Discussion on the motion? Explanation,
13 Mr. Director.

14 MR. MARSHALL: The Providence River
15 siphon is a 48-inch brick sewer constructed in 1895,
16 extends 800 feet under the Providence River from the
17 East Side to the West Side of the river just below
18 the, just south of the hurricane barrier, then
19 connects to a 78-inch gravity line, which feeds into
20 the Allens Avenue interceptor that comes down here to
21 Field's Point Treatment Plant.
22 Last inspected the siphon in 1990, and the
23 78-inch gravity sewer in 2009. We want to go back and

24 inspect both of these another time and to do a
25 condition assessment and to make a determination as to

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1 whether we should rehab or replace either of these
2 pipelines.
3 We issued an RFQP in April. We received four
4 responses. We had an inhouse review committee of Tom
5 Brueckner, Rich Bernier, Meg Goulet and Katherine
6 Kelley to evaluate the different criteria that we
7 establish for projects of this nature. They felt that
8 Stantech Consulting Services had the best proposal and
9 as well they had the best price. So the
10 recommendation is to award the contract to Stantech
11 for \$108,632.

12 The staff is asking for a 20 percent contingency
13 on this project. So we're asking for a total approval
14 of \$130,000 just in case while they're doing the
15 inspection and cleaning that they bump into something
16 that was unexpected, and there needs to be some sort
17 of a modification to how they're going to clean out a
18 particular pipeline, or either one of those pipelines,
19 in order to properly inspect it and videotape it.

20 So with that, we ask your approval of

21 Resolution 2013:22.

22 CHAIRMAN MESOLELLA: Okay. We have a
23 motion. We have a second. You heard the Executive
24 Director's explanation of Resolution 2013:22. Further
25 discussion on the matter?

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1 COMMISSIONER HANDY: I guess I just, I'm
2 just coming up to speed with this in reviewing the
3 performance on past contracts. I'm impressed by how
4 well the contracts tend to perform in terms of cost,
5 coming in under cost.
6 The 20 percent contingency seems pretty high. I
7 guess the question is, are they going to actually be
8 doing repairs in the context of the inspection as well
9 if they find something while they're down there, or is
10 that just additional funding for inspection?

11 CHAIRMAN MESOLELLA: I know it may sound
12 a little high. It's only a contingency. We do not
13 necessarily intend to use it. I mean, I think the
14 expectation is the pipe was built in 1895, that there
15 may be some ancillary work that may need to be done.
16 There must be a reason why they asked for 20 percent.
17 Tom, do you want to comment on that matter?

18 MR. BRUECKNER: An inspection of a

19 siphon. We're going to be doing it by means of a
20 sonar. Then the 78-inch line, we'll be inspecting
21 that. The reason we put in the 20 percent
22 contingency, there are two reasons. One is that
23 contingency is there, should something arise during
24 the work, we can authorize them up to that amount to
25 do that work without having to come back to the board.

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1 If we have to come back to the board, then we lose
2 time in the contract.
3 That's the main reason we're putting a
4 contingency, just in case something does come up.
5 When we sign the contract with them, it will only be
6 for the 108. They won't get that money unless
7 something arises that they need that money. The
8 reason we put in 20 percent, inspecting that siphon
9 with a sonar could be a little tricky and difficult.
10 We don't anticipate dewatering needed. If there is
11 dewatering that has to be done, that can be pricey.
12 They're also doing an evaluation. We don't know
13 if other factors may come up that we may want to also
14 investigate. 20 percent seems like a lot, but because
15 the contract amount is only \$100,000, it's only

16 \$20,000. So based on the size of the contract, we
17 just ask for a little bit more money so we have that
18 available.

19 COMMISSIONER HANDY: Thank you.

20 CHAIRMAN MESOLELLA: Does that answer
21 your question?

22 COMMISSIONER HANDY: Yes. Thank you.

23 CHAIRMAN MESOLELLA: Further discussion?
24 Hearing none, all of those that are in favor of
25 passage of Resolution 2013:22 will say aye.

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1 (UNANIMOUS VOTE)

2 CHAIRMAN MESOLELLA: Are there any
3 opposed? There are none opposed. The motion carries.
4 Further report, Commissioner Salvadore?

5 COMMISSIONER SALVADORE: Item B, review
6 and approval of Resolution 2013:23, Contract 125.00C,
7 utility reliability enhancement, Field's Point campus.
8 Recommendation for award and CEO recommends passage.

9 CHAIRMAN MESOLELLA: We have a motion to
10 approve Resolution 2013:23, seconded by Commissioner
11 McQueen, Commissioner Farnum, Commissioner Montanari,
12 Commissioner Leone for sure. He's undecided. Strike
13 Commissioner Montanari, he will not second the motion.

14 Explanation, Mr. Director.

15 MR. MARSHALL: This is a construction
16 contract to put the power lines and the communication
17 lines out on Service Road, which is between this
18 building and the Field's Point Treatment Plant,
19 underground. They're in really bad shape. We're
20 concerned that in some big storm they're going to
21 start snapping like match sticks, and we'll have a
22 problem getting power to this building or the new lab
23 building, to say nothing of the existing lab building.

24 There were six bids accepted on May 22. RP
25 Iannuccillo and Sons Construction Company was the low

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1 bidder. They have been the successful contractor on
2 several of our projects over the years. They're
3 certainly qualified to do so.

4 Upon reviewing their bid and qualifications, it
5 has been determined they are the lowest responsive and
6 responsible bidder. We respectfully request your
7 approval of Resolution 2013:23 to RP Iannuccillo for
8 the amount stated subject to the approval of MBE/WBE
9 planning requirements by the Department of
10 Administration.

11 CHAIRMAN MESOLELLA: We have a motion.
12 We had several seconds. Not Commissioner Montanari.
13 Is there further discussion on the matter?

14 COMMISSIONER CARLINO: Quick question.
15 The utility lines, is that owned by NBC or is it owned
16 by National Grid?

17 MR. MARSHALL: The lines themselves are
18 National Grid's lines. We've gone through National
19 Grid.

20 COMMISSIONER CARLINO: They told you to
21 hire your own contractor to move their lines?

22 MR. MARSHALL: No. We are installing the
23 ductwork and the manholes. Then they will come in and
24 they'll pull the lines through themselves as will
25 Verizon. I believe we're pulling the lines for

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1 communications for Providence. So we're just putting
2 in the structures, and then they'll pull their own
3 wires.

4 COMMISSIONER CARLINO: Thank you.

5 CHAIRMAN MESOLELLA: You don't feel a
6 need to recuse yourself in this matter?

7 COMMISSIONER CARLINO: That's why I asked
8 that question. No, I won't.

9 CHAIRMAN MESOLELLA: Excellent. We have
10 a motion, and we have a second. We've heard the
11 explanation. Are there any questions regarding the
12 resolution? Hearing none, all those that are in favor
13 --

14 COMMISSIONER HANDY: So the contract
15 amount includes the National Grid work as well?

16 MR. MARSHALL: No. This contract amount
17 is separate from the National Grid amount. The
18 National Grid amount was already approved at a prior
19 meeting.

20 COMMISSIONER HANDY: Okay. Thank you.

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

23 (UNANIMOUS VOTE)

24 CHAIRMAN MESOLELLA: Are there any
25 opposed? There are none opposed, and the motion

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1 carries. Further report, Commissioner Salvadore.

2 COMMISSIONER SALVADORE: Item C, 2013:24
3 is Contract 304.56C, Butler Hospital sewer lining
4 project, recommendation for award, and CEO recommends
5 passage, Mr. Chairman.

6 CHAIRMAN MESOLELLA: We have a motion to
7 approve Resolution 2013:24. Is there a second?
8 Commissioner Montanari seconds the motion along with
9 Commissioner McQueen. Explanation, Mr. Director?

10 MR. MARSHALL: This project involves
11 lining 2,400 feet of 15-inch clay pipe which has been
12 problem, it's ben root infested. We also had to do a
13 few spot repairs over the years. It runs from
14 Blackstone Boulevard into the Butler Hospital
15 property.

16 We went out for bid on this and received only one
17 bid on June 6, Instituform Technologies, \$269,275.
18 They are well-known to us. Their price, their unit
19 prices are very reasonable. We did check that against
20 prior bids we received for this type of work. They
21 are certainly qualified. We have determined they are
22 the lowest responsive and responsible bidder and
23 request your approval for approval of Resolution 2013
24 subject to approval of the MBE/WBE requirements from
25 the Department of Administration.

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1 CHAIRMAN Mesolella: We have a motion and
2 second to approve Resolution 2013:24. You heard the
3 Executive Director's explanation. Are there any

4 questions or comments regarding this resolution?

5 COMMISSIONER THOMPSON: Did we have an
6 estimate on this job? We only had one bid?

7 MR. MARSHALL: Tom, did we have an
8 estimate on this job?

9 MR. BERNIER: Not an official one, but it
10 was higher than that.

11 CHAIRMAN MESOLELLA: Only one bidder.

12 MR. BERNIER: The other one who usually
13 bids jobs said he was too busy and the job was too
14 small for him.

15 CHAIRMAN MESOLELLA: Okay. In such case,
16 further discussion? I'm think of an old lining
17 project we had years ago; I'm laughing. Further
18 discussion, hearing none, all those in favor will say
19 aye.

20 (UNANIMOUS VOTE).

21 CHAIRMAN MESOLELLA: Are there any
22 opposed? There are none opposed. That motion
23 carries. Further report, Commissioner Salvadore?

24 COMMISSIONER SALVADORE: Item D, 2013:25,
25 award of Contract 13:304.70, interceptor inspection

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1 and cleaning services, North Providence-West. CEO
2 recommends passage, Mr. Chairman.

3 CHAIRMAN Mesolella: Okay. We have a
4 motion to approve Resolution 2013:25, seconded by
5 Commissioner Leone from the Town of North Providence.
6 Explanation, Mr. Director.

7 MR. MARSHALL: This is part of an ongoing
8 program we have every year where we clean and inspect
9 certain segments of our interceptor system. This one
10 involves 4.1 miles in North Providence. We went out
11 for bid on this project earlier this spring. There
12 were four bidders.

13 The low bidder is Inland Waters at \$30,296.30.
14 These projects provide valuable information in terms
15 of the condition of our system, as well as when they
16 clean the grit that accumulates in the pipes, it
17 improves the capacity to handle sewage, so it has a
18 dual purpose.

19 If there are spot repairs that are needed,
20 sometimes we're able to achieve those. Sometimes we
21 need to package them up into a larger contract
22 depending on the extent and nature of them. Inland
23 Waters is located in Johnston, and based on the review
24 of their bid and qualifications, they are the lowest
25 responsive and responsible bidder.

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1 There will be some ancillary cost associated with
2 this project, including police details and cost of
3 grit disposal, which we pay for directly. Staff has
4 also asked for an additional \$10,000 to address any of
5 the smaller problems that may arise while they're
6 doing the inspection and cleaning.

7 I mentioned that sometimes you find problems, and
8 you want to address it right away. It might cost a
9 couple thousand dollars to do so. Sometimes they're
10 much larger projects and have to be part of a separate
11 bid. So staff has asked for the authority to spend an
12 additional \$10,000 on this project, should it be
13 necessary, but only if it's necessary.

14 We ask your approval of Resolution 2013:25 in the
15 amount of \$40,296.30. That's subject to the DOA
16 approval of the MBE/WBE and EEO requirements
17 associated with this work.

18 CHAIRMAN MESOLELLA: We have a motion and
19 a second to approve Resolution 2013:25. We heard the
20 Executive Director's explanation of this matter. Are
21 there any questions or comments? Commissioner
22 Worrell?

23 COMMISSIONER WORRELL: This contract will
24 be funded through capital financing, according to the
25 resolution. My question is, it's a \$40,000 item. Is

1 it part of the CIP program, or is it, where does it
2 fit in? I look at something like this as being
3 day-to-day maintenance as opposed to being, quote,
4 capital. Can somebody comment on that?

5 MR. MARSHALL: Sure. Some of the
6 projects that we do of this nature are under the
7 operating budget, but the ones that we have on a
8 continuing basis year after year, this is just, almost
9 a continual process of -- I'm trying to find the exact
10 line item that we have in the CIP that covers it.

11 COMMISSIONER WORRELL: Is that under
12 capital operating transfers?

13 MR. MARSHAL: What is it, Karen?

14 MS. GIEBINK: This would be carried in
15 the CIP. We have a line item where we budget -- we
16 don't budget, but we program in for annual inspections
17 and cleanings as part of the Capital Improvement
18 Program.

19 It's referred to as capital financing. It
20 doesn't mean that's financed through long-term debt.
21 It might be financed through the Capital Fund or
22 restricted funds, not coming out of the operating

23 budget, to the best of my knowledge.

24 COMMISSIONER WORRELL: We've always done

25 it that way?

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1 KAREN: Yes. It's part of the sound

2 management practice to maintain your infrastructure.

3 That's why it's been set up that way.

4 COMMISSIONER WORRELL: All right. I'm

5 all set.

6 CHAIRMAN MESOLELLA: Further discussion

7 on Resolution 2013:25? All of those that are in favor

8 will say aye.

9 (UNANIMOUS VOTE)

10 CHAIRMAN MESOLELLA: Are there any

11 opposed? There are none opposed. That motion

12 carries. Further report, Commissioner Salvadore?

13 COMMISSIONER SALVADORE: Item E, 2013:26,

14 Contract 303.02C-OF, 106 facilities authorization to

15 increase the change order limit. CEO recommends

16 passage, Mr. Chairman.

17 CHAIRMAN MESOLELLA: We have a motion to

18 approve Resolution 2013:26, seconded by Commissioner

19 Farnum, Commissioner Milas. By way of explanation,

20 Mr. Secretary, proceed.

21 MR. MARSHALL: Before I go on this one,
22 Commissioner Worrell, in the CIP, on Page 61 of the
23 CIP projects, 304M they're called, CSO interceptor and
24 cleaning projects is the item under which we do the
25 project that you just approved.

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25

1 COMMISSIONER WORRELL: Page 61?

2 MR. MARSHALL: Page 61 of the CIP, yes.

3 COMMISSIONER WORRELL: Thank you.

4 MR. MARSHALL: Okay. 2013:26, this
5 involves overflow 106 which is located in Central
6 Falls. It's part of Phase 2 of the CSO program. The
7 contractor is J.H. Lynch and Sons. The notice to
8 proceed was issued in June of 2012 at a cost of
9 \$3.69 million. It involves construction of a storage
10 facility, a pump station, a manmade wetlands, an
11 overflow channel, as well as surface restoration of
12 the site.

13 This site, on this site we've encountered some
14 PCBs, and under Resolution 2012:41 the board voted to
15 increase the change order limit by \$450,000 because
16 the soil, certain areas of it had contamination
17 greater than 50 parts per million.

18 When that occurs, you have to remove the material
19 from the site. You need to truck it to a secure
20 landfill someplace. The closest secured landfill that
21 can accept this material is in Model City, New York,
22 which is up by Niagara Falls.

23 There was about 730 cubic yards of material that
24 needed to be treated in that fashion. Also under the
25 regulations, PCB contaminated soil under 50 parts per

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26

1 million, but greater than one, are allowed to be left
2 on the site, but that you have to have certain
3 protective measures which occur.

4 So if you're going to take it offsite, then you
5 have to take it to a secure landfill. You can leave
6 it on the site, but there are certain steps you need
7 to take to do it in that fashion. The problem here is
8 we have 7,000 yards of material that fall under this
9 particular criteria. That's a lot of material. If
10 there were all clean fill, so to speak, or all virgin
11 ground, you would be able to haul most of that
12 offsite. This is supposed to be a cut job as opposed
13 to a fill job. You could then take the material
14 offsite, use it for other purposes.

15 Because we want to leave it onsite, that has

16 presented a pretty challenging situation for us. I'm
17 going to have Richard Bernier and Joe Pratt explain
18 what the different alternatives that we looked at and
19 what we're going to ultimately do to address this
20 issue. This involves a change order -- by the way,
21 while Joe is coming up -- that is right now estimated
22 to be \$1,487,330. Joe?

23 MR. PRATT: As the executive director
24 indicated, we looked at a number of options as how to
25 address this problem. To have all the material hauled

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27

1 away will cost roughly \$5 million, a little more than
2 \$5 million. We looked at varying degrees of hauling
3 lesser amounts away. We get down to a million, a
4 million and a quarter to do that.

5 It also involves managing the site in such a way
6 that you, it's not very cost effective. What we're
7 proposing here is that we will keep the contaminated
8 material onsite, build mounds, cover the material up
9 with clean material, put a fence around the site,
10 which we already would have done anyway, with the
11 appropriate signs on the site, and preparing an
12 environmental land use restrictions which is called an

13 NLUR which restricts what you can do with the site in
14 the future.

15 As a site with a sewage treatment plant, we're
16 not going to build a school on it or put a daycare
17 there. So we can put restrictions on it. What makes
18 it slightly difficult is the fact that you're taking
19 soils from one part of the site, moving it to another.
20 You have a relatively restrictive site. It's a
21 management issue, takes a little more time, a little
22 more manpower to do that.

23 We are also increasing the amount of soil stored
24 over the tanks, approximately five to six feet, so we
25 can build up the site and keep all the material on the

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28

1 site. Looking at all the options that were available
2 to us at the time, this appears to be and we believe
3 is the most cost-effective method of doing this.

4 This is an old site. There was never anything
5 basically on this site except a power line running
6 through it 40 or 50 years ago. Over time it had
7 become a dumping grounds for that area. This is
8 located up across the New England Tractor Trailer
9 Training Center on Moshassuck Industrial Parkway.

10 There is a lake there. We're putting wetlands in

11 one of the lakes in a tank that will hold an
12 approximately one-third of a million gallons, then
13 we'll build on top of that. That is basically what
14 the job consists of. Do you have any questions?

15 COMMISSIONER CARLINO: So the PCBs were
16 because over the years people just dumped things
17 there?

18 MR. PRATT: We honestly do not know. I
19 suggest it was because there was a transformer either
20 emptied or left on that site. The readings were 790
21 parts per million, which is extremely high.

22 COMMISSIONER HANDY: I'm interested in
23 what kind of diligence that's typically part of that
24 we do before we do site selection for something like
25 this; is there environmental diligence?

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29

1 MR. PRATT: Yes. The first thing we do
2 is we always try to locate anything near where the
3 outfall is located for obvious reasons, because you
4 got to collect to flow from the outflow. We do
5 environmental sampling, background searches for the
6 property, things of that nature.

7 As I indicated, if you looked at the background

8 on this site, you would see there have not been any
9 facilities there, but it was a dumping facility. Even
10 when we activated the site and started construction,
11 we hauled away over 100 mattresses that people came in
12 and dumped on the site.

13 The reason I suggest the transformer is that the
14 old pictures show a power line running through this,
15 not a very big one, I'm not talking high density, just
16 a regular power line running through the site. Given
17 the concentrations we discovered, usually the first
18 thing you think about is a transformer with PCBs. We
19 did a number of environmental borings on the site. We
20 didn't do one right in this spot, by the way. It's
21 four and-a-half acres. You know, we do not do one
22 every 50 feet when we're doing our initial due
23 diligence.

24 COMMISSIONER CARLINO: Have you
25 approached the utility to find out liability?

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30

1 MR. PRATT: It's been brought up in
2 another discussion. No. I'm not sure we know what
3 the utility was, to be honest with you. We've only
4 seen one picture back in the 1940s or 1950s.

5 COMMISSIONER CARLINO: Are the power

6 lines still there?

7 MR. PRATT: No, no. Part of it has been
8 taken over by the City of Central Falls. In the
9 northern part, they put in a sports complex. Part of
10 this property did belong to Central Falls.

11 CHAIRMAN MESOLELLA: Commissioner Milas?

12 COMMISSIONER MILAS: What's the life
13 expectancy when you contain something like that? What
14 is the life expectancy that it won't seep in and
15 affect development in that area? You know, you have
16 that mill back there that they're trying to develop.
17 I represent the Pascoag Utility District. They had a
18 little problem with that, too.

19 MR. PRATT: It depends on the
20 contaminant. In this case, PCB doesn't move very far.
21 It concentrates. It's not very soluble in water, so
22 it doesn't move with the water. You put it, bury it.
23 We are talking about burying soil; some of this is
24 above the water table. It will stay there.

25 That's why you put the environmental land use

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1 restrictions on it, because you can't go in there and
2 dig around or develop that land. It restricts you

3 from doing that. In this case, because PCBs are
4 relatively nonactive if they're buried, there is
5 little change it will migrate through water.

6 COMMISSIONER MILAS: Do you test it?

7 MR. PRATT: Yes. You are required to
8 test it. That's what you negotiate with ELUR.
9 Sometimes they require you to test it; sometimes they
10 don't. When we originally put in the pump station for
11 the tunnel in Phase 1, there had been a kerosene spill
12 there. We put a ELUR on that property. We tested it
13 a year after it was open, and they said you don't have
14 to test it anymore.

15 CHAIRMAN MESOLELLA: Further discussion?

16 I know there is going to be further discussion on this
17 matter as we proceed through some of the previous
18 discussions that took place during the CEO Committee.
19 For purposes of this matter, which is the
20 authorization for the change order, we have a motion.
21 I believe there was a second, Commissioner Milas and
22 Commissioner McQueen as well.

23 Can we move forward at least on this portion of
24 the matter? Is there further discussion with regard
25 to the change order authorization? All of those in

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1 favor will say aye.

2 (UNANIMOUS VOTE)

3 CHAIRMAN MESOLELLA: Are there any
4 opposed? There are none opposed. Shall I proceed
5 with the motion put forward by Commissioner Rotella?

6 COMMISSIONER SALVADORE: That's correct.

7 CHAIRMAN MESOLELLA: Do you want to deal
8 with that?

9 COMMISSIONER SALVADORE: That is coming
10 after. That's not going to hold up the job in any
11 way.

12 CHAIRMAN MESOLELLA: This has been
13 approved. On the motion presented by Commissioner
14 Rotella, do you want to give an explanation with that,
15 or do you want me to proceed with that?

16 COMMISSIONER SALVADORE: You can proceed.

17 CHAIRMAN MESOLELLA: Relative to the
18 matter of the deposit of PCBs, a discussion ensued at
19 the CEO subcommittee meeting with regard to its
20 origin. I think it was Commissioner Worrell, I think,
21 raised the issue? Was it you, Commissioner Worrell,
22 on the potential issue of any parties that might be
23 responsible for and, therefore, liable for maybe some
24 of the cost that we're about to incur relative to this
25 authorization for a change order?

1 As a result of that discussion, Commissioner
2 Rotella offered, I'm going to refer to it as a motion,
3 that we investigate the origin of those PCBs and
4 basically investigate whether or not there are maybe
5 some other responsible parties that may be at least
6 able to participate in the cost of the cleanup.

7 I'm told that there are archives available; is
8 that right, Rich? Was that you or Tom? I can't
9 remember. There are probably some archives available
10 with regard to the history of this particular site,
11 that we should at least look at. I think what we
12 decided, after the motion was passed by the
13 subcommittee and hopefully passed by the full board,
14 we believe we have the capacity inhouse to at least do
15 a title search with regard to the chain of title
16 regarding that property.

17 Then I think at some point we will then talk to
18 counsel about how we're going to proceed once we learn
19 who the potential responsible parties are. Having
20 said that, there was a motion made by Commissioner
21 Rotella to formally investigate the matter, at least
22 initially internally. It was seconded by -- I can't
23 remember. Was it you, Commissioner Montanari? It may
24 been. Commissioner McQueen? I'm not sure. There was

25 a motion and second.

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34

1 We're offering that motion to the full board.

2 Motion made by Commissioner Salvadore to approve that

3 motion, and that is seconded by someone, Commissioner

4 Montanari, Commissioner Handy. So further discussion

5 with regard to that matter? Commissioner Worrell have

6 anything to add? I think that pretty much covers --

7 COMMISSIONER WORRELL: Very well.

8 CHAIRMAN MESOLELLA: Further discussion?

9 Hearing none, on the Rotella motion, anything to add?

10 COMMISSIONER ROTELLA: All set.

11 CHAIRMAN Mesolella: On the Rotella

12 motion, all of those in favor will say aye.

13 (UNANIMOUS VOTE)

14 CHAIRMAN MESOLELLA: Are there any

15 opposed? There are none opposed. That motion

16 carries. Further report, Commission Salvadore?

17 COMMISSIONER SALVADORE: Last item,

18 Item F, 2013:27, award of Contract 119.00RS, agreement

19 for professional and technical consulting services for

20 regulatory compliance building. CEO recommends

21 passage, Mr. Chairman.

22 CHAIRMAN MESOLELLA: We have a motion to

23 approve Resolution 2013:27. Motion by Commissioner

24 Salvadore, seconded by Commissioner Milas,

25 Commissioner Montanari. By way of discussion,

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35

1 Mr. Director?

2 MR. MARSHALL: CDM Smith has completed

3 the final design of the new regulatory compliance

4 building, also known as the lab building. The

5 estimated cost for that building is \$15.5 million.

6 The project will go out to bid this summer. It will

7 be presented to the Board for approval in the fall.

8 CEM has performed well under the design contract.

9 Therefore, consistent with our RFQP procurement

10 process, we asked them to submit a proposal for

11 construction-related engineering services, which would

12 include technical engineering support, assistance

13 during the bidding process, chapter and review, owner

14 manual preparation, start-up and training, assistace

15 during the first year of operation and some limited

16 specialty inspection services. Our own staff will do

17 the bulk of the resident inspection field services on

18 this project as they do on most others.

19 We've been negotiating with CDM for a contract

20 amount. Right now we have a preliminary number of
21 \$1.9 million. We're still in the negotiating phase.
22 Because the summer is starting and we won't meet again
23 until September, we wanted to get your approval to go
24 up to that amount. We hope that will come in lower.
25 What we would do is, upon your approval, we would

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36

1 issue an initial contract just for technical
2 assistance during the bidding period, just so that we
3 can get the project out to bid. Then after the bids
4 are received and we've been able to evaluate the
5 project status, we would finish the negotiation for
6 construction-related services from CDM, staying within
7 the authorized amount of this resolution, which is
8 \$1.9 million. We ask for your approval of
9 Resolution 2013:27 under those conditions.

10 CHAIRMAN MESOLELLA: We have a motion to
11 approve Resolution 2013:27. We've heard the Executive
12 Director's explanation of the matter. Are there any
13 comments or questions with regard to
14 Resolution 2013:27? Hearing none, all of those that
15 are in favor will say aye.

16 (UNANIMOUS VOTE)

17 CHAIRMAN MESOLELLA: Are there any

18 opposed? There are none opposed, and that motion
19 carries. Commissioner Salvadore, does that complete
20 your report?

21 COMMISSIONER SALVADORE: That concludes
22 our report for today, Mr. Chairman.

23 CHAIRMAN MESOLELLA: Thank you very much.
24 Next committee reporting is the Personnel Committee.
25 Commissioner Campbell, report for us today?

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37

1 COMMISSIONER CAMPBELL: Item A, review
2 and approval of Resolution 2013:32, proposed revisions
3 to NBC nonunion salary ranges, effective fiscal year
4 2014. Personnel Committee recommends approval.

5 CHAIRMAN MESOLELLA: We have a motion to
6 approve 2013:32, seconded by Commissioner Milas and
7 Commissioner McQueen. Mr. Director?

8 MR. MARSHALL: For the nonunion personnel
9 who are on a paid-for-performance system, we have a
10 set of pay grades and pay ranges with a minimum and
11 maximum associated with each. We periodically update
12 those ranges. We did that last year, and we're coming
13 before you again this year to, again, adjust the pay
14 ranges. This time it will be by 3 percent.

15 It's important to note that this adjustment of
16 pay ranges does not automatically result in any
17 nonunion employee receiving a salary increase. The
18 nonunion raises are based strictly on performance
19 evaluation and are merit based, and the salary that
20 the nonunion people for their pay grade and title need
21 to fall within that range.

22 This is a range of the adjustment, an adjustment
23 of the ranges in which we all operate. We ask for
24 your approval of this update. They will become
25 effective in the FY14 budget, which will come before

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38

1 you shortly.

2 CHAIRMAN MESOLELLA: We have a motion and
3 second to approve Resolution 2013:32. Discussion on
4 that motion?

5 COMMISSIONER WORRELL: The question I
6 have, in past history what percentage of the nonunion
7 employees as a whole would receive the maximum
8 whatever percentage we had approved in prior years?
9 Is it a fairly high percentage?

10 MR. MARSHALL: I'm not sure I quite
11 understand the question. I think any, right now we
12 probably have three or four younger employees who

13 would fall under the minimum. Then there's probably
14 half a dozen senior employees or more senior employees
15 that might already be at the maximum. So for those
16 more senior employees, it gives them some room to
17 receive an increase in their base pay. I'm not sure I
18 understand.

19 COMMISSIONER WORRELL: Well, if we have a
20 hundred nonunion employees --

21 MR. MARSHALL: We have 126.

22 COMMISSIONER WORRELL: If we have 126,
23 what percentage of those would anticipate an increase?

24 MR. MARSHALL: Okay. An increase, which
25 occurs independent of these ranges, by the way. It's

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39

1 based on your performance. If you're a lousy
2 performer, you're not going to get anything. There is
3 probably only a handful of people that would get no
4 raise out of the 126.

5 COMMISSIONER WORRELL: That's my
6 question. Thank you.

7 MR. MARSHALL: Then there is a whole
8 variation in between.

9 CHAIRMAN MESOLELLA: Further discussion?

10 On Resolution 2013:32, all of those that are in favor
11 will say aye.

12 (UNANIMOUS VOTE)

13 CHAIRMAN MESOLELLA: Are there any
14 opposed? There are none opposed. That motion
15 carries. Does that conclude your report, Commissioner
16 Campbell?

17 COMMISSIONER CAMPBELL: Yes, that
18 concludes my report.

19 CHAIRMAN MESOLELLA: Thank you very much.
20 Next to be reporting is Long-Range Planning-Finance
21 Committee. Commissioner Andrade, do you have a
22 report?

23 COMMISSIONER ANDRADE: Yes, I do. The
24 committee reviewed and would like to bring before the
25 full Board of Commissioners, first is review and

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40

1 approval of Resolution 2013:28, Narragansett Bay
2 Commission fiscal year 2014 operating budget.
3 We're fortunate enough to have most of the
4 commissioners here. It was a very in-depth review
5 done by Karen. I'm sure she would be willing to do it
6 again if anybody wants to hear it. At this point I'll
7 make a motion that Resolution 2013:28 be approved by

8 the full board.

9 CHAIRMAN MESOLELLA: Motion to approve
10 2013:28, seconded by Commissioner Kimball,
11 Commissioner Nathan and Commissioner Farnum. Well, I
12 think most of the Commissioners were here.

13 MR. MARSHALL: 16 out of the 17 that are
14 now sitting at the table were here.

15 CHAIRMAN MESOLELLA: I'm not certain that
16 we have to go through the presentation that we
17 received earlier. Does anyone have any specific
18 questions with regard to the documents that we could
19 answer in some general way? Do we need to go through
20 the entire budget document again? Your pleasure.

21 I will say we have broccolini and Italian sausage
22 at the table. If you want a full presentation, we're
23 happy to do that, but it's going to delay lunch.

24 MR. MARSHALL: There is one other
25 alternative. I believe Karen has a five-minute

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41

1 condensed version. I don't see Karen right now.

2 CHAIRMAN MESOLELLA: Do you want to give
3 us the TV Guide or Reader's Digest version, Karen?

4 MR. MARSHALL: I didn't hear her say yes.

5 MS. GIEBINK: If you want me to --

6 CHAIRMAN MESOLELLA: Tell us what our
7 revenues are, what our expenses are, and maybe what
8 our potential rate increases might be.

9 MR. MARSHALL: Do you want to sit next to
10 Commissioner Nathan and use the microphone there?
11 Thank you.

12 MS. GIEBINK: I hope you're not hungry.
13 Highlights of the fiscal year 2014 operating budget,
14 overall we're looking at a 9 percent increase,
15 10.2 percent increase in operating revenue. That is
16 primarily the result of an increase in the sewer user
17 charges effective July 1, 2013 and the one that was
18 effected January 1, 2013.

19 Overall, the operating and maintenance expense is
20 3.8 percent higher. Debt service and debt service
21 coverage are both significantly higher than last year
22 due to financing cost associated with funding the
23 Capital Improvement Program. Operating capital
24 outlays are 4.2 percent higher than last year, and
25 overall total expenses are 9 percent higher than last

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1 year.

2 Fiscal year 2014 operating budget is

3 \$98.6 million. The resolution is included in the
4 supporting schedules. It highlights all of the
5 additional items associated with the passage of the
6 operating budget in terms of how it is operated on an
7 ongoing basis during the fiscal year. Also attached
8 to that you'll find the detailed listing of the
9 budgeted positions. I would be happy to answer any
10 questions.

11 CHAIRMAN MESOLELLA: Any questions of
12 Karen, Director of Finance, with regard to the budget?
13 Of course, all our Commissioners will remain available
14 to answer any questions you have as you take the
15 document with you and review it. We've made her
16 available to answer any questions. Are there any
17 particular questions that need to be addressed before
18 we move on to passage of the resolution?

19 MR. MARSHALL: The document is available
20 online. As you know, I'm sure several of you have it
21 up right now. There is also a hard copy available if
22 you would like to obtain one of those and review the
23 document in that fashion.

24 CHAIRMAN MESOLELLA: Okay. We have a
25 motion. We have a second. All of those in favor of

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1 passing Resolution 2013:28 will say aye.

2 (UNANIMOUS VOTE)

3 CHAIRMAN MESOLELLA: Are there any
4 opposed? There are none opposed. That motion
5 carries. I would like to commend our entire fiscal
6 staff for the preparation and generation of this
7 document. It is an outstanding document. I'm sure
8 we'll win another award on this one. Thank you so
9 much.

10 Moving right along, Commissioner Andrade, do you
11 have further report?

12 COMMISSIONER ANDRADE: Yes, Mr. Chairman.

13 Next item is review and approval of
14 Resolution 2013:29, amended and restated resolution
15 for purposes of authorizing the Narragansett Bay
16 Commission to issue revenue obligations in an amount
17 not to exceed \$80 million and approval to execute a
18 supplemental trust indenture in other matters. This
19 item is just an increase from a recently passed
20 resolution for \$75 million. I'll make a motion to
21 approve it subject to explanation.

22 CHAIRMAN MESOLELLA: Okay. We have a
23 motion to approve Resolution 2013:29, seconded by
24 Commissioner Montanaro, Commissioner Milas. As the
25 Chairman said, basically the board approved the

1 resolution to authorize \$75 million in bonds
2 previously. This is an addition of another
3 \$5 million, bringing the total authorized amount to
4 \$80 million. Are there any questions regarding this
5 resolution? Pretty self-explanatory. All of those in
6 favor of approval of Resolution 2013:29 will say aye.

7 (UNANIMOUS VOTE)

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

11 COMMISSIONER ANDRADE: Next item is
12 review and approval of Resolution 2013:30,
13 authorization to approve a qualified pool of
14 investment banking service providers. I make a motion
15 to approve the resolution.

16 CHAIRMAN Mesoellella: Motion to approve
17 Resolution 2013:30 which is to authorize qualified
18 pool of investment services. We have a second by
19 Commissioner Salvadore.

20 Basically this resolution provides selection of
21 four firms to provide investment banking services.
22 There were a list of nine potential companies that
23 applied or solicited on this resolution. Four were
24 selected. They are in your packet, namely Barclays,

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45

1 So having heard the explanation, all of those that are
2 in favor of Resolution 2013:30 will say aye.

3 (UNANIMOUS VOTE)

4 CHAIRMAN MESOLELLA: Are there any
5 opposed? There are none opposed. That motion
6 carries.

7 COMMISSIONER ANDRADE: Review and
8 approval of Resolution 2013:31, recommendation for use
9 of environmental enforcement funds. I make a motion
10 that the resolution be approved.

11 CHAIRMAN MESOLELLA: We have a motion to
12 approve Resolution 2013:31, which is the use of
13 environmental enforcement funds. The amount of the
14 environmental enforcement funds use for the Leonard
15 Walker Memorial Scholarship Fund in the amount of
16 \$2,500.

17 This has been an annual use of the environmental
18 enforcement fund championed by, of course, the
19 chairman himself and Commissioner Salvadore and many
20 of our Board of Commissioners. Money goes to the Met
21 School to assist in their technical career education.

22 It's a phenomenal use, great use of our environmental
23 enforcement funds. Commissioner Salvadore?

24 COMMISSIONER SALVADORE: Move passage.

25 CHAIRMAN MESOLELLA: We have a motion to

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46

1 approve Resolution 2013:31, seconded by, I believe, I
2 hope the entire board. Thank you. All of those in
3 favor will say aye.

4 (UNANIMOUS VOTE)

5 CHAIRMAN MESOLELLA: Are there any
6 opposed? There are none opposed. The motion carries.
7 Moving right along, rules and regulations, I do not
8 believe, met. Citizens Advisory, where is he?
9 Harold, do you have a report for us today?

10 MR. GADON: The CAC meeting was held last
11 Wednesday with a quorum present. Environmental
12 engineer Kathryn Kelly delivered a PowerPoint
13 presentation on the CSO update, especially on Phase 3.
14 Estimated cost was projected to be in the \$600 million
15 area. It was also stated that it was expected to
16 regroup the stakeholders for this phase. CAC
17 originally had six former stakeholders, with four
18 still active.

19 It was also stated that it would be carefully

20 reviewed before the use of water separation, as was
21 used on Hope Street before that was, again, used in
22 the future. The winning posters were shown with the
23 winners and their families present. The posters will
24 be in the calendar for distribution later on this
25 year.

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47

1 This was our last meeting before the summer. Our
2 next meeting will be on September 18. I thank you and
3 wish you a good summer.

4 CHAIRMAN MESOLELLA: Thank you very much.

5 Next, committee reporting, Executive Committee. The
6 Executive Committee did meet on June 6 pursuant to
7 authorization from the board to allow the Executive
8 Committee to meet when it needed to meet very hastily
9 regarding project change orders.

10 We had a situation with regard to the freeze
11 walls of the shaft that we're, I call it drilling, I
12 guess, not building, drilling for our Phase 2 project
13 that resulted in a change order in excess of the
14 normal authorization.

15 Pursuant to a resolution of this board, gave the
16 Executive Committee authorization to move forward,

17 hear the issue with regard to a requested change order
18 and approve it, and then report to the committee its
19 findings.

20 In this particular case, we had a change order
21 request for \$1.5 million. I am told that the
22 resolution to that matter was in the amount of
23 \$1,350,000. Do you have an explanation on the issue
24 of the change order itself?

25 MR. MARSHALL: Sure. What it involved is

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48

1 they tried to create a wall of solid ice around a
2 center core area that they want to excavate in. It
3 was a technique we used on the main spine tunnel, and
4 one we're using up on by the Cuffey School to create
5 the new ad it which will create the Woonaquatucket
6 River CSO interceptor to the main tunnel.

7 When they tried to create that freeze wall, there
8 were problems getting certain areas to actually freeze
9 up, so that they could then excavate inside the freeze
10 wall. It had to do with the subsurface conditions.

11 In one area of the ring that they were trying to
12 freeze there were a lot of boulders and cobbles.
13 Those are just smaller boulders. The water was moving
14 through it too quickly to freeze in the time fashion

15 or in the manner that is traditionally done.

16 So it involved taking some steps to cut the water
17 flow off and to inject grout into that area to try to
18 bring the water almost to a standstill, so they could
19 get it to freeze. That created extra expense, and it
20 created a delay for the contractor, and his claim was
21 in the amount of \$1.5 million.

22 The staff has worked with him along with our lead
23 design manager, Louis Berger, to come to a
24 \$1.35 million number that resolves the extra cost that
25 he incurred to, or because of that change in

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49

1 condition. So that's the nature of the change order.

2 By the way, as well in certain areas it overfroze
3 where the water was not moving through it quickly.
4 That required, rather than just excavating as they
5 normally would, they now have to drill or chip and
6 blast the frozen soil out where it overfroze. It's
7 kind of a one problem created another type of
8 situation.

9 That was the nature of the change order, and
10 that's the resolution to it. The board authorized
11 Resolution 2013:08 that the Executive Committee could

12 handle all future change orders on that one particular
13 project, the Woonasquatucket CSO interceptor main
14 contract as it is known.

15 CHAIRMAN MESOLELLA: That's by way of
16 report. Additionally, I would like to say that during
17 the month, the Chairman with counsel, Joe DeAngelis
18 and Karen Giebink, continue to meet with the Rhode
19 Island Clean Water Finance Agency with regard to
20 refinancing some of our issues, bond issues.

21 The issue, you may recall, of a prepayment
22 penalty for refinancing those bonds. That discussion
23 is ongoing. I do understand there is a meeting
24 imminent. Is that tomorrow?

25 MR. DEANGELIS: Tomorrow morning with

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50

1 Counsellor DeAngelis and Karen. I don't know who else
2 is attending.

3 CHAIRMAN MESOLELLA: With Counsellor
4 DeAngelis and Karen. I don't know who else is
5 attending.

6 MR. DEANGELIS: Karen Grande, myself and
7 new executive director Bill Sequino.

8 CHAIRMAN MESOLELLA: I don't know how
9 many of you are aware that there is a new executive

10 director, pretty well publicized, Bill Sequino,
11 formerly the town manager for East Greenwich. He's a
12 very competent man, and we're looking forward to
13 working along cooperatively with him on that matter.
14 Other than that, is there anything else I need to
15 mention?

16 MR. MARSHALL: No. I think you're all
17 set.

18 CHAIRMAN MESOLELLA: Actually, I went
19 into part of the Chairman's report. That would
20 conclude the Executive Committee report.

21 Next meeting reporting would be the Ad Hoc
22 Committee on Compensation. They have not met, nor has
23 the Committee on Ethics. Legislative report, I think
24 we have a very active report. We had an active
25 session up there. We had a number of matters.

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51

1 Joanne?

2 MS. MACERONI: Thank you, Mr. Chairman.
3 My report is on your website. Just to briefly go over
4 it, since last month there is has only been one bill
5 that has been introduced that is of concern to us.
6 Unfortunately, there was a typo in my report.

7 It's H6259. I had it as 6258. This bill will require
8 that any quasi public that wants to do any bond
9 financing would have to get the approval of the House
10 Oversight Committee and also the House Finance
11 Committee. NBC is opposed to that bill.

12 We already have oversight from our bond financing
13 through the Division of Public Utilities. We need
14 their approval before we can go out and do any
15 financing. The bill was just introduced on Thursday,
16 so I have not had the opportunity to speak to the
17 sponsor. That will be happening this week.

18 I'm happy to report that our quorum bill did
19 successfully pass the full House. There was a hearing
20 in Senate environment last week. The hearing went
21 very well, and we're very hopeful that before the
22 session ends the bill will report, be reported out and
23 be approved by the full Senate. Then it does have to
24 go before to the Governor also, if that's the case.

25 There are also three other bills that I reported

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52

1 early on that we had issues with. One was a quasi
2 public bill, one was a eminent domain bill, and
3 another was a hazardous waste bill -- a precious metal
4 bill rather. I'm happy to report that we've been able

5 to work with the sponsors to address concerns that we
6 had with those bills. We're very happy with what has
7 come out. Whether or not they pass is another story.

8 At least if they do, we would be okay with them.

9 That concludes my report. The General Assembly
10 is expected to adjourn hopefully by the end of this
11 week, if not the beginning of next week. That's the
12 rumor. Obviously, once that happens, and we see what
13 shakes out, I'll have a final report for you.

14 CHAIRMAN MESOLELLA: Thank you. Next
15 report is Chairman's report. I had reported to you
16 pretty much everything that I had to say, except that
17 the next board meeting will be in September. It is
18 September 24, if you would like to make a note of
19 that. That's it.

20 Is there any new business to come before the
21 Commission at all? Any new business? Other business
22 of any kind, any other business that needs to be
23 discussed? In such case, before we move on to item
24 Number 9, which is adjournment, thank you very much.
25 I wish you a very happy and enjoyable summer. We'll

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1 see everyone back here on September 24. Commissioner

2 Rotella?

3 COMMISSIONER ROTELLA: Move to adjourn.

4 CHAIRMAN MESOLELLA: We have a motion to
5 adjourn. We have a second by Commissioner Salvadore.

6 All those in favor will say aye.

7 (UNANIMOUS VOTE).

8 CHAIRMAN MESOLELLA: Are there any
9 opposed? Motion carries.

10 (MEETING CLOSED AT 12:30 P.M.)

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

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3 I, ELIZABETH GREELEY, a Notary Public, do hereby
4 certify that I reported in shorthand the foregoing
5 proceedings, and that the foregoing transcript
6 contains a true, accurate, and complete record of the
7 proceedings at the above-entitled hearing.

8 Reading and signing of the transcript was not
9 requested by any parties involved upon completion of
10 the meeting.

11 IN WITNESS WHEREOF, I have hereunto set my hand
12 this 12th day of July, 2013.

13

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18 ELIZABETH GREELEY, NOTARY PUBLIC
19 CERTIFIED COURT REPORTER
20 MY COMMISSION EXPIRES: 04/07/2014

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