

1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

2 NARRAGANSETT BAY COMMISSION

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IN RE: NBC MONTHLY BOARD MEETING

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10 DATE: September 24, 2013
TIME: 11:00 A.M.
11 PLACE: Narragansett Bay Commission
Corporate Office Building
12 One Service Road
Providence, RI 02905

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16 PRESENT:

17 Vincent Mesoletta, Chairman
Angelo S. Rotella, Vice Chair
18 Raymond Marshall, Executive Director
Robert Andrade, Treasurer
19 Joseph De Angelis, Esquire
Joseph Kimball
20 Jonathan Farnum
Bruce Campbell
21 Dr. Richard Burroughs
Mario Carlino
22 Seth Handy
Joan P. Milas
23 Alessandro Montanari
Ronald Leone
24 Alan Nathan

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1 OTHER ATTENDEES:

- 2 Thomas Uva, NBC
Karen Giebink, NBC
- 3 Laurie Horridge, NBC
Jennifer Harrington, NBC
- 4 Harold Gadon, CAC
Linda George, RI Senate
- 5 Shaylyn McCauley, NBC
Sherri Arnold, NBC
- 6 Jean Lynch, CAC
Joe Pratt, Louis Berger Group
- 7 Tom Brueckner, NBC
Paul Nordstorm, NBC
- 8 Diane Buerger, NBC
Jamie Samons, NBC
- 9 John Zuba, NBC
Richard Bernier, NBC
- 10 John Bulman, LBMW
Tom Dunn, LBMW
- 11 Patricia Boucer, Bacon & Company
Leah Foster, NBC
- 12 Deborah Samson, NBC
Talia Girard, NBC
- 13 Karen Musumeci, NBC

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1 (HEARING COMMENCED AT 11:10 A.M.)

2 CHAIRMAN MESOLELLA: Good morning,
3 everyone. We will call the Tuesday, September
4 24th, meeting of the Narragansett Bay Commission
5 to order at 11:06. Of course, recognizing a
6 quorum, we'll call the meeting to order.

7 First order of business, I think,
8 today is some of you know, maybe some of you
9 don't know, long time Commissioner Mike
10 Salvadore has passed. It was in this morning's
11 paper. Mike served for 27 years. Next to me,
12 the longest serving Commissioner on the Board,
13 truly dedicated public servant. If you read the
14 obituary today, you would see that Mike gave
15 unselfishly and tirelessly of himself. He was a
16 dear friend for many years.

17 So I considered cancelling the
18 Board meeting today out of tribute and respect
19 to Mike, but after spending a considerable
20 amount of time over the weekend with the family,
21 they convinced me that that's not what Mike
22 would have wanted, and he would have wanted the
23 Commission to move forward.

24 The Commission was a true source of
25 pride for Mike. So after discussion with the

1 Executive Director, I think it's appropriate
2 today -- well, let me say first that we have had
3 several discussions about the dedication and to
4 whom the new operations building should be
5 dedicated to. So today, I think it's fitting
6 for me to offer to the Board and as a tribute to
7 Mike for all his participation and contributions
8 to this agency that I would make a motion that
9 this Board support me in naming the operations
10 building after our late member, Commissioner
11 Mike Salvadore.

12 COMMISSIONER ROTELLA: Second.

13 CHAIRMAN MESOLELLA: Seconded by
14 Commissioner Rotella and the entire Board. I
15 would further move that we extend our sincere
16 sympathy and prepare the proper resolution for
17 the family in expression of our appreciation for
18 Mike, I would make that motion.

19 If you haven't read in the paper
20 the OBA showing 4 to 8 at the Nardillio Home in
21 Cranston, and Friday there's a mass scheduled
22 for 10:00 at the Cathedral, so obviously, those
23 of you who have any interest of attending, would
24 certainly I'm sure would be appreciated by the

25 family. So before we begin the meeting this

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1 morning, I would ask that we spend a moment of
2 silence in respect and consideration of Mike
3 Salvadore.

4 (MOMENT OF SILENCE)

5 CHAIRMAN MESOLELLA: Okay, thank
6 you. Our steno isn't here, so we're going to
7 have to hold up at anything else at this point.
8 I think, Karen, just went out to see if the
9 person's on their way. Probably just as best,
10 give me a moment to compose myself.

11 You know, I think, you know, times
12 like this, you start to reminisce and recall,
13 you know, certain times. Mike was always here
14 early. He'd come upstairs, and he'd say, Mr.
15 Chairman, how can I serve you today, without
16 fail. He was such a good guy. He'll be missed.
17 He was supposed to come to a party at my house
18 Saturday.

19 Okay, for the record, the meeting
20 of Narragansett Bay Commission, September 24th,
21 2013 was convened at 11:06. Brief discussion
22 regarding late Commissioner Mike Salvadore.
23 There was an official vote of the Board to name
24 and dedicate the new operations building in his

25 honor. Counsel, do I have to call the Board to

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1 order again?

2 ATTORNEY DE ANGELIS: I think you
3 should.

4 CHAIRMAN MESOLELLA: Do you think
5 it's appropriate?

6 ATTORNEY DE ANGELIS: We're
7 required to have a stenographic record.

8 CHAIRMAN MESOLELLA: Recognizing a
9 quorum, the meeting of the Narragansett Bay to
10 order, again, at 11:16. The first order of
11 business is the approval of the previous minutes
12 of June 25, 2013. Have all of our members had
13 an opportunity to review the previous minutes,
14 and, if so, are there any comments, corrections?

15 COMMISSIONER MACQUEEN: Motion to
16 approve.

17 COMMISSIONER KIMBALL: Second

18 CHAIRMAN MESOLELLA: We have a
19 motion to approve the minutes of June 25,
20 seconded by Commissioner MacQueen and
21 Commissioner Kimball. Discussion on the
22 minutes? Hearing none. All of those that are
23 in favor will say aye? Are there any opposed?

24 There are none opposed, and the motion carries.

25 (UNANIMOUS VOTE)

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1 CHAIRMAN MESOLELLA: Has everyone
2 signed the sign-in sheet? Commissioner Handy,
3 did you sign the sign-in sheet?

4 COMMISSIONER HANDY: Yes, thank
5 you.

6 CHAIRMAN MESOLELLA: First order of
7 business is old business. Is there any old
8 business to come before the Commission this
9 morning, old business? Hearing none. Item
10 Number 4 is acknowledgement of award, and that's
11 the NACWA Award. What are we doing about that?

12 SECRETARY MARSHALL: I wanted to
13 mention that, and I also wanted to mention the
14 NACWA award.

15 CHAIRMAN MESOLELLA: All right.
16 Mr. Secretary.

17 SECRETARY MARSHALL: Sure. As you
18 know we belong to the National Association of
19 Clean Water agencies. They have a number of
20 award programs for technical excellence and
21 leading edge programs that we have won in the
22 past. They do have one also for management.
23 The program was revamped just about two years

24 ago to make it much more difficult to obtain.

25 We've won this award in its prior form on two

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1 occasions. You can only win it every three
2 years, by the way, because it is regarded as a
3 three-year award, and they've divided the
4 levels. They've identified it as silver, gold
5 and platinum. And it depends on how many of the
6 criteria you meet. And I'm happy to report that
7 we've achieved the platinum level which is the
8 highest level. And of 230-member organizations
9 in NACWA we were one of only three that received
10 it at the platinum level. And I think what this
11 is is a testament to the high quality staff we
12 have, all of the support that you as the Board
13 have given us, the great programs that we have
14 been able to put in place as a result. Just as
15 an example of how difficult it is to win this
16 award, unless your treatment plants, whether you
17 have one, two, like we do, or five, every one of
18 your treatment plants has to at least receive a
19 silver award for treatment, otherwise, you're
20 not even eligible to, you know, to be further
21 considered. So it's a very, very stringent
22 criteria. And then on top of that, you have to

23 show a strong environmental advocacy program, as
24 we do, with our WOON water shed education
25 program, all the sampling we do out in the bay

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1 and providing that information for the public to
2 consume.

3 Our state of the art management
4 tools such as asset management and C-MOM plans,
5 wellness programs, good, strong financial
6 management where they want a fair amount of
7 information on how we financially manage our
8 organization. And then with the human touch,
9 whether we have programs like wellness, and
10 affirmative action, and things of that nature.

11 So it was an extensive application. I want to
12 thank Jamie for putting it together on short
13 notice. I want to thank all of my directors,
14 Tom and Karen and Laurie and Paul, and Rich, for
15 all the great work that they do, and all of your
16 support throughout the years because these
17 programs don't happen in two months, or six
18 months. It takes years to develop them and put
19 them in place.

20 And so I wanted to let you know
21 that we're doing our best every day to make this
22 the best organization, not only in the State of

23 Rhode Island, but in the entire country. So,
24 and this is a little bit of an affirmation that
25 we're -- at some level we're actually

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1 accomplishing that, so, that's it.

2 COMMISSIONER ROTELLA: Mr.
3 Chairman.

4 CHAIRMAN MESOLELLA: Commissioner
5 Rotella, go ahead.

6 COMMISSIONER ROTELLA: If I could
7 from the Board of Commissioners, itself, I want
8 to say congratulations, of course, to Ray and
9 all of the staff. It's extraordinarily
10 difficult to earn these awards, especially at
11 the level that we seem to consistently be able
12 to win them.

13 It's amazing when you think that we
14 had, when Chairman Mesolella and Commissioner
15 Salvadore joined this Commission, the worst
16 treatment center in the country, just guaranteed
17 certified, that we could have come so far in
18 such a short time. And I think it's a tribute,
19 of course, to the Commissioners -- I'm sorry, to
20 the Chairman, to the Board, but more
21 importantly, to all the staff that work here and

22 come here every day, and not only do their job,
23 but go above and beyond what their job is, and
24 I'm just proud to be -- and I think I speak for
25 all Commissioners when I say I'm proud to be

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1 involved with this Board and with these people,
2 and I thank you for working as hard as you do,
3 and showing the excellence that you constantly
4 show and the work that you do which brings such
5 a bright and good light upon us from all
6 corners. So I just want to say thank you,
7 again.

8 CHAIRMAN MESOLELLA: Thank you.

9 SECRETARY MARSHALL: Thank you.

10 (APPLAUSE)

11 CHAIRMAN MESOLELLA: Thank you,
12 Angelo, for those kinds words. That's it's very
13 nice of you and very well spoken. Okay. Moving
14 right along, item Number 5, which is the
15 Executive Director's Report. Mr. Secretary, do
16 you have a report for us today?

17 SECRETARY MARSHALL: Yes, I do.

18 Last time we spoke was prior to the summer, but
19 I want you to know that both plants ran well
20 over the summer after some big rains in June.
21 The treatment settled down. We're getting

22 remarkable treatment at Field's Point and
23 Bucklin Point, and that's a credit to both of
24 the staffs there.

25 The Field's Point people have a

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1 brand-new system that they're operating, and
2 they're exceeding expectations which are five
3 parts per million, and they're down in the three
4 to four part per million range. They're doing a
5 very good job handling that new system. And
6 Bucklin Point, while they seemingly have
7 construction going on every time they turn the
8 corner, they have been meeting their permit for
9 nitrogen too which is no easy thing to do when
10 someone is tearing up your plant.

11 And in that regard, I want to thank
12 Paul Nordstorm for guiding both of those groups
13 to their high level of achievement. Paul spent
14 a lot of time out at the plants, you know,
15 working with the staff, and making sure he's
16 intimately involved in resolving any problems
17 that come up, and we can't take that for
18 granted. The CSO tunnel is now up to 5.25
19 billion gallons of flow, captured and treated.
20 So the number keeps climbing, water quality

21 keeps getting better. We have now fully
22 integrated asset management into all aspects of
23 our collection and treatment facilities. Our
24 wind turbines continue to perform well for us.
25 So far this year they have generated 45% of the

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1 power needed at the Field's Point waste water
2 treatment facility. The summer is a quieter
3 time in terms of wind, so the percentages have
4 dropped off a little bit. We expected as the
5 fall rolls in which it did the other day, that
6 the winds will pick up, and we will become,
7 achieve even a higher of electricity generation.
8 We're still waiting for Verizon to complete
9 their work to create a hardline from the
10 Manchester Street Station down here, so that
11 National Grid can give us the green light to go
12 to full power on our units. But right now we're
13 waiting on Verizon. Right now the estimated
14 completion date is at mid October at this point.
15 And engineering has been working finalizing the
16 last few easements on Phase II of our CSO
17 Program. We met with Resource Recovery and DEM
18 a couple of times over the summer to discuss the
19 requirements for their discharge coming into our
20 system, most notably, the leachate which drains

21 out of the bottom of the landfill. DEM has been
22 reluctant to give the green light for sending
23 that material from Cranston to us, but we
24 continue to be in discussions in generating
25 information for them to evaluate.

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1 We have engineering prepared and
2 advertised an RFQP for Phase III of the CSO
3 Program over the summer, and we'd expect that to
4 probably come before you at the October board
5 meeting. And if you were to concur with our
6 recommendation, the work would probably start
7 around the first of the year. It will involve a
8 brand-new look at Phase III to see if what we
9 originally agreed to do can be modified in some
10 way, whether it's a matter of changing the
11 facilities, themselves, or extending the period
12 that they will be completed in.

13 Construction's been pretty busy. I
14 think Rich would attest to that. I don't even
15 know if he's in the room right now, he might be.
16 There he is. Overall, things have been going
17 well. The work up on Hope Street, the Hope
18 Street area is done. It's all paved. Jamie
19 Samons is now allowed to walk around in her

20 neighborhood without sunglasses and a hat on.

21 Actually, I want to thank Jamie for all the
22 great work she did being on the front lines.

23 Thank you.

24 MS. SAMONS: Thank you.

25 SECRETARY MARSHALL: And for the

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1 construction staff to responding to the problems
2 that people have, and a lot of them were
3 legitimate problems and concerns. Some were --
4 you know, well, you just can't keep some people
5 happy, but in overall, they work very hard, they
6 were very responsive, and I think it's the
7 philosophy that Vin and the rest of you on the
8 Board want us to adopt, which is to work with
9 the people and get things done in a positive
10 fashion, so we're happy to report that.

11 North Main Street should be coming
12 to a completion this fall. The projects on both
13 north and south of Miriam Hospital are
14 progressing well. That's a highly sensitive
15 area, as you know, with all the emergency
16 vehicles. The Seekonk River Interceptor, which
17 starts basically over on South Water Street.

18 It goes through India Point Park,
19 up along the Seekonk. We are making good

20 progress on that job. Overflow 106, which is
21 Central Falls, the PCB contaminated site. We
22 finally got that resolved in terms of the change
23 orders. Based on the authority that the Board
24 gave us, the Executive Committee was able to act
25 on that. And the Woonasquatucket CSO

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1 Interceptor job, which we've had all the
2 geotechnical problems on, while we're making
3 progress, we still continue to have issues to
4 resolve from time to time. The Executive
5 Committee approved a change order for \$1.2
6 million. The claim was \$1.48 million. That was
7 to excavate the soil that was frozen inside of
8 the tunnel drop shaft.

9 You gave the authority for them to
10 be able to approve those change orders in order
11 to keep the project moving. That was a great
12 example of how we needed action in the middle of
13 the summer in order to keep the project moving
14 forward.

15 So overall construction's going
16 well. We are doing well also over at Bucklin
17 Point. We had to start achieving our nitrogen
18 removal down to five parts per million by next

19 May. So there's still a lot to do, but they're
20 about 75% done at this point.

21 Administration & Finance, if you
22 were here for the Finance Committee, you heard
23 about the audit. You'll hear more in just a few
24 minutes. We'll give you an overall update. It
25 came out well. I think you'll be pleased. FY

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1 Budget is up, FY-14 Budget is up and running.
2 In your package you might see there's a lot of
3 purchase orders that have been generated, and
4 that is because it's the beginning of the fiscal
5 year, and we do that to be able to pay our
6 vendors as we use their goods and services. And
7 all of those items were part of the budget that
8 you approved in June.

9 We're looking at the nonunion
10 retirement plans in terms of making sure all of
11 our terminology and wording and terms and
12 conditions are in compliance with all
13 regulations. And we're moving to that single
14 platform where both the nonunion defined
15 contribution defined benefit and the 457 Plans
16 will be under Mass. Mutual, and that will give
17 us a more, that will give us better results,
18 more efficient management and better service for

19 the employees. They'll get one statement with
20 all of those being reported on one sheet of
21 paper.

22 The billings were good in July,
23 just over \$7 million, we collected \$7.8 million,
24 and we're actively pursuing water shutoffs and
25 we've collected over half a million dollars in

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1 the month of July for that through that program.
2 As we moved into the summer months, the sampling
3 out in the receiving waters got very busy. Our
4 RV monitor boat, or vessel -- excuse me, was out
5 there pulling samples like crazy, and the lab
6 was doing an analysis on them. And
7 interestingly, one day they were anchored out
8 there to take some samples.

9 When they went to pull up the
10 anchor, they pulled up a second anchor. On page
11 34 of my report, if you wanted to call it up on
12 your I-pad. They pulled up an anchor that is
13 believed to be from the mid 17th or 18th
14 Century. Pretty interesting. And Tom and his
15 group went and talked to some of the historic
16 preservation people. That's what they
17 identified it as, and they asked us to put it

18 back until they could figured out what they
19 wanted us to do with it, is that right Tom.

20 MR. UVA: Yes, unfortunately, in
21 the Ocean State we don't have any aquarium or
22 anyplace, any research facility that can house
23 antiquities that are brought up from the bay, so
24 they go back in, and the State of Rhode Island
25 owns them all anyway. They changed legislation

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1 years ago, so if anybody finds a shipwreck full
2 of gold, they want the gold.

3 SECRETARY MARSHALL: So that was
4 kind of a unique experience. And then we
5 worked with Coast Guard on man overboard drills,
6 because our people are out there on a regular
7 basis and we wanted to make sure we're taking
8 the utmost safety precautions.

9 We've been looking at our
10 turnaround for permitting, because there is a
11 big push to be business friendly, and to try to
12 help people move on with their programs or their
13 plans, as much as we possibly can. So we found
14 that in the last year, our sewer connection
15 permit turnaround has gone from 2.4 days to just
16 under two days. So we shaved a half a day off
17 of that.

18 And for pretreatment, our request,
19 which are a little more challenging, we've gone
20 from 22 days down to 18 days. And we also had
21 an industry come in, very clean industry, high
22 tech manufacturing. Was it Eaton, was that the
23 name of it.

24 MR. UVA: Eaton Aerospace.

25 SECRETARY MARSHALL: Eaton

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1 Aerospace. They do a lot of high tech
2 production for the aerospace industry. And the
3 brand-new equipment and processes that they have
4 set up didn't quite jive with some of the
5 regulations that we had. So, I don't know, Vin,
6 do you want to mention anything about that?

7 CHAIRMAN MESOLELLA: Yeah. About a
8 month ago, now, I was contacted by an attorney
9 who represented Eaton Aerospace. Eaton
10 Aerospace is a very large company that employs,
11 about 233 people. They were formally located in
12 West Warwick right on the river, and the 2010
13 hurricane basically got flooded out, lost over
14 13 million dollars in equipment. So they had to
15 find a new home. So while they were actively
16 looking for a new home in Rhode Island, they

17 were informed by their parent company, Eaton
18 Corporation, that Rhode Island since this
19 incident, that perhaps they should be looking
20 out of state for more of a business-friendly
21 situation, and they were confronted with the
22 possibility of having to move their operations
23 out of Rhode Island, therefore, laying off 230
24 people, and having to start operations out of
25 state. I guess they went to the Department of

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1 Economic Development, they got some assistance,
2 and, of course, they encountered this problem
3 with regard to being in conflict with their
4 operation and our regulations. They took over
5 about 110 or 120,000 square feet in the old Fram
6 building in East Providence, which put them in
7 our district.

8 So after being contacted by this
9 attorney, who said we need some relief and if we
10 don't get some relief, we're concerned that our
11 parent is going to make us move out of state,
12 and we want to stay in Rhode Island.

13 So I wasn't familiar with the
14 operation or the nature of the relief that they
15 were seeking, so, of course I spoke with Ray,
16 and he brought Laurie in. And who else was

17 involved in that discussion, Laurie?

18 MS. HORRIDGE: Tom.

19 CHAIRMAN MESOLELLA: Tom was, so we

20 brought the people in. They explained their

21 situation, and quickly we listened intently.

22 They offered some alternatives, which we found

23 very acceptable and viable, so rather than what

24 many, unfortunately, many other state agencies

25 do, and that's we can't help you, we can't and

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1 tell you why they can't. We immediately reached

2 out to have a discussion about how we can help

3 this company. And within very short order, an

4 hour or so, we came up with a conclusion on how

5 we could assist this company, asked them to

6 submit a waiver ask for, request a waiver of the

7 regulations, and present the alternative that

8 would satisfy us and our requirements, and the

9 Department of Environmental Management if they

10 were to ask. And within an hour, we were able

11 to deduce that we could solve their problem and

12 keep them right here in Rhode Island.

13 And I received a couple of

14 telephone calls, astonished, that, you know, a

15 regulatory agency like the Narragansett Bay

16 Commission could move so expeditiously when it's
17 required, and I'm proud and happy to say that
18 the decision is made to keep that company right
19 here in Rhode Island, and it's the cooperation
20 of the staff and the willingness to take the
21 time to listen to businesses which experience
22 similar kinds of problems that keeps them right
23 here in Rhode Island, so I'm very happy to say
24 that they're staying, so that's the long and
25 short of it.

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1 SECRETARY MARSHALL: And again, I
2 want to thank Laurie and Tom for being so
3 cooperative on this, and they went out, they
4 took a look at the facility and made sure
5 whatever relief we were able to provide, as Vin
6 pointed out, wasn't going to hurt our facilities
7 in any way, shape or form. And I think we
8 learned a lot in that trip, and hopefully, that
9 will, the word will get around and we'll be able
10 to attract more businesses like that into our
11 service district.

12 CHAIRMAN MESOLELLA: You really had
13 to be there. After about an hour after of
14 discussions, okay, we got it. We're done. And
15 the fellow who was representing the company's

16 looking at the attorney, he goes, is he serious?

17 Is he serious? Yes, I'm serious.

18 And, by the way, everyone around
19 this table is getting compensated for their
20 time, and I'm not, so I got to go. So let's get
21 out of here. So, it was a good feeling to be
22 able to accomplish that. Anyway.

23 COMMISSIONER CAMPBELL: What was
24 the conflict, specifically?

25 CHAIRMAN MESOLELLA: Well,

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1 basically, they have all this equipment that
2 generates very little discharge waters, three to
3 five gallons, I think, per machine.

4 COMMISSIONER CAMPBELL: Per week,
5 or something like that?

6 SECRETARY MARSHALL: Yeah, I think
7 it's something in that real low -- filtration.

8 CHAIRMAN MESOLELLA: And our
9 regulations suggest, state that when you're
10 creating discharge water that it has to be hard
11 piped. So they would have had 150 pipes all
12 over the place, coming up from this equipment.
13 And because the volumes were so low, they
14 introduced this high tech facility -- and

15 they're a very green company. And correct me if
16 I'm wrong, Laurie, but they introduced this
17 concept which is being embraced elsewhere, where
18 they had this high tech piece of equipment which
19 is mobile, so it goes to each of the individual
20 pieces of equipment, extracts the discharge, the
21 three to five gallons, and then contains it, and
22 then discharges it in some appropriate way. And
23 I don't know if that is in the system, or --

24 MS. HORRIDGE: It brings it all to
25 another containment and then it pretreats it and

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1 then it does.

2 CHAIRMAN MESOLELLA: Yeah, so with
3 all the pipes, it would have been a pretty
4 hostile business environment. So it didn't seem
5 to be anything that we couldn't resolve very
6 quickly, and he was amazed, amazed that a
7 regulatory agency would act so expeditiously,
8 and I was very pleased. So, okay. All right,
9 anything else, Ray.

10 SECRETARY MARSHALL: Just a couple
11 of more things. We're moving forward with our
12 WOON watershed watershed program for another
13 academic year. Interceptor maintenance took
14 part in the Children's Museum in the Big Trucks

15 Program, so we rolled in a few of our big trucks
16 down there and the kids got to climb in them.
17 We made sure they were all clean, and everything
18 before we did that, and the kids had a great
19 time. They got to put on hard hats.

20 Our interceptor maintenance guys
21 had a great time showing the kids what they do
22 every day. We hosted Senator Reed for a press
23 conference on August 2nd. It had to do with the
24 drop in, or the projected drop in EPA funding
25 for Clean Water programs. He's out in front

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1 trying to keep the levels at least what they had
2 been. Everyone's struggling as it is, and now
3 even the administration wants to cut them back,
4 that is federal administration.

5 So he wanted to get some press out
6 on that, and the legislative session, our
7 general assembly ended, thankfully, and we made
8 out pretty well, and most importantly, they did
9 officially reduce our number from 23 to 19, and
10 this calls for a simple majority in order to
11 have a quorum. So we've gone from 12 down to
12 10, is all we need to hold the Board meeting
13 now. I hope that doesn't encourage anyone to

14 stay home, but it certainly makes the stress on
15 Karen a little less as she tries to round up
16 enough members for other meetings. But this
17 should really help us big time.

18 October 10th, we have a lien sale.
19 We have 135 properties, or so, I think, still
20 on the list. And I'm attending a meeting
21 tomorrow, the Mayor of Providence, his Advisory
22 Committee on Stormwater Regional Planning. The
23 first meeting is tomorrow. The City of
24 Providence is funding a consultant to look at
25 what is the best way to handle stormwater in the

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1 urban areas of Rhode Island, so I'm going to
2 participate in that.

3 And other than that, I think that's
4 it, Mr. Chairman.

5 CHAIRMAN MESOLELLA: Thank you.

6 Any questions for the Executive Director
7 pursuant to the Director's Report? Hearing
8 none. Moving right along to Item Number 6,
9 which is Committee Reports and Action Items
10 Resulting. The first Committee reporting is
11 Finance and Long Range Planning. Chairman
12 Andrade, do you have a report for us today?

13 COMMISSIONER ANDRADE: Yes, I do,

14 Mr. Chairman.

15 CHAIRMAN MESOLELLA: Proceed.

16 COMMISSIONER ANDRADE: Thank you.

17 There were four resolutions, four resolutions
18 that were brought before the Long Range Planning
19 and Finance committee this morning, and all were
20 recommended for approval by the Board. The
21 first is Resolution 2013:33, Authorization to
22 Approve and Accept the Comprehensive Annual
23 Financial Report for Fiscal Year 2013. And I
24 believe we have Pat Boucher our auditor. Pat,
25 are you here? Pat is going to come up here and

28

1 briefly review some of the highlights of the
2 reports for us.

3 MS. BOUCHER: Good morning, just to
4 give a few highlights. Pages 13 through 15 is
5 our independent Auditor's Report. It is a
6 unmodified opinion which means the statements
7 are presented in conformance with generally
8 excepted accounting principles. This was
9 previously referred to as an unqualified opinion
10 but under some new auditing standards there has
11 been some change in the wording but it still
12 would have been considered a clean opinion so

13 your statements as presented are in conformance
14 with GAP.

15 Pages 23 through 24 are your
16 statement and net position, again, that's a
17 change from prior years that used to be
18 statement of net assets. They were changed
19 under the standards. Basically, in title the
20 statements look the same as in previous years.

21 You had total assets as of June
22 30th, 2013, of \$994 million the biggest increase
23 that you note would be in your capital assets
24 there was an increase of \$80.7 million, I'm
25 sorry, \$93.5 million. On page 24 is your

29

1 Statement of Liabilities and Net Position you
2 had an overall increase in your total
3 liabilities of the \$80.7 million, that's
4 primarily attributable to the issuance of loans
5 and bonds that were needed for all that capital
6 those capital additions. So overall you had a
7 statement in your statement of net position.
8 Your net position was approximately \$397
9 million. Of that \$320 million is your
10 investment in capital net of debt. You had an
11 unrestricted net position of approximately \$76.4
12 million. And page 25 reflects your change in

13 net position for the year difference between
14 revenues, operating revenues, operating
15 expenses, and non-operating revenues and
16 expenses and addition in capital contribution.
17 You had an overall increase in your net position
18 of \$20.6 million, so a positive increase there.

19 Just a couple other highlights that
20 I went over in the previous meeting. We did
21 touch upon the Defined Benefit Plan, and where
22 that stood. That's on pages 46. There is a
23 schedule of funding progress. The plan as of
24 12/31/2012 was at 60% funded the actual
25 evaluation.

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1 Pages 48 through 50 are your
2 Budgetary Statements, and those reflect a
3 positive variance Budget to Actual for expenses
4 of \$5.6 million and that's primarily
5 attributable to savings in electricity of \$1
6 million, personnel cost of approximately
7 \$360,000 debt service of \$2.7 and \$1.2.

8 Okay. And the only other thing is
9 your debt coverage, which we do take a look at
10 as part of the audit. It's at 133% and that's
11 reflected a couple of places in this audit so

12 you've met the 125% requirement per the
13 indentures and PUC and there were no material
14 weaknesses or significant deficiencies reported
15 in our internal control report on page 71 and
16 there was no management letter this year.

17 Questions?

18 MR. ANDRADE: Mr. Chairman, I move
19 approval of Resolution 2013:33

20 CHAIRMAN MESOLELLA: We have a
21 motion off to approve Resolution 2013:33.

22 COMMISSIONER FARNUM: Second.

23 COMMISSIONER MONTANARI: Second.

24 CHAIRMAN MESOLELLA: Further
25 discussion regarding the resolution? Is there

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1 further discussion or comment? Hearing none.
2 All those in favor will say aye. Are there any
3 opposed? There are none opposed, and the motion
4 carries. Thank you, very much. Continue.

5 (UNANIMOUS VOTE)

6 COMMISSIONER ANDRADE: The next
7 resolution is 2013:34 is an Amendment and
8 Restatement Resolution for the 2013:28 FY 2014
9 Operating Budget. And I believe, Karen, are you
10 going to review that? This is the matter of the
11 surplus cash.

12 MS. GIEBINK: There's two items
13 that would be addressed. The first has to do
14 with giving specific authorization to the
15 Executive Director to post and fill vacancies
16 that were not originally included in the budget
17 but are subsequently approved by the Personnel
18 Committee and the second item is Amendment of
19 the Budget language, resolution that deals with
20 the ability of us to use unspent budgeted
21 personnel funds to make an additional
22 contribution, employer contribution to the
23 nonunion Defined Benefits Plan, as long that
24 doesn't impede our ability to meet coverage
25 requirements.

32

1 COMMISSIONER ANDRADE: I'd like to
2 move approval of Resolution 2013:34.

3 CHAIRMAN MESOLELLA: We have a
4 motion. We have a second. Commissioner Farnum,
5 Commissioner MacQueen, Commissioner Milas.
6 Discussion on Resolution 2013:34? Further
7 discussion? Hearing none. All of those that
8 are in favor will say aye. Any opposed? There
9 are none opposed, and that motion carries.

10 (UNANIMOUS VOTE)

11 CHAIRMAN MESOLELLA: Further
12 report.
13 COMMISSIONER ANDRADE: Mr.
14 Chairman, Resolution 2013:35 is authorizing the
15 Modification of the Schedule for Redemption of
16 the Outstanding Narragansett Bay Commission
17 Wastewater System, Revenue Bonds, 2008, Series
18 A. Karen, again.

19 MS. GIEBINK: This resolution would
20 give me the authority to modify the redemption
21 schedule associated with the variable rate
22 demand obligations. We're in the process right
23 now of structuring our next debt issuance and
24 this would give us a little bit more flexibility
25 as we go forward and alleviate some of the

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1 capacity constraints that we might have in the
2 early years. And if it's determined to be in
3 the best interest this resolution would further
4 give the authority to the Executive Director and
5 the Chairman's to execute the required required
6 documents.

7 COMMISSIONER ANDRADE: I'll move
8 approval of resolution 2013:35. That's pretty
9 straightforward. We have a motion, Mr.
10 Chairman, second by Commissioner Montanari,

11 Commissioner MacQueen, Commisioner Carlino.

12 CHAIRMAN MESOLELLA: Further

13 discussion on the resolution? Hearing none.

14 All those in favor of Resolution 2013:35 will

15 say aye. Are there any opposed? There are none

16 opposed, and that motion carries.

17 (UNANIMOUS VOTE)

18 CHAIRMAN MESOLELLA: One other

19 item.

20 COMMISSIONER ANDRADE: One other

21 item, Mr. Chairman. That is Resolution 2013:36,

22 a Recommendation for use of Environmental

23 Enforcement Funds. I believe the secretary will

24 --

25 SECRETARY MARSHALL: Yes, this is

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1 for the Providence Children's Museum, and they

2 have made a request this year as they have in

3 prior years. It's a program that you support

4 funds are dwindling in an environmental

5 enforcement what we're recommending is a

6 five-hundred-dollar amount for the Children's

7 Museum.

8 COMMISSIONER ANDRADE: I'll move

9 approval of 2013:36.

10 CHAIRMAN MESOLELLA: We have a
11 motion.

12 MS. HARRINGTON: I just wanted to
13 put on the record that Commissioner Kimball has
14 recused himself from that vote.

15 CHAIRMAN MESOLELLA: Thank you,
16 very much. We have a motion. We have a second,
17 I think, Commissioner Handy, second or question?

18 COMMISSIONER HANDY: Second.

19 CHAIRMAN MESOLELLA: Okay. So this
20 is in the amount of \$500 for the children's
21 Museum. They asked for \$10,000, by the way. We
22 just don't have the funds any longer to afford
23 that, so we wanted to participate. We've been a
24 great supporter. So all in favor will say aye?
25 Are there any opposed? There are none opposed,

35

1 that motion carries.

2 (UNANIMOUS VOTE)

3 COMMISSION ANDRADE: That concludes
4 the report of the committees, Mr. Chairman.

5 CHAIRMAN MESOLELLA: Thank you.

6 Next Committee reporting is the Personnel
7 Committee, Commissioner Campbell.

8 COMMISSIONER CAMPBELL: Our
9 Personnel Committee met and approved some

10 amendments to the organizational plan, which I
11 don't believe require full Board approval.

12 CHAIRMAN MESOLELLA: Okay. Do I
13 need to tell the Board what they are, at least.

14 SECRETARY MARSHALL: No, just some
15 type of change.

16 CHAIRMAN MESOLELLA: Okay. CEO
17 Committee did not meet. Rules and Regulations
18 did not meet. Harold, citizens advised your
19 group. Do you have a report for us today?

20 MR. GADON: Yes, I do, Mr.
21 Chairman. The CAC met September 18th, with a
22 quorum present. Jamie presented this past
23 summer's report and that construction Board.
24 Was proceeding as planned on North Main Street.
25 All were pleased as Hope Street was now back to

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1 normal. Phil Holmes a former shell fisherman
2 and long time CAC member requested that I report
3 to the NBC Board. While he was at Conimicut
4 Point, a working shell fisherman approached him
5 and he wanted Phil to thank the NBC for making
6 it possible that he was presently able to
7 continue working this year without the frequent
8 bay closures that occurred in the past.

9 The CAC does appreciate the naming
10 of the operations building in honor of Mike.
11 Our next meeting is December 4th. Thank you.

12 CHAIRMAN MESOLELLA: Thank you,
13 Harold. The next committee reporting is
14 Executive Committee. Commissioner Rotella.

15 COMMISSIONER ROTELLA: Mr.
16 Chairman, I would like to recommend that the
17 Board enter into a executive session pursuant to
18 42.46.5-A2 to discuss the potential for
19 litigation with regards to the geotechnical
20 issues on the CSO Phase II Project, Item 6.

21 COMMISSIONER ANDRADE: Second.

22 CHAIRMAN MESOLELLA: That's in a
23 form of a motion. Seconded by Commissioner
24 Andrade. All in favor of going into executive
25 session pursuant to this matter will say aye?

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1 Are there any opposed?

2 (UNANIMOUS VOTE)

3 CHAIRMAN MESOLELLA: There are none
4 opposed, and we are now in executive session. I
5 would ask that our guests and all that are
6 appropriately before us to leave the room.

7 CHAIRMAN MESOLELLA: All members of
8 the public are able to return at this time.

9 Okay. And now we have entered back into open
10 session, the Chairman moves that the minutes of
11 the Executive Session be sealed.

12 COMMISSIONER ANDRADE: Second.

13 CHAIRMAN MESOLELLA: Seconded by
14 Commissioner Andrade and Commissioner Montanari
15 and Commissioner MacQueen. All those in favor
16 will say aye. Are there any opposed? There are
17 none opposed and that motion carries.

18 (UNANIMOUS VOTE)

19 CHAIRMAN MESOLELLA: Okay. Being
20 back into executive session, we can now return
21 to Committee Reports. There is no Ad Hoc Report
22 on compensation or on Ethics Legislative Report:
23 Unfortunately, Joanne is on the injured list for
24 the next three weeks with foot surgery so
25 there's no Legislative Report except to say that

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1 our bill reducing the quorum from 13 --

2 SECRETARY MARSHALL: From 12.

3 CHAIRMAN MESOLELLA: From 12 --

4 SECRETARY MARSHALL: To 10.

5 CHAIRMAN MESOLELLA: -- to 10 has
6 been passed. Please don't let that discourage
7 you from attending the meetings. The next

8 report is the Chairman's Report. I'd like to
9 report that of course a lot was discussed in the
10 earlier session and during executive session,
11 but I'd like to tell the Board that there was a
12 meeting with the Executive Director and the
13 mayor of Johnston. We've had a request from the
14 mayor and from a developer who is intending to
15 do a quite large development that would be
16 heading west on Hartford Avenue, past Atwood
17 Avenue. It appears as though there is a
18 significant amount of anticipated development in
19 that area.

20 The mayor has arranged a meeting
21 with the Executive Director and the developer to
22 talk about participating in an expansion of our
23 sewer services heading west on Route 6. This
24 fits nicely into our previous discussions with
25 regard to expanding our systems especially in

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1 light of the discussion we had earlier about the
2 consumption being lower than it has been
3 historically.

4 So I'm intending to put on for the
5 2014 agenda, an aggressive plan for long-range
6 planning to consider and the Board to consider
7 with regard to get back on that track of

8 expanding our presence and services and
9 certainly a positive for Johnston which is
10 ideally situated for expansion and other parts.

11 Who did we hire to provide us with a report.

12 SECRETARY MARSHALL: The report was
13 done by a combination of Beta & Pare.

14 CHAIRMAN MESOLELLA: Yeah, so we're
15 going take a look at that report, maybe come
16 back to the Board with some recommendations for
17 some future expansion and get a sense of the
18 Board of whether or not they think it's feasible
19 to do so. The next board meeting is --

20 SECRETARY MARSHALL: October 29th?

21 CHAIRMAN MESOLELLA: October 29th.
22 Please make a note. Anything else?

23 SECRETARY MARSHALL: No, I have
24 nothing else.

25 CHAIRMAN MESOLELLA: I think that's

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1 it for the Chairman's Report. A lot you've
2 already heard so that concludes the Chairman's
3 Report. Is there any new business to come
4 before the Commission? Commissioner Burroughs.

5 CHAIRMAN BURROUGHS: Do we in this
6 session need to reaffirm our decision about

7 naming the administration building?

8 CHAIRMAN MESOLELLA: Huh, I thought

9 I did that. I neglected to do that.

10 ATTORNEY DE ANGELIS: You stated

11 for the record that it had been voted but if you

12 wanted to make a motion again it would be

13 official.

14 CHAIRMAN MESOLELLA: Yes, we have a

15 quorum present, right. Yes. I would like to

16 formally make a motion to the Board of

17 Commissioners that we named the Operations

18 Building under the late Commissioner Mike

19 Salvadore, Chairman of the Construction,

20 Engineering and Operations Committee with the

21 appropriate --

22 SECRETARY MARSHALL: Plaque.

23 CHAIRMAN MESOLELLA: -- plaque and

24 signage necessary to appropriately recognize his

25 influence on this Board. So I make that motion.

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1 (UNANIMOUS VOTE)

2 CHAIRMAN MESOLELLA: I believe

3 that's a unanimous second by the entire Board of

4 Commissioners. All those in favor will say aye?

5 I'm sorry. Any opposed? None opposed, and that

6 motion carries. Thank you.

7 (UNANIMOUS VOTE)

8 CHAIRMAN MESOLELLA: New business?

9 Hearing none. Other business? Commissioner

10 Rotella.

11 COMMISSIONER ROTELLA: I move

12 adjournment.

13 CHAIRMAN MESOLELLA: I have a

14 motion to adjourn, seconded by Commissioner

15 Montanari. All in favor will say aye, any

16 opposed? None opposed, and the motion carries.

17 Thank you, very much, for coming today.

18 (UNANIMOUS VOTE)

19 (HEARING COMMENCED AT 1:40 P.M.)

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

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3 I, PAULA J. CAMPAGNA, CSR, a Notary
4 Public, do hereby certify that the foregoing is
5 a true, accurate, and complete transcript of my
notes taken at the above-entitled hearing.

5

IN WITNESS WHEREOF, I hereunto set my

6 hand this 21st day of October, 2013.

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PAULA J. CAMPAGNA, CSR, NOTARY PUBLIC/CERTIFIED
COURT REPORTER

21

MY COMMISSION EXPIRES: April 19, 2014

22

23 IN RE: NBC Monthly Board Meeting

24 DATE: September 24, 2013

25