

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

3 In Re: Monthly Board Meeting of the Commission

4 DATE: March 17, 2015  
5 TIME: 11:00 a.m.  
6 PLACE: Narragansett Bay Commission  
Corporate Office Building  
One Service Road  
Providence, RI 02905

7 PRESENT:

- 8 Vincent Mesolella, Chairman
- Raymond Marshall, Executive Director & Secretary
- 9 James Bennett
- Richard Burroughs
- 10 Mario Carlino
- Joseph DeAngelis, Esquire
- 11 Michelle DeRoche
- Michael DiChiro
- 12 Jonathan Farnum
- Seth Handy
- 13 Paul Lemont
- Ronald Leone
- 14 John MacQueen
- Alan Nathan
- 15 Angelo Rotella
- Richard Worrell
- 16

17 ALSO PRESENT:

- 18 Cecille Antonelli, NBC
- Sherri Arnold, NBC
- 19 Daniel Berger, PFM
- Rich Bernier, NBC
- 20 David Bowen, Wright-Pierce
- Kerry Britt, NBC
- 21 Thomas Brueckner, NBC
- Rafael Castro, McMillen Jacobs Associates
- 22 Bill Fazioli, PFM
- Leah Foster, NBC
- 23 Harold Gadon, CAC
- Karen Giebink, NBC
- 24 Meg Goulet, NBC
- Jennifer Harrington

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1 ALSO PRESENT:

- 2 Jennifer Jordan, McMillen Jacobs Associates
- Kathryn Kelly, NBC
- 3 Kim Kirwan, NBC
- Joanne Maceroni, NBC
- 4 Steve Maceroni, PFM
- John Motta, NBC
- 5 Karen Musumeci, NBC
- Paul Nordstrom, NBC
- 6 Robert Otoski, CDM Smith
- George Palmisciano, Pare Corp.
- 7 Rich Raiche, MWH
- Jamie Samons, NBC
- 8 Deborah Samson, NBC
- Matt Travers, MWH
- 9 Thomas Uva, NBC
- Barry Wenskowicz, NBC
- 10 John Zuba, NBC

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1 (BOARD OF COMMISSIONERS MEETING COMMENCED AT 11:03 A.M.)

2 CHAIRMAN MESOLELLA: Call the meeting to  
3 order. Recognizing a quorum, we will call to order  
4 today's meeting, Tuesday, March 17, 2015 to order at  
5 11:03 a.m. Good morning, welcome, and of course, Happy  
6 St. Patrick's Day.

7 The first order of business is the approval of the  
8 previous minutes of January 6, 2015 and January 13,  
9 2015. That one, of course, for January 6th is the  
10 workshop session. Have all of our members had an  
11 opportunity to review the previous minutes, and if so,  
12 are there any comments, questions or corrections?

13 THE COMMISSION: (No response)

14 CHAIRMAN MESOLELLA: Comments, questions or  
15 corrections on the previous minutes?

16 THE COMMISSION: (No response)

17 CHAIRMAN MESOLELLA: Hearing none,  
18 Commissioner Farnum, do you have a motion?

19 COMMISSIONER FARNUM: I do.

20 CHAIRMAN MESOLELLA: Commissioner Farnum

21 moves that we approve the previous minutes.  
22 COMMISSIONER DiCHIRO: Second.  
23 COMMISSIONER MacQUEEN: Second.  
24 CHAIRMAN MESOLELLA: Seconded by  
25 Commissioner DiChiro and Commissioner MacQueen. All in

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1 favor of approval will say aye.

2 THE COMMISSION: Aye.

3 CHAIRMAN MESOLELLA: Are there any opposed?

4 THE COMMISSION: (No response)

5 CHAIRMAN MESOLELLA: There are none opposed,  
6 and that motion carries.

7 (MOTION PASSED UNANIMOUSLY)

8 CHAIRMAN MESOLELLA: Next order of business,

9 Number 3, is the Executive Director's Report. Mr.

10 Secretary, do you have a report for us today?

11 RAYMOND MARSHALL: Yes, sir, I do.

12 CHAIRMAN MESOLELLA: Proceed.

13 RAYMOND MARSHALL: I would like to point out

14 to you that both plants have survived the winter without

15 any major problems. We had quite a bit of a snow

16 removal effort, but everything was maintained and well

17 run during the winter.

18 In fact, at Bucklin Point, our nitrogen removal

19 process actually stayed remarkably stable, and given the  
20 change in temperatures that we've experienced, is quite  
21 an accomplishment.

22 At Field's Point the nitrogen removal process  
23 actually dropped off, and we're going to start ramping  
24 it back up so we are ready for our permit season of May  
25 1 through October 31st.

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1 Part of the reason is that the Rhode Island Resource  
2 Recovery leachee started to flow to Field's Point just  
3 after November 1st when the permit season ended. Right  
4 now, their system, while in its place, they don't have  
5 their pretreatment system up and running yet. They're  
6 in the process as we speak of bringing that on line, and  
7 we've been meeting with them on a regular basis; so  
8 we're confident that once they have their 4- to 6-week  
9 acclimation period for their new system that everyone  
10 will be able to meet their permit, but they are on  
11 notice that if they can't achieve those results, they  
12 may have to do something else with their leachee  
13 including going back to Cranston for a short period of  
14 time until they're ready to come to us.

15 We also have a meeting scheduled with Resource  
16 Recovery and DEM in the next couple of weeks to

17 continue to review this process, and we'll keep you  
18 posted.  
19 They had been sending us 329 cubic feet per day, and  
20 I honestly don't know what that converts to in gallons  
21 off the top of my head, but at today's rates, it's about  
22 \$1,200 a day is what their flow means to our increased  
23 revenue; so that would be, say, 35,000 a month and just  
24 over 400,000 a year, so additional revenue at current  
25 flows. Those flows will continue to increase over the

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1 years as they continue to expand their system and bring  
2 more of a leachee into their pretreatment system. So,  
3 all of that is what's happening on the Resource Recovery  
4 front.

5 Also at Field's Point I've been keeping you posted on  
6 what's happening with the so-called turbo blowers that  
7 pump the air into our treatment system. We've had quite  
8 a struggle with those units, as you know. They've been  
9 updated, upgraded all at the manufacturer's expense. We  
10 now have 8 of 9 operational, so that's good news. We  
11 have one more that needs to be updated, and so it's  
12 reactivated for the permit season. That should happen  
13 sometime by the middle of April, at which time we'll  
14 have 9 of 9 available for the May 1st, start of the May

15 1st permit season.  
16 However, we don't have a lot of confidence in those  
17 units, and so as you know, we started on down the road  
18 on a short-term plan to bring in two traditional  
19 blowers, which we have now ordered under the emergency  
20 procurement procedures. Those should be in at the end  
21 of June.

22 In the meantime, all the work that is required for  
23 their installation, the base pads, the electrical runs,  
24 the piping, the valving will all be in place, so when  
25 those units are delivered, we'll be able to put them

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1 into place and have them up running with full  
2 availability by, say, mid-August, which is about halfway  
3 through the permit season. That way if we start having  
4 additional trouble with the turbo blowers, we'll have  
5 that buffer, and those units will be part of the  
6 long-term plan; but this so-called short-term approach  
7 has to stay in place for 2015, '16 and '17 because the  
8 long-term solution, which will bring in some additional  
9 traditional technology, which will be all done through  
10 the public bidding process and procurement procedures  
11 won't be ready until probably 2018.

12 So, we have the short-term plan in motion. The

13 long-term plan is unfolding now, and we have an RFP out  
14 to hire a consultant to help us put that together,  
15 although our staff had done a good job outlining what  
16 that should include. Again, I'll keep you posted as we  
17 move through the upcoming months.

18 Finally, in the Operations & Engineering arena, Phase  
19 3, there's going to be some new information in Phase 3  
20 of CSO, that is, we're going to present some new  
21 information to you during the Long-Range Planning  
22 Committee Report, but I won't bore you with the details  
23 now because you'll have the opportunity to see it in  
24 more detail shortly.

25 As far as Construction goes, the new lab building,

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1 you probably noticed as you came in the steel is going  
2 up, and they had a winter stoppage; and they're now  
3 scheduled for completion in the spring of 2016, so we're  
4 hoping that that project really picks up some momentum  
5 now that the warmer weather is here.

6 On Phase 2 CSO facilities, everything is on line and  
7 operating. What remains to be done is clean up, punch  
8 list, landscaping and paving, so the contractors will be  
9 out there in the next few months. The paving they ended  
10 up doing may be the nicest streets in the entire region

11 by the time they get done with it, based on the number  
12 of potholes I hit every day, but we'll see how that  
13 goes.

14 One outstanding item on Phase 2 is, moving to  
15 arbitration is a claim that was submitted by Shank  
16 Balfour Beatty, who is part of the Barletta team, for \$1  
17 million that they claim was caused by some work that  
18 another contractor was doing along side them, namely  
19 Barletta.

20 We don't think that this claim has any merit. That's  
21 the reason why it's at the point that it's at now that  
22 it's going to arbitration. Usually when these claims  
23 come about, we evaluate them from a technical point of  
24 view. If we think they have technical merit, then we'll  
25 sit down with the contractor and try to work something

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1 out, and that is a lot of what you see through the  
2 change orders that we've had on this project over the  
3 past couple of years.

4 This particular claim we don't feel has any merit  
5 from a technical point of view. What he's claiming  
6 happened we don't see and our consultants don't see how  
7 it could possibly have been caused the way he claims  
8 that it did. Therefore, we never moved to settle it

9 because it's not worth settling.

10 If at some point he decides he just wants to take  
11 care of his attorney's costs and walk away, that's a  
12 different story, but in terms of the merit of the claim,  
13 we don't believe that it has any, so we'll see what the  
14 arbitration process brings. We think we will prevail.  
15 Otherwise, we wouldn't go down that road. So, that is  
16 one outstanding item on Phase 2.

17 In the Finance area, our budget is doing really well.  
18 We're about 8 1/2 percent below projected expenses at  
19 this point in time. The reason being, we're spending  
20 less on personnel. We've had a few people leave and the  
21 backfilling process takes time.

22 Biosolids production is down, which is good. We're  
23 using less chemicals than we expected to run the  
24 nitrogen removal process as well as debt service cost is  
25 down because we budget a certain amount for a variable

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1 rate debt, and those numbers are, basically, at zero  
2 over the course of carrying that debt at this point.

3 The FY '16 budget, which will start July 1st and  
4 you'll be seeing it over the next couple of months, the  
5 development of that is in full swing. Standard and  
6 Poor's has just finished re-evaluating us, and we have

7 maintained our Double A minus rating, which is a good  
8 thing.

9 We have a refunding coming up where we're going to  
10 refund \$42.5 million of 2007 Series A bonds. That  
11 should have a net present value savings of about 3.4  
12 million. That's in addition to the refunding we did in  
13 October, which was 2005 Series bonds, just under 40  
14 million, where we saved 7.6 million, so we're kind of  
15 staying on top of the markets and achieve savings  
16 wherever we can.

17 In Policy Planning and Regulation, they're revving up  
18 the sampling program for all the receiving orders now  
19 that the nicer weather is approaching so we'll be  
20 generating additional data and documenting all the  
21 impacts, all the improvements that we've made at both  
22 Bucklin Point, Field's Point and the CSO Program is  
23 having on receiving waters.

24 In addition, Tom Uva will be giving a presentation  
25 later in the meeting as time allows to go over all of

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1 our energy projects. Several of you asked about that,  
2 how we're doing on our wind project, biogas, solar and  
3 any other efficiency projects that we've undertaken in  
4 the past several years, so I think you'll find that

5 interesting.  
6 Vin has mentioned at least at a committee meeting we  
7 have the Environmental Awards Breakfast on April 9th at  
8 8:00 at the Kirkbrae Country Club where we give out  
9 awards to those that we regulate through the  
10 pretreatment program for perfect compliance and things  
11 of that nature, as well as the river restoration awards  
12 that you'll have a chance to approve a little later in  
13 the meeting.

14 Finally, in Executive, Joanne has been spending lots  
15 of time reviewing all the new legislation that's being  
16 introduced. She's reviewed well over 250 pieces of  
17 legislation trying to assess what impacts they might  
18 have on our operation.

19 In the Governor's proposed budget, she has earmarked  
20 having us pay \$2.8 million of debt that are actually  
21 part of the original Bay bonds from back in 1980. When  
22 those were originally approved by the voters, the 87.7  
23 million, the legislation said that NBC ratepayers would  
24 pay back up to \$14 million worth of that 87.7. We have  
25 met our obligation. The state, apparently, has

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1 refinanced their portion of the obligation time and time  
2 again, so there's still some outstanding. Do I have

3 that right, Mr. Chairman?

4 CHAIRMAN MESOLELLA: You do. This comes up  
5 every couple of years.

6 RAYMOND MARSHALL: So, they want to us pay  
7 their bill. Yes, it does. It came up in 2012 I think  
8 was the last time.

9 CHAIRMAN MESOLELLA: Do you want me to  
10 comment?

11 RAYMOND MARSHALL: Yes.

12 CHAIRMAN MESOLELLA: So, this issue, this  
13 specific issue was the subject of a protracted  
14 discussions with the former Director of Administration,  
15 Richard Licht and Counsel DeAngelis where they tried to  
16 sweep the account. We tried to tie it into a situation  
17 where we would manage the state's portion of the debt,  
18 since we do a very good job managing our debt, and they  
19 do a very bad job managing their debt; and it became the  
20 subject of negotiations, which I believe the Department  
21 of Administration finally, we did come up with an  
22 agreement which went to the General Assembly for an  
23 action. It was in the Governor's proposed budget at the  
24 time, and then the General Assembly saw fit not to pass  
25 that particular budget article. That's pretty accurate,

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1 right? So, now here we are three years later, and it  
2 looks like the same issue of a sweep.

3 So, I'm going to jump ahead, if you don't mind,  
4 because I was going to talk a little bit about this in  
5 the Chairman's Report, so if you don't mind, I'll just  
6 kind of give you a highlight of my meeting with the  
7 Governor this past month at my request for a direct  
8 appropriation from the state for our benefit.

9 So I went to ask her for the money, and what she did  
10 is she took our money instead or was attempting to take  
11 out money instead. By the way, I was very successful in  
12 that, that she's only asking for 2.8 million and not 11  
13 million like, what was it, Resource Recovery or Clean  
14 Water Finance?

15 So, anyway, it didn't work. The strategy did not  
16 work, obviously, at least not to date, but I'm  
17 confident, and I say that with some reservation, I'm  
18 confident that we'll get this matter resolved. I'm not  
19 certain that the administration is totally aware that  
20 the funds are not really there for access. So, we'll  
21 take care of it. It's not a very good month for the  
22 Governor's office. That's it.

23 RAYMOND MARSHALL: My final thing is, you  
24 might want to mark your calendars for July 12th through  
25 the 15th. The National Association of Clean Water

1 Agencies is holding their summer conference here, and  
2 we'll be getting you a lot more information, and the  
3 Chairman and I are going to talk about what all the  
4 different opportunities are for the commissioners to  
5 attend any one of the sessions they might be interested  
6 in. There are also some evening events.

7 NACWA's going to pay for a limited, but it's going to  
8 be a waterfire, so it's coming out of NACWA funds, not  
9 coming out of Bay Commission funds, and as a celebration  
10 of having the organization in town, there are going to  
11 be 3 or 400 people that attend from all around the  
12 country. It's a very professional organization. They  
13 do a nice job.

14 So, July 12th through the 15th, we'll get you a lot  
15 more information in terms of what's happening on each of  
16 those days. They're coming, basically, on Sunday.  
17 Monday and Tuesday evenings are usually when most of the  
18 receptions and waterfire-type events occur.

19 During the day, Monday, Tuesday and the first part of  
20 Wednesday are when they have different sessions that  
21 might relate to finance or management or operations. It  
22 all depends on how the agenda is constructed for that  
23 particular event.

24 I certainly encourage as many of you to attend as  
25 possible. There is a fee for attending, but we are

1 programming that into our 2016 budget, so you'll have  
2 that flexibility. That is it, Mr. Chairman.

3 CHAIRMAN MESOLELLA: Do any of our members  
4 have any questions for the Executive Director pursuant  
5 to his report this morning?

6 THE COMMISSION: (No response)

7 CHAIRMAN MESOLELLA: Hearing none, we will  
8 then move along to Committee Reports and Action Items  
9 Resulting. The first committee reporting, as always, is  
10 the Construction, Engineering & Operations Committee.  
11 Commissioner MacQueen, do you have a report for us  
12 today?

13 COMMISSIONER MacQUEEN: Yes, I do. We had  
14 two items for action. The first one was Review and  
15 Approval of Resolution 2015:02, Award of Contract  
16 120.00C Biogas Cogeneration System Bucklin Point.

17 RAYMOND MARSHALL: Thank you. This is the  
18 biogas project you've heard us speak about in the past.  
19 Our anaerobic digesters over at Bucklin Point break down  
20 the sledge. They generate methane gas. We use a  
21 portion of it to reheat that process to keep the  
22 activity of the microorganisms going, but there's a lot  
23 of excess gas that gets flared off. It's really a big

24 greenhouse gas, methane. So, this is an attempt by us  
25 to reduce our carbon footprint to capture all of that

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1 gas that is now being flared off and to use it in an  
2 environmentally beneficial way, which we will take the  
3 gas, we'll push it through an engine, we'll generate  
4 electricity, which should generate about 30 percent of  
5 the electricity that we need at Bucklin Point on a daily  
6 basis.

7 There are various grants and rewards for doing  
8 projects like this. For example, there's some principal  
9 forgiveness on the money that we'll borrow that we'll be  
10 able to get. So, the payback depending on what we  
11 actually get in those areas will range somewhere from 9  
12 1/2 to 13 1/2 years because of the payback.

13 It's also important to point out that EPA has been  
14 working now for a couple of years to come out with a set  
15 of requirements for wastewater treatment facilities  
16 throughout the country requiring them to reduce their  
17 greenhouse gas emissions, so the methane gas is a good  
18 example of one of them.

19 All of the work that we've just done in dozens of,  
20 hundreds of facilities across the country when they put  
21 in nitrogen reduction systems, the nitrogen gas that

22 gets gassed off, as they call it, that's also a  
23 greenhouse gas component.  
24 So, you do one thing and it creates another problem.  
25 You solve a water problem, you create an air problem,

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1 essentially, in a lot of these situations, but what  
2 they're looking at is the base year, is probably around  
3 the year 2000. So, ultimately, we'll get credit for  
4 this project toward our greenhouse gas reduction, as we  
5 will for our wind turbines because we're avoiding buying  
6 a lot of energy generated by natural gas emissions.

7 COMMISSIONER NATHAN: I have a question. I  
8 remember with the wind turbines we were talking around  
9 12-year payback and you're talking now 9 to 12 payback.  
10 Is there an industry standard? I say that because  
11 for-profit industry, that's a rather long payback, but  
12 maybe in this kind of -- it's not.

13 RAYMOND MARSHALL: I'm not so sure that I  
14 can say there's an industry standard. It's almost each  
15 entity has to decide whether or not they think it's  
16 worth doing it based on the payback period that is  
17 calculated, and I think in our case, within the  
18 framework of the type of organization that we are, which  
19 is an environmental organization, and that we want to be

20 the leaders and be out front on these types of projects  
21 showing that it can be done and it can be done well, our  
22 goal really isn't to make money as a private entity  
23 would, but we certainly want to have something that's  
24 financially prudent as well.  
25 So, of the three bids that we got, Daniel O'Connell's

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1 Sons is the low bidder at 6.97 million. They're a  
2 contractor well known to us. They did the upgrade at  
3 both Bucklin Point and Field's Point. They did a really  
4 good job.  
5 They're very comfortable with their bid. All they  
6 would really need to do after your approval would be to  
7 get their MBE and WBE plans as well as meet the EEO  
8 requirements to the Department of Administration, and if  
9 they do that, they would be the lowest responsive and  
10 responsible bidder, and based upon that, we request your  
11 approval of Resolution 2015:02.

12 CHAIRMAN MESOLELLA: Okay. So, you have  
13 heard the Executive Director's explanation of Resolution  
14 2015:02. Are there any questions, comments regarding  
15 the matter of the biogas cogeneration system? Any  
16 questions at all?

17 THE COMMISSION: (No response)

18 CHAIRMAN MESOLELLA: So, Commissioner  
19 MacQueen moves approval of 2015:02.  
20 COMMISSIONER BURROUGHS: Second.  
21 VICE CHAIRMAN ROTELLA: Second.  
22 COMMISSIONER CARLINO: Second.  
23 CHAIRMAN MESOLELLA: Seconded by  
24 Commissioner Burroughs, Commissioner Rotella and  
25 Commissioner Carlino. Further discussion?

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1 THE COMMISSION: (No response)  
2 CHAIRMAN MESOLELLA: Hearing none, all of  
3 those that are in favor will say aye.  
4 THE COMMISSION: Aye.  
5 CHAIRMAN MESOLELLA: Are there any opposed?  
6 THE COMMISSION: (No response)  
7 CHAIRMAN MESOLELLA: There are none opposed,  
8 and the motion carries.  
9 (MOTION PASSED UNANIMOUSLY)  
10 CHAIRMAN MESOLELLA: Next order of business,  
11 Commissioner MacQueen, you have a further report, yes?  
12 COMMISSIONER Mac QUEEN: Yes. Review and  
13 Approval for Resolution 2015:03, Award of Contract  
14 304.72-Providence and Lincoln Interceptor Inspection &  
15 Cleaning.

16           RAYMOND MARSHALL: Commissioners, what this  
17 project involves in the cleaning and inspection of about  
18 3 1/2 miles of NBC interceptors that run from Providence  
19 up into Lincoln. They're, basically, 24 inches in  
20 diameter, the pipes that are involved, and we do these  
21 projects on a regular basis to try to stay up with the  
22 maintenance of our system to identify any problems in  
23 the system that need immediate attention, whether it's a  
24 point repair or a lining project, which would come later  
25 as part of a different bid process.

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1    It also helps to keep the capacity of our lines  
2 available to us, so if there's any deposition in the  
3 lines that that gets taken care of during a project of  
4 this type.

5    There were two bidders, both known to us. Inland  
6 Waters is the low bidder at \$165,011.50, and our staff's  
7 estimate was that project would come in at about  
8 \$150,000, but those bids are pretty close to our  
9 original estimate.

10   We recommend that the job be awarded to Inland  
11 Waters. They are the lowest responsive and responsible  
12 bidder. They'll be some additional costs that we'll pay  
13 for directly, such as police details and waste disposal,

14 that is the material that they pull out of the sewers  
15 themselves, and they also have to be MBE and EEO  
16 requirements that are approved by the Department of  
17 Administration, and with that, we request your approval  
18 of Resolution 2015:03.

19 In addition to the \$165,000, there's an additional  
20 \$10,000 allowance we're asking for the board's approval  
21 to be used at the discretion of the staff, in case  
22 there's something that the contractor encounters in the  
23 sewers that we didn't otherwise expect. You expect some  
24 deposition, some of it heavy, some of it light. Once in  
25 a while you come up with some really unusual things.

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1 In one case as I remember not too long ago, there  
2 were a bunch of granite curbing or blocks that we found  
3 in the sewers that took quite an effort to remove. That  
4 was the result of vandalism at one point in time, but  
5 that would be an example of what we would use that  
6 \$10,000 amount for.

7 So, the full amount we're asking you for, and I stand  
8 corrected on this, is \$175,011.50.

9 CHAIRMAN MESOLELLA: Commissioner MacQueen,  
10 are you moving for approval on this matter?

11 COMMISSIONER Mac QUEEN: Yes, I am.

12 CHAIRMAN MESOLELLA: Commissioner MacQueen  
13 moves approval of Resolution 2015:03.  
14 COMMISSIONER WORRELL: Second.  
15 COMMISSIONER FARNUM: Second.  
16 COMMISSIONER DiCHIRO: Second.  
17 CHAIRMAN MESOLELLA: Seconded by  
18 Commissioner Worrell, Commissioner Farnum and  
19 Commissioner DiChiro. Further discussion on the matter.  
20 THE COMMISSION: (No response)  
21 CHAIRMAN MESOLELLA: Further discussion on  
22 Resolution 2015:03.  
23 THE COMMISSION: (No response)  
24 CHAIRMAN MESOLELLA: Hearing none, all of  
25 those in favor will say aye.

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1 THE COMMISSION: Aye.  
2 CHAIRMAN MESOLELLA: Are there any opposed?  
3 THE COMMISSION: (No response)  
4 CHAIRMAN MESOLELLA: There are none opposed,  
5 and that motion carries as well.  
6 (MOTION PASSED UNANIMOUSLY)  
7 CHAIRMAN MESOLELLA: I believe that  
8 completes your report, Commissioner MacQueen?  
9 COMMISSIONER MacQUEEN: Yes, it does.

10 CHAIRMAN MESOLELLA: The next committee  
11 reporting is the Finance Committee. Commissioner  
12 Andrade was unavailable today. The Chairman chaired  
13 that meeting. There are two matters that need the  
14 Commission's approval.  
15 Item A, which is Review and Approval of Resolution  
16 2015:04, Amendment of the Narragansett Bay Commission  
17 Non-Union Defined Benefit Plan. This would best be  
18 described as a technical amendment to the plan. It is  
19 budget neutral.  
20 The resolution is in your packet. If anyone is  
21 requiring a full explanation on it besides the Finance  
22 Committee, we're prepared to do that. If not, the Chair  
23 would move approval of Resolution 2015:04.

24 COMMISSIONER MacQUEEN: Second.

25 COMMISSIONER LEMONT: Second.

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1 COMMISSIONER LEONE: Second.

2 CHAIRMAN MESOLELLA: Seconded by  
3 Commissioner MacQueen, Commissioner Lemont and  
4 Commissioner Leone. Further discussion on this matter?

5 THE COMMISSION: (No response)

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

8 THE COMMISSION: Aye.

9 CHAIRMAN MESOLELLA: Are there any opposed?

10 THE COMMISSION: (No response)

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

13 (MOTION PASSED UNANIMOUSLY)

14 CHAIRMAN MESOLELLA: The next item is Item  
15 B, which is Review and Approval of Resolution 2015:05;  
16 which is Recommendation for Use of Environmental  
17 Enforcement Funds.

18 In your packet is the delineation of those parties  
19 who have applied for and received grants from the  
20 Environmental Enforcement Fund. These funds will be  
21 dispersed at our April 9th meeting, the breakfast of the  
22 Environmental Awards Ceremony to which you are all  
23 invited to attend at the Kirkbrae Country Club on April  
24 the 9th at 8:00.

25 Are there any comments, questions or recommendations

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1 regarding those grantees solicited on Resolution  
2 2015:05?

3 COMMISSIONER BURROUGHS: Could you just  
4 mention who the grantees are?

5 CHAIRMAN MESOLELLA: Yes. In your packet,

6 do you have that?

7 RAYMOND MARSHALL: Yes, I do.

8 CHAIRMAN MESOLELLA: I'll read it into the  
9 record. It would be the Woonasquatucket River Watershed  
10 Council. They have two grants, each for \$600;  
11 Blackstone River Watershed Council/Friends of the  
12 Blackstone, 600; City of East Providence Public Works  
13 gets \$500; City of Central Falls for \$1,000; Friends of  
14 the Moshassuck/Neighborhood Alliance of Pawtucket, 750;  
15 Ten Mile River Watershed Council, 500; Save the Bay,  
16 750; Neutaconkanut Hill, \$500; Keep Blackstone Valley  
17 Beautiful, \$500; UPP Arts, \$500; Town of Smithfield,  
18 \$250; Edgewood Waterfront Preservation Association,  
19 \$600; Smithfield Conservation Commission, \$250 and East  
20 Providence Police Explorers Post 750, at \$500. Does  
21 anyone need an explanation as to why they're receiving  
22 these funds?

23 THE COMMISSION: (No response)

24 CHAIRMAN MESOLELLA: There was a motion made  
25 by the Chair for passage of Resolution 2015:05.

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1 VICE CHAIRMAN ROTELLA: Second.

2 COMMISSIONER NATHAN: Second.

3 COMMISSIONER DiCHIRO: Second.

4 COMMISSIONER HANDY: Second.

5 CHAIRMAN MESOLELLA: Seconded by

6 Commissioner Rotella, Commissioner Alan Nathan,

7 Commissioner DiChiro and Commissioner Seth Handy.

8 Further discussion? Commissioner Worrell.

9 COMMISSIONER WORRELL: I think this is a

10 wonderful use of the discretionary funds we have in our

11 Enforcement Fund, and I think it ties in nicely with

12 what we're looking at in Phase 3 when we're talking

13 about getting as much green infrastructure built in as

14 we can to cut down on the wastewater, I mean, on the

15 stormwater, et cetera.

16 There are lots of things like this going on

17 throughout the community, one of which that I've become

18 aware of recently I thought was pretty interesting,

19 there's a group of tree lovers who have scheduled a

20 series of, I think, eight Saturdays when they all, a

21 group of these people will all get together with the

22 city foresters at least from Providence and perhaps with

23 other communities, I'm not sure about that, and they'll

24 go out and they'll spend an entire day on a Saturday

25 with a bunch of volunteers planting, and they plant

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1 about 125 trees on a Saturday.

2 That kind of sustained planting in our community is  
3 going to help us in our efforts towards green  
4 infrastructure. Of course, there's always a finance tag  
5 attached with that, and it's something that I think we  
6 should keep in mind for the future. One, we could get  
7 involved with these kinds of organizations and stay more  
8 deeply involved, and secondly, begin to get a leg up on  
9 our green infrastructure efforts and issues.

10 CHAIRMAN MESOLELLA: Well, this program and  
11 what we've done was really born out of the Bay  
12 Commission's river cleanup initiative, and Tom Uva  
13 suggested, you know, there are a lot of issues involved  
14 with the organizing of 120 volunteers or more, and not  
15 to mention the liability associated with that issue, and  
16 so as an option to that, we discussed the opportunity to  
17 involve all the community groups, environmental groups,  
18 just give them some money, let them organize their own  
19 efforts, and it's paid off, and it generates a lot of  
20 goodwill as well. We have a motion; we have a second.  
21 All in favor of Resolution 2015:05 will say aye.

22 THE COMMISSION: Aye.

23 CHAIRMAN MESOLELLA: Are there any opposed?

24 THE COMMISSION: (No response)

25 CHAIRMAN MESOLELLA: There are none opposed,

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1 and the motion carries.

2 (MOTION PASSED UNANIMOUSLY)

3 CHAIRMAN MESOLELLA: That concludes the  
4 report of the Finance Committee. Long-Range Planning.  
5 Now, I know there's a presentation, so I'm going to skip  
6 over that for just one moment, let me go through the  
7 rest of the agenda, and then we'll decide whether or not  
8 we want to get some lunch or you want to hear the  
9 presentation first. Is that all right, Mr. Chairman?

10 COMMISSIONER CARLINO: Yes.

11 CHAIRMAN MESOLELLA: So, Personnel Committee  
12 did not meet, and there were no personnel actions to  
13 consider. Rules & Regs did not meet. Compensation  
14 Committee did not meet. Citizens Advisory. Harold, do  
15 you have a report for us today?

16 MR. GADON: Just a small report. We will  
17 definitely be meeting in April. We've invited Tom  
18 Brueckner to give us a clear, concise and easily  
19 understandable report on Phase 3 and its various  
20 alternatives. We look forward to hearing from him.  
21 Thank you.

22 CHAIRMAN MESOLELLA: Thank you. Ad Hoc  
23 Committee on Internal Ethics did not meet. Executive  
24 Committee, we did not meet. Legislative Report, do you  
25 want to apprise us of the ongoing matters at the Rhode

1 Island General Assembly, Joanne?

2 MS. MACERONI: Yes. Thank you, Mr.  
3 Chairman. We are continuing to review legislation  
4 that's been introduced. Several weeks ago they  
5 introduced a total of about 400 bills in a week, so  
6 we're still going through them, but my initial report is  
7 on your website.

8 As you indicated, the first item I have on it was the  
9 budget proposal mandating that NBC give the state  
10 controller \$2.8 million towards debt service. So, you  
11 covered that, so I will continue.

12 The next set of bills have to do with promoting the  
13 development of renewable energy. Both of these bills,  
14 they're identical. They clearly identify the roles of  
15 the local utilities with respect to interconnection  
16 requirements. It sets up a time frame and other things  
17 to kind of move the process along. It also prohibits an  
18 electric distribution company from charging an  
19 interconnecting fee to the customer for upgrades that it  
20 would normally have to do if the project wasn't going  
21 forward. So, it has gotten some good momentum at the  
22 General Assembly. We did submit a letter in support,  
23 and time will tell what actually happens with the bill.

24 The next item H5566, this bill amends the public

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1 known as the Kushner Bill because it was introduced by

2 Representative Kushner probably 20 years ago, I think.

3 At that time when it was introduced, the Narragansett

4 Bay Commission and other quasi-publics were exempted

5 from the statute. What the statute calls for is before

6 any state agency or some quasi-public borrow any money,

7 they have to get the approval from the General Assembly.

8 Back when the statute was first enacted, we went up

9 there and made our case, basically, saying that we've

10 already got a lot of oversight between the board, the

11 PUC; we now have a trust indenture, so there are a lot

12 of reasons why we don't need this additional layer, and

13 the General Assembly at the time agreed with that and

14 gave us the exemption.

15 This bill proposes to take away not only our

16 exemption, but all the other quasi-public agencies that

17 were exempted. A similar bill was introduced probably

18 about 4 or 5 years ago. We went up there and made our

19 case, and the statute was never amended; and I'm happy

20 to say in the Governor's budget, this statute is amended

21 just for a mere name change from Clean Water Finance to

22 Rhode Island Infrastructure Bank, and it has all the

23 exemptions still in place. So, it's not the Governor's  
24 proposal to take an exemption; it's just Representative  
25 Morgan's, so hopefully we'll be successful again

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1 stopping that.

2 The next two bills, these bills have been introduced  
3 probably for the last 3 or 4 years. They want to  
4 prohibit utility rate increases in excess of 2.5 percent  
5 over a 24-month period, not only Narragansett Bay  
6 Commission, but all the public utilities go up there  
7 every year, make our case, and luckily this bill has not  
8 passed over the last 3 or 4 years, so we hope to do that  
9 again.

10 The next bill, quite simple, it was introduced at the  
11 request of the DEM to increase efficiency and lower  
12 their costs. It has to do with providing public notice  
13 and comment period for RIPDES permits. We just monitor  
14 this to see what will happen in the end.

15 The next two bills, again, they were introduced last  
16 year. They create the joint committee of the repealer.  
17 This committee is supposed to look at statutes,  
18 regulations of all state quasi-state agencies to see  
19 what they feel is outdated and make recommendations to  
20 the General Assembly to maybe abolish some of the boards

21 or statutes or regulations.

22 Then lastly, for now, unfortunately, I inadvertently  
23 kept last year's bill numbers, but the bills are S-0276  
24 and H-5674. Those are the correct bill numbers.

25 This bill was also introduced last year. It has to

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1 do with expanding Fair Employment Practices Act,  
2 basically, having to do with employees who are pregnant  
3 or who have medical conditions that are related to  
4 pregnancy and childbirth.

5 These amendments will not impose any additional  
6 amendments that the Federal Statute does. We are in  
7 compliance with the Federal Statute, so we are just  
8 monitoring this to make sure there are no additional  
9 amendments to it. As I said, we have many other bills  
10 which we are looking at internally, so next month I'll  
11 have a further report for you.

12 CHAIRMAN MESOLELLA: Any questions for  
13 Joanne? Anyone?

14 THE COMMISSION: (No response)

15 CHAIRMAN MESOLELLA: Thank you, Joanne. The  
16 next report is the Chairman's Report. I've already  
17 alluded to some of the issues of last month. I did meet  
18 the Speaker. I educated him on our ongoing

19 infrastructure project, the potential costs, the  
20 implications of it. They're aware that I explained to  
21 him, and by the way, not only the Speaker, but the  
22 Governor and the Senate Majority Leader, of the cost of  
23 this project, namely, CSO Phase 3, its cost but also its  
24 ramifications.  
25 We're looking at, what are the opportunities to use

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1 it as an economic stimulus? What kind of income taxes  
2 might be generated? And I spoke to all three about the  
3 possibility that we might not be included as a line item  
4 budget directly from the State of Rhode Island as all  
5 the improvements as a result of our ratepayers  
6 infrastructure projects fell south of our service area,  
7 and we feel very strongly, our board feels very strongly  
8 that some of the rest of the state should pick up the  
9 burdens of that.  
10 I tied it into the CSO Phase 3 project and explained  
11 that it's in an economic stimulator as well as it will  
12 generate literally millions of dollars of income tax and  
13 some sales tax, not all sales tax, but some sales tax,  
14 and that some of that should come back to the  
15 Narragansett Bay Commission in the form of an  
16 appropriation directly out of the budget.

17 I did receive a call from some of the public  
18 relations people at the Twin River Casino. As you  
19 probably have heard or read, they're contemplating  
20 building a 200-room, possibly 200-room plus hotel on  
21 that facility. WE are looking, they want to get  
22 together with us and talk about the impacts on the  
23 infrastructure, but for us, it would be a revenue  
24 generator for us.  
25 We've lost, as you know, a lot of our commercial and

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1 industrial customer base. This will help as well as  
2 Resource Recovery in helping to restore some of that,  
3 and we'll keep apprised of those ongoing discussions.  
4 The last thing I'd like to say is, I'm particularly  
5 concerned about the bill that which Joanne alluded to  
6 which is the exemption bill. We cannot afford to be  
7 exempt, I mean, we can't afford to be included in having  
8 to get authorization from the General Assembly on our  
9 borrowing.  
10 One of the reasons why they exempted us the last time  
11 is because we had explained very articulately that our  
12 projects, most of our projects, the bulk of our projects  
13 are federally-mandated projects, and they're not  
14 discretionary like some of the state projects or cities

15 and town's projects.  
16 This would hamper our efforts to meet our mission and  
17 our challenges imposed upon on by the Federal  
18 Government, and so that argument was recognized, and of  
19 course they exempted us; and we'll make the same  
20 argument regarding this particular piece of legislation.  
21 Other than that, we continue to discuss with the  
22 Executive Director and staff our program to prepare for  
23 our future, and the operations of this Narragansett Bay  
24 Commission's success planning. We continue to talk  
25 about that.

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1 The last thing I wanted to mention was, as you know,  
2 there was a bill passed by the General Assembly last  
3 year regarding net metering. We are in the process of  
4 generating a request for proposal for private developers  
5 to come to Narragansett Bay Commission to see how they  
6 may propose to us how we may reduce our energy burden,  
7 and hopefully, sometime, maybe next month's meeting we  
8 will have that request for proposal finished; and we'll  
9 talk to the board about maybe getting it on the street.  
10 So, that concludes, basically, the Chairman's Report.  
11 Is there any new business besides Chairman Carlino's  
12 report?

13 THE COMMISSION: (No response)

14 CHAIRMAN MESOLELLA: There is no other new  
15 business. So, these are the options. We could get some  
16 lunch and then watch the presentation, or we can watch  
17 the presentation and get some lunch. Does anyone have  
18 anyone preference? How long is this presentation?

19 RAYMOND MARSHALL: Well, Tom's going to kick  
20 it off. He's going to give us an abbreviated version of  
21 what he did at Long Range Planning, and then PFM's going  
22 to get up and go through their slides. We should  
23 probably get lunch now.

24 CHAIRMAN MESOLELLA: That's leadership, and  
25 I concur with the Executive Director on that. Why don't

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1 we recess for 5 minutes, get some lunch. Let's recess  
2 for about 10 minutes while everyone gets some lunch, and  
3 then we'll have the presentation.

4 (RECESS TAKEN)

5 CHAIRMAN MESOLELLA: If I can have your  
6 attention for just one moment. While we're enjoying  
7 some lunch, I think it'd be appropriate to begin the  
8 presentation. Who's going to be starting it off?

9 MR. BRUECKNER: I am.

10 CHAIRMAN MESOLELLA: We're on the Chairman's

11 Report, so Chairman Carlino, do you have a report for us  
12 today?

13 COMMISSIONER CARLINO: Yes.

14 CHAIRMAN MESOLELLA: Proceed.

15 COMMISSIONER CARLINO: So, today we're going  
16 to have two presentations, one from Tom Brueckner and  
17 the other one from Daniel Berger from PFM.

18 Just to kind of set expectations, we've had numerous  
19 meetings. This is an important decision, and the most  
20 important thing is we want to make sure that all our  
21 questions are answered and our concerns are addressed.

22 So, we've been having numerous meetings. The last  
23 one was January 6th, which was the workshop. The  
24 minutes are on your I-pad, so you have the minutes of  
25 that meeting, which most of the commissioners attended.

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1 Our next meeting is going to be April 28th, the  
2 committee meeting and our regular meeting.

3 So, when I spoke to the Executive Director, what we  
4 would like to do, and it's going to be the decision of  
5 the commissioners is, I'm going to ask at the end if you  
6 would rather have another workshop that we can have for  
7 an hour or two a week before that April 28th meeting, or  
8 if you want to attend Long Term Planning, Long Range

9 Planning meeting, which is on the 28th. So, that will  
10 be your decision.  
11 Like I said, we have two presentations. What's  
12 important is that any concerns or questions that we have  
13 now, let's ask the Executive Director so that for our  
14 next meeting his staff and he can work on addressing  
15 those concerns and so forth.  
16 The last thing is, I know Dr. Burroughs has done a  
17 lot of work off-line, and he has a brief presentation  
18 also that he would like to, some of his concerns that he  
19 wants to bring up to the board, and hopefully, that will  
20 spur more questions and so forth. So, Tom, it's all  
21 yours.

22 MR. BRUECKNER: I'm just going to give a  
23 brief presentation on the alternatives to refresh your  
24 memory about what they are and then PFM will give their  
25 presentation, and I have a handout of the slides that

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1 are here, so if anybody would like to take one, we can  
2 start them down here, and pass them around. If you want  
3 one, take one. If not, just pass it on.  
4 So, as you may recall, there were four alternatives  
5 we evaluated during our re-evaluation process.  
6 Alternative 1 is the baseline, CDR -- Report

7 Alternative. It's the currently-approved plan which we  
8 are expected by DEM to implement, unless we make a  
9 change through this process.

10 Alternative 2 is the same, very similar to  
11 Alternative 1, some minor changes in the components of  
12 the alternative with a longer implementation program.

13 Alternative 3 builds on Alternative 2, an even longer  
14 schedule with two additional projects upfront as interim  
15 projects to allow us to extend the schedule. As you  
16 know, Alternative 4, we eliminated at the last meeting.

17 So, just going through the alternatives, Alternative  
18 1, which is the baseline, consists of the Pawtucket  
19 Tunnel, which is another deep rock tunnel. Two  
20 alternatives, two interceptors bring flow to the tunnel  
21 from these overflows, another interceptor to bring the  
22 flow from an outlier overflow 220 into the tunnel, and  
23 then we have sewer separation for three overflows in the  
24 Providence area.

25 The second alternative, very similar to the first,

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1 again, it's the tunnel, the two interceptors. A change  
2 is that instead of having the interceptor for 220, we're  
3 putting in a stub tunnel or deep rock tunnel to bring  
4 that flow over to the Pawtucket Tunnel, and instead of

5 two sewer separation and these two overflows, we have a  
6 storage interceptor being built.

7 In addition, we also have green infrastructure  
8 throughout the district to provide for attenuation of  
9 stormwater. There was no green infrastructure at all in  
10 Alternative 1.

11 And then Alternative 3 is very similar to Alternative  
12 2, except we've added an interim component, which would  
13 bring flow from a very big overflow 218 to the treatment  
14 plant for treatment through the existing wet weather  
15 facilities. There's some capacity there, but not enough  
16 to handle all of that overflow, and we also, again,  
17 continue the stub tunnel.

18 We also have added a disinfection, an interim  
19 disinfection facility at 220. This would last for about  
20 20 years, at which time we'd build the stub tunnel to  
21 take the place of that. These two components are built  
22 early on to provide some water quality improvement.

23 Here is the timeline and costs for the three  
24 alternatives. As you can see for Alternative 1, this is  
25 everything built by 2025, a very compressed schedule.

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1 It includes the tunnel, the interceptors, the 220  
2 interceptor and the sewer separation. No GSI.

3 The second alternative consists of the tunnel being  
4 built first with GSI, that's the green infrastructure,  
5 and that would be done by about 2025, and then we extend  
6 the schedule to include the other components of  
7 Alternative 2, which would be the interceptors would be  
8 built next, then the stub tunnel would be built next,  
9 and then the West River interceptor.

10 Then for Alternative 3, the schedule as you can see,  
11 is even longer where we build the two interim projects  
12 upfront, then we build the tunnel starting in 2025, and  
13 then we build the other three components of Alternative  
14 3.

15 The cost for these is 740 million for Alternative 1,  
16 815 for Alternative 2 and 924 for Alternative 3. That's  
17 in millions of dollars. Any questions?

18 THE COMMISSION: (No response)

19 MR. BRUECKNER: PFM is next.

20 RAYMOND MARSHALL: So, this is where we left  
21 off last time, and you asked that we have a second look  
22 taken at the numbers, at the actual cost in terms of,  
23 are they inflation-related numbers or not, and that's  
24 what we had PFM do because they have a sophisticated  
25 program in order to do that, so that's the presentation

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1 that you're going to hear now. They've essentially  
2 taken a look at the MWH numbers from their own point of  
3 view, and they're going to let us know what they found  
4 out.

5 MR. BERGER: So, as you bring the  
6 presentation up, I'll just give a little background. We  
7 took the high-level assumptions that MWH provided in  
8 terms of capital expenditures, operating assumptions for  
9 each of the three alternatives for CSO Phase 3  
10 implementation. You can skip to Page 6.

11 We've taken those assumptions and run them through  
12 our proprietaries, chief planning tool, did a  
13 collaborative exercise with NBC to understand what  
14 assumptions to make for a comprehensive look at NBC's  
15 cash flows, trying to give them line item, do we keep  
16 them flat or go to historical growth rate, do we make  
17 some other underlying assumption, and we took the  
18 important stuff, the MWH figures as is with the  
19 exception that we inflated some of the further phases of  
20 Alternatives 2 and 3, and adjusted them for inflation  
21 using an inflation assumption of 3 percent per year, and  
22 then for any given year that debt financing was needed  
23 to cover capital expenditure costs, we have the  
24 assumption past 2019 that the first 25 million capital  
25 expenditure debt financing needs would be handled

1 through the SRF program, and anything additional, if  
2 needed, would be through open markets.

3 Using that baseline set of cash flows, we developed a  
4 series of alternative assumptions to evaluate the  
5 different scenarios. For any given group of scenarios,  
6 we were able to look at how the schedule of costs for  
7 Alternatives 1, 2 and 3 would break out both in terms of  
8 costs for incremental operating expenditures as well as  
9 debt service costs as well as what the impact to  
10 ratepayers would be.

11 The way we've evaluated it for this initial analysis  
12 was taking a look at if we include community costs,  
13 these are the individual capital needs for each  
14 individual community that would be needed as part of  
15 their -- based on each of their individual systems.  
16 These were also provided by MWH, and then taking a look  
17 at what the impact would be by different assumptions on  
18 what future borrowing costs would be, both for the open  
19 market bonds and the state revolving fund bonds.

20 For all these alternatives, for all these scenarios,  
21 as capital expenditures come due, anything that's debt  
22 financed would require a rate increase to maintain the  
23 efficient level of debt service coverage, so for any of  
24 these debt issuances, a coverage of 1.25 was maintained  
25 in the year that additional debt service costs are

1 connected.

2 To give an overview of the fundamental and key  
3 driving factors about how all those scenarios would play  
4 out, you can see the total capital expenditures which  
5 includes non-CSO Phase 3 costs as well, and in adjusting  
6 for inflation, what the additional O&M costs would be  
7 and how those would come as an aggregate figure for each  
8 of the three alternatives, and then what the present  
9 value costs of that would be through 2047, which also  
10 utilizes a 3 percent discount rate, the same rate we're  
11 using for our inflation assumption.

12 What you can see in which this kind of dictates how  
13 the analyses, the scenarios actually played out in terms  
14 of Alternative 1 in general being more cost efficient,  
15 I'll define costs in a second, then Alternative 2 and  
16 Alternative 2 being less of a cost than Alternative 3  
17 and is a similar phenomenon on the impact to ratepayers.

18 You can see the increasing costs of the present value  
19 of the raw capital expenditures plus the O&M and  
20 different fluctuations in cash flows and whether or not  
21 you happen to be able to finance more with open market  
22 versus SRF, that can impact things as well, but the key  
23 driving thing is, what is the present value of all the

- 24 incremental cash flows that are going to come about  
25 based on all three of these alternatives?

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1 That's just the key-driving factor, and you can see also  
2 the weighted year, the weighted cost of implementation  
3 that all of these costs come due you can see how that  
4 Alternative 3 has been back load in that regard. So, it  
5 does benefit a little bit more from the present value  
6 factor, but due to the very, very high gross cost, it's  
7 generally not made up for it.

8 So, when we jump into the actual scenarios, we have  
9 our Group A of scenarios, which assume a 2 1/2 percent  
10 borrowing rate for SRF bonds, 5 percent for open market,  
11 and no additional PVD costs. As I said, Alternative 1,  
12 least expensive, trending up to Alternative 3 as the  
13 most expensive.

14 You can also see we've displayed what your starting  
15 sources of funds, your starting cash balance will  
16 effectively be the assumptions provided a bit of a ways  
17 out because one of the things that's in the raw figures  
18 at one point in time that's not really captured is the  
19 concentration of capital expenditures for Alternative 1,  
20 which comes in very early and spikes are very high and  
21 causes a lot of rate increases early on and then because

22 the capital expenditures for the CSO Phase 3  
23 implementation drop off very quickly, you end up having  
24 a very high revenue base that's a bit oversized relative  
25 to the residual capital expenditure costs that come year

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1 over year, and you're able to generate a fairly  
2 sufficient cash balance as a result.  
3 So, borrowing increase costs later on, once the  
4 capital expenditures drop off, you'll see an excess  
5 capacity that builds up over time.  
6 If we move on to Group B where the only change is  
7 that we include about 26 million where the only  
8 difference is a 26 million per year assumption on the  
9 individual community costs, their capital expenditures  
10 year over year provided by MWH, you see the total costs  
11 gets a big magnified in terms of the discrepancy between  
12 the different alternatives, but they actually draw down  
13 the cash balance.  
14 So, where Alternative 1 had a much higher cash  
15 balance, a lot of these incremental \$26 million costs  
16 were able to be handled more effectively by the excess  
17 revenue that was generated by the early rate increase  
18 whereas Alternatives 2 and 3 has to rely more on debt.  
19 You'll see a widening of the difference in that total

20 cost column.

21 This particular group of scenarios were provided not  
22 that the individual community costs were necessarily  
23 financed through NBC, but more of a bookend. This  
24 represents what the, looking at things holistically,  
25 what the impact would be potentially to the entire

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1 ratepayer base, not just the cost that would be passed  
2 on to them through NBC operations.  
3 On Slide 11, Groups C and D show the impact of  
4 different assumptions on borrowing rates. If open  
5 market rates were to be reduced from an all in cost of 5  
6 percent to 4 percent, on average you'd see net present  
7 value basis debt service costs reduced by about 39  
8 million over the course of the entire projection, and  
9 then for the increased costs group of scenarios, Group  
10 D, SRF goes from 2 1/2 percent to 4 percent and open  
11 markets from 5 to 6, you see a counteracting phenomenon  
12 of about 62 to 65 million in increased debt service  
13 costs. That shows you the border of magnitude what  
14 you'd be looking at based on different assumptions on  
15 the borrowing rates.  
16 So, we've been talking about costs, primarily, to  
17 this point. In terms of natural ratepayer impact,

18 though Alternative 1 with any group of scenarios had a  
19 consistently lower costs where costs is defined by  
20 present value of debt service payments and incremental  
21 O&M. Alternative 1 and 2 are actually pretty well  
22 consistent across each group of scenarios in terms of  
23 ratepayer impact.  
24 Alternative 2 would generally be just a very small  
25 amount particularly in the scope of a 40-year

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1 projection, a small amount less of an impact to  
2 ratepayers, and the reason that there's a different  
3 phenomenon, Alternative 1 has lower costs but higher  
4 rate increases is that, once again, the concentration of  
5 capital expenditures in the earlier years for  
6 Alternative 1, you see an increase in debt to finance  
7 the initial capital costs and increase in rates to  
8 accommodate the debt service coverage, and then once  
9 that drops off, you have the excess cash that doesn't  
10 get utilized down the road by any further spikes in  
11 capital expenditures, whereas Alternative 2 has somewhat  
12 of a concentration early on, not as high as Alternative  
13 1, but then the rate increases that are required to  
14 meet all the debt that gets financed, those initial  
15 capital expenditures, you see a couple of additional

16 bumps in CSO Phase 3 implementation, and those were able  
17 to, the initial rate increases, the revenues they  
18 produce are able to handle those additional bumps down  
19 the road, so they don't need the additional rate  
20 increases for a portion of this capital expenditures,  
21 where Alternative 1 has such a concentration that just  
22 about every increase in capital expenditure is going to  
23 be associated with a rate increase because there's going  
24 to be debt needed to finance it because there's such a  
25 jump from the baseline cash flows.

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1 Finally, showing the PFM anticipated rate projections  
2 when compared to MWH, the important caveat is, we've  
3 taken the high-level assumptions that MWH had for -- and  
4 OpX and plugged it into a 4-year projection, and even  
5 slight deviations in methodologies and assumptions can  
6 really tend to magnify over the course of a 4-year  
7 projection, but even despite that, for most of the  
8 scenarios we came out very, very close at the end of  
9 that 4-year projection, and especially in the early  
10 years, matching incredibly consistently with the  
11 expectations of rate increases for the, as I mentioned  
12 they'll be Group A scenarios for Alternatives 1, 2 and  
13 3.

14 One of the more significant deviations that we saw  
15 were for the red lines was for Alternative 1 where we  
16 stay very, very, almost exactly on top of each other for  
17 about 5 to 7 years, and then there's a kind of breakaway  
18 where the PFM rates start to trend to a more level  
19 amount whereas MWH maintains the same rate of increases.  
20 For the actual schedule of capital expenditure  
21 assumptions for Alternative 1, at around the 2022, '23  
22 range, the all in capital costs go from about 170  
23 million to 100 million, and then after that, a couple of  
24 years it drops to 60 before CSO Phase 3 is complete for  
25 Alternative 1, and when that happens, the decrease of 70

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1 million in additional, the decrease of 70 million in  
2 capital costs means necessarily based on our projections  
3 that you're going to need more or less 70 million less a  
4 day, so the next step of rate increase is required is  
5 going to decrease, and that's why you see it begins to  
6 level off.

7 As I said, there's a lot of assumptions that can play  
8 in, and there's a million ways that can be reasonable,  
9 but not knowing what played into the MWH calculations to  
10 keep it increasing at the same rate, even though capital  
11 expenditures are rolling off is something that we'll

12 need to do in a deeper dive exercise and knowing that  
13 the specifics of their study were done from the  
14 perspective of an EPA affordability study that there's  
15 certain requirements and certain things that they have  
16 to build in to meet these structures of that type of  
17 analysis as one of the primary things that could come  
18 out as the drivers of the discrepancies between the  
19 assumptions of rate over time.

20 COMMISSIONER CARLINO: Thank you. Any  
21 questions from the Commission for Daniel?

22 THE COMMISSION: (No response)

23 COMMISSIONER CARLINO: Thank you. So, I  
24 guess the next step is that they're going to, between  
25 MWH and PFM, they're going to get together and they're

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1 going to vet out some of the differences that they've  
2 seen, and then they will come back and present it to us  
3 at our next meeting.

4 So, with no more questions, I know Dr. Burroughs has  
5 done a lot of work off-line, and he has some concerns,  
6 and I think these are some of the concerns that maybe  
7 staff and the Executive Director can address at our next  
8 meeting when we have that, and I know Dr. Burroughs said  
9 he's going to be brief, so this way if there's more that

10 we have to talk about, it will be at our next meeting,  
11 whether it's a workshop or at our next scheduled  
12 meeting.

13 COMMISSIONER BURROUGHS: Earlier today we  
14 incorporated the workshop slides and minutes into our  
15 discussion, so my comments are based on where we were  
16 back then; and one thing I learned earlier today is that  
17 we've got a lot more information on water quality, which  
18 I haven't had a chance to look through, so it's an  
19 ongoing process. And I think the other thing from my  
20 perspective is it's a very complex process, both on the  
21 water quality side and on the finance side.

22 What I did is looked at the slides that I thought  
23 were going to be most important for making a decision  
24 and raised some questions. So, in the first set of  
25 slides, 34, 35, 36, 37, these are all the water quality

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1 maps. I apologize they're not in color here, but the  
2 idea was to see if you could see a water quality  
3 improvement on the basis of your investment, and there  
4 are two ways you can read the slides. One is you can go  
5 vertically and say, if we just stopped at Phase 2, what  
6 would we get?

7 Remember, now, the slides are days after a 3-month

8 storm, so if we didn't do anything, and I apologize for  
9 these that are not in color here, we would have problems  
10 throughout the range of the water shed in Slide 34; this  
11 is on Day 2, but if you click down to Slide 37, now  
12 we're on Day 7, that area of reduced water quality is  
13 timing.

14 So, our investment, one way of saying, what do we get  
15 for our investment is, instead of having to wait 7 days  
16 to get clean water, we get it sooner.

17 The other way to read the slides is to go across and  
18 say, as we put more and more technology in play, do we  
19 see water quality improvement? So, we're basically  
20 reading across each panel, and this is where I had some  
21 problems because the water quality improvement if you  
22 read across the panels, on Day 2, Day 3, is negligible.  
23 Day 4 it starts to show up, and by Day 5, you see some  
24 benefits.

25 So, as we put the technology into play, we shorten

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1 the time period of reduced water quality. The question  
2 for me, anyway, is, gee, that's a lot of money for 5  
3 days. Again, this goes back to, well, are we compelled  
4 to do that by law, or are we expected to do the cost  
5 benefit assessment?

6 The next panel or next page is Numbers 46 and 47, and  
7 this is asking the same question in a slightly different  
8 way, what does the water quality improvement look like  
9 at certain points in the estuary? At the Narragansett  
10 Boating Center, if you just do Phase 2, you're at the  
11 very top line, so the peak, the highest line. If you  
12 say, well, gee, you know, we've got to do something,  
13 what about Alternative 4? That gets us to the second  
14 highest line.

15 So, the greatest increment in water quality at that  
16 particular station comes from Alternative 4, which for a  
17 variety of reasons is off the table, and that would be  
18 an argument to think about, and the same argument  
19 applies on Slide 47.

20 Another way of thinking about it is on Slide 49, and  
21 now we're going down to Conimicut Point, and basically,  
22 the game that I was trying to play here is, well, what  
23 can we say to the shellfishermen? How are they going to  
24 come out of this?

25 If you look at the 14 fecal coliform per 100

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1 millimeter line and track across, what you see is that  
2 if we make the investment, that is, roughly depending on  
3 how you want to do the math here of \$650 million,

4 assuming I've read all the tables correctly, we could  
5 shorten the time of getting higher water quality at  
6 Conimicut Point by 3 1/2 days. So, that to me begins to  
7 do the tradeoffs, and okay, how much better water  
8 quality so we get as we apply more technology?  
9 The next slide, this is Number 32, is to look at  
10 projected affordability, and this gets us back to the  
11 discussion we had earlier about, well, what are all  
12 these other costs? EPA has this new integrated planning  
13 framework. What happens if we start to look at that?  
14 Here's the thing that is most difficult for me is  
15 that if the Mayor of Providence were here, I'd have to  
16 say the lowest line of these lines in the graph is the  
17 no-Phase 3 line, if I'm reading this correctly, and the  
18 no-Phase 3 line says you're always below 2 percent.  
19 Everything else you get above 2 percent.  
20 So, this goes back to the comments that Vin was  
21 making earlier, what's our mandate? Is our mandate to  
22 stay below 2 percent, or is our mandate to capture as  
23 much water as possible? Depending on how you want to  
24 read that, you can come up with different conclusions.  
25 The other panels are pretty much self explanatory. So,

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1 unless there are questions...

2 COMMISSIONER CARLINO: Thank you. Any  
3 questions?

4 MR. GADON: What is your personal opinion,  
5 that we don't need Phase 3? Is that what your  
6 conclusion is?

7 COMMISSIONER BURROUGHS: Well, I don't know.  
8 I think we need to be clearer about the water quality  
9 benefits we get because the cost is way high, it's much  
10 higher than it was the last time we went through this  
11 exercise.

12 As I was explaining to somebody this earlier today,  
13 at the end of the last time we went through this  
14 exercise, as a commissioner, there was a very short  
15 paragraph-long speech you can give about the water  
16 quality benefits, and therefore, you would engage people  
17 on well, well, gee, you know, that sounds reasonable,  
18 usually.

19 Here it's a lot harder to say what those water  
20 quality benefits are. So, I would say that we need to  
21 be a lot clearer about the water quality benefits as a  
22 way of getting into dealing with the expense issue.

23 CHAIRMAN MESOLELLA: Commissioner.

24 VICE CHAIRMAN ROTELLA: Dr. Burroughs, first  
25 of all, I'd like to commend you for obviously putting a

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1 lot of time and effort into this. I think you certainly  
2 have given me and probably many of our commissioners a  
3 more in-depth look at what we're spending money on and  
4 how it will impact us in the long run.

5 I think your key question that you raise is that time  
6 heals all issues, and the issue we have here is, are we  
7 willing to wait the time, or do we need to spend the  
8 money, and the time in this case it maybe 3 1/2, 4 days.

9 For nature to do it or for us to do it 3 or 4 days  
10 earlier at a cost of hundreds of millions of dollars.

11 COMMISSIONER BURROUGHS: That's what it  
12 looks like now, but there is new water quality data, so  
13 this could change a bit.

14 VICE CHAIRMAN ROTELLA: I know what you're  
15 saying. I guess what I'm asking is, and again, in no  
16 way, I think this work is phenomenal, my question is,  
17 what is our choice? Is EPA requiring us to spend the  
18 money and do it on the 2 or 3 days later, whatever it  
19 is, to capture those days, or is EPA saying to us, well,  
20 if you make a solid issue that you're going to spend X  
21 number of millions of dollars for 2, 3 or 4 days, it  
22 doesn't seem worth it. I think that's the crux of the  
23 dilemma here, and I don't have the answer. Do you or  
24 does somebody else have an answer?

25 COMMISSIONER BURROUGHS: Well, I think it

1 depends of which part of the EPA regulations you want to  
2 read, and this is a legal question. We have lawyers  
3 here. They can tell us which part of the EPA  
4 regulations we should be reading. If we're reading the  
5 cost thing, one interpretation is, boy, you got to go  
6 slow here because it's going to cost you a lot.  
7 If you read another part of the regulation, and in  
8 fact the EPA Region 1 lawyer said this at one of the  
9 stakeholder meetings, his goal was to be able to go down  
10 to any dock in Providence Harbor and jump overboard and  
11 go for a swim, so he wanted below 14 right in the urban  
12 part of the harbor.

13 COMMISSIONER CARLINO: Chairman, any  
14 questions?

15 MR. GADON: Those 3 1/2 days only apply if  
16 you have a storm, which maybe you don't have them every  
17 day.

18 COMMISSIONER BURROUGHS: This is a 3-month  
19 storm.

20 MR. GADON: How often do you have that  
21 3-month storm, once every 3 months?

22 COMMISSIONER BURROUGHS: It does point out,  
23 we need to know, I think we need to be really clear  
24 about the water quality benefits so that if people ask

25 us, we can say, this is what you're getting. Now, we

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1 may disagree about the cost and all of that, but we do  
2 need to be clear about what we anticipate we'll get and  
3 whether the technology can really do it.

4 COMMISSIONER HANDY: I missed the workshop,  
5 but I was actually reviewing the notes earlier today,  
6 and I thought they indicated that Scenarios 2 and 3 we  
7 were able to stay below the 2 percent number.

8 COMMISSIONER BURROUGHS: Well, the figures  
9 indicate otherwise.

10 COMMISSIONER HANDY: I guess I'll have to go  
11 back and review that.

12 RAYMOND MARSHALL: That's something that we  
13 need to take a fresh look at now that we're starting to  
14 refine the capital numbers and work up better O&M  
15 numbers.

16 I think at the point in time, I mean, this is with  
17 this particular graph that Dr. Burroughs has produced,  
18 this includes what the community should be spending on,  
19 actually the City of Providence, in particular. This is  
20 an estimate of what they should be spending, just based  
21 upon industry standards. They are not spending it.

22 So, the question is, can we go into DEM and say,

23 assuming the city spends at this level, we will be above  
24 the 2 1/2, they're probably going to say, until you have  
25 better evidence than this.

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1 COMMISSIONER HANDY: That they are spending  
2 that.

3 RAYMOND MARSHALL: That they are spending  
4 it, then no, you can't use it. You have to stay  
5 strictly within the bounds of your Phase 3 program.

6 COMMISSIONER HANDY: Which puts us in,  
7 basically, a position of direct conflict with the  
8 municipalities in terms of, they're not spending money  
9 that we have to spend.

10 RAYMOND MARSHALL: Commissioner, ultimately,  
11 EPA will never say you don't have to spend the money.  
12 They'll just say, you can spend it over a longer period  
13 of time. Do I have that right, Tom?

14 MR. UVA: Yes.

15 RAYMOND MARSHALL: You can spread it out of  
16 a longer period of time.

17 COMMISSIONER HANDY: My understanding is,  
18 the municipalities have treated this kind of like an  
19 unfunded mandate. They don't get money to do it, and so  
20 they come down hard on us where we have to get our funds

21 from rates, and the municipalities are unwilling to tax  
22 to get the money to do it. It seems like an odd  
23 dynamic.

24 CHAIRMAN MESOLELLA: Chairman, we're going  
25 to wrap this up.

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1 COMMISSIONER CARLINO: The last thing that  
2 we want to talk about is, I would recommend having a  
3 workshop like we did last month, two hours. We can set  
4 it up for the week, either the week of the 12th or the  
5 19th of the April, and maybe we can get an e-mail out to  
6 see everyone's availability. We'll allocate 2 hours,  
7 and this way we can --

8 CHAIRMAN MESOLELLA: So, I agree with that.  
9 So, our next board meeting is scheduled for April 28th,  
10 so I'm thinking that maybe a week before it would give  
11 us what?

12 COMMISSIONER CARLINO: The week of the 19th,  
13 19th, 20th, 21st, 22nd.

14 RAYMOND MARSHALL: It'd be fresh in  
15 everyone's mind after hearing it what they want to do at  
16 the meeting on the 28th.

17 VICE CHAIRMAN ROTELLA: I'm going to be away  
18 that week, but I'd love to be there. Can we do it maybe

19 a couple of days earlier, the end of the prior week,

20 like the 17th, 18th?

21 RAYMOND MARSHALL: Sure. The 15th is a  
22 Wednesday, and the 17th is a Friday. The 16th we have  
23 the lien sale, so we have this room all tied up on that  
24 Thursday, the 16th, but Wednesday the 15th or Friday the  
25 17th would be a good day to schedule it for.

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1 MR. DeANGELIS: Not a good day for

2 accountants.

3 COMMISSIONER ROTELLA: The 17th is great.

4 It's all over.

5 MR. GADON: Mr. Chairman, would you consider

6 meeting at 9:00 on the 28th and having that meeting and

7 continue going on for the regular meeting?

8 CHAIRMAN MESOLELLA: I'll consider anything.

9 Whatever day you pick, I'm going to be here. This is

10 for the convenience of the rest of the members.

11 COMMISSIONER MacQUEEN: Could you make it

12 the 28th?

13 VICE CHAIRMAN ROTELLA: Yes.

14 RAYMOND MARSHALL: If you're going to make

15 it on the day of the board meeting, you'll probably have

16 to start at 8:00 in the morning because if you want 2

17 hours, we'll have other business that we have to do at  
18 other committee meetings. You can't start at 9. You  
19 can't get 2 hours in and then have a board meeting.

20 MR. GADON: Could you waive those other  
21 meetings for that day?

22 CHAIRMAN MESOLELLA: It's kind of early to  
23 say because we don't know what issues are going to  
24 arise. There's another option. The 28th, that's a  
25 Tuesday, right?

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1 RAYMOND MARSHALL: That's a Tuesday, yes.

2 CHAIRMAN MESOLELLA: Are you back on the  
3 Monday?

4 VICE CHAIRMAN ROTELLA: Yes.

5 CHAIRMAN MESOLELLA: I would suggest, not  
6 recommend, we can do an evening meeting on the Monday.  
7 If you want to do an evening meeting, that's a possibly.  
8 We'll make it 5 or 6, we'll have an evening meeting, and  
9 then the Tuesday we'll have the board meeting. Does that  
10 work for everybody?

11 COMMISSIONER CARLINO: What about for a  
12 start time, 5, 6? Would people prefer 6?

13 VICE CHAIRMAN ROTELLA: 6:00.

14 CHAIRMAN MESOLELLA: So, 6, that gives

15 everybody here a chance to clean up their daily  
16 activities and can get here. So, 6:00, Monday the 27th.  
17 Are you ready to conclude, Chairman? Motion to adjourn.

18 COMMISSIONER CARLINO: That was all the  
19 business we had. Yes, motion to adjourn.

20 COMMISSIONER LEONE: Second.

21 CHAIRMAN MESOLELLA: We have a motion to  
22 adjourn the sub-committee meeting, Long Range Planning,  
23 seconded by Commissioner Leone. All in favor of  
24 adjourning say aye.

25 THE COMMISSION: Aye.

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1 (MOTION PASSED UNANIMOUSLY)

2 CHAIRMAN MESOLELLA: On the matter of the  
3 NBC board meeting.

4 COMMISSIONER ROTELLA: Motion to adjourn.

5 CHAIRMAN MESOLELLA: We have a motion to  
6 adjourn, Commissioner Rotella moves that we adjourn.

7 COMMISSIONER FARNUM: Second.

8 CHAIRMAN MESOLELLA: Seconded by  
9 Commissioner Farnum. All in favor of adjournment will  
10 say aye.

11 THE COMMISSION: Aye.

12 CHAIRMAN MESOLELLA: The ayes have it, and

13 we are adjourned, and we will see you on Monday the

14 27th.

15 (MOTION PASSED UNANIMOUSLY)

16 (BOARD OF COMMISSIONERS MEETING CLOSED AT 12:40 P.M.)

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1 CERTIFICATE

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

8 IN WITNESS WHEREOF, I hereunto set my hand  
9 this 8th day of April 2015.

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12 HEATHER MARIE FINGER, CSR, NOTARY PUBLIC  
13 MY COMMISSION EXPIRES 4/02/16

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DATE: March 17, 2015

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IN RE: Board of Commissioners Monthly Meeting

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HEARING OF: Narragansett Bay Commission

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