

Burrillville Sewer Commission
Regular Meeting of April 11, 2006
Board Room of the BWWTF

Member Present: Scott P. Rabideau – Chairman
Don C. Wolfe – Vice Chairman
Wallace F. Auclair – Secretary

Also Present: Walter J. Kane – Attorney for the Commission
William Skerpan Jr. – Beta Group, Inc.
John Martin III – Superintendent
Richard Bernardo – Director of Public Works
Ronald Faford – Member of Town Council
Peg Franklin – Office Manager
Stacey Richard – Financial Aide

Mr. Scott Rabideau opened the meeting at 11:10 A.M.

The first item on the agenda was the question of accepting the minutes of the Regular Meeting of March 14, 2006, the Special Meeting of March 22, 2006, and the Special Meeting of March 27, 2006, and the question of dispensing with the reading of said minutes. Mr. Don Wolfe made a motion to dispense with the minutes and accept them as presented. The motion was seconded by Mr. Rabideau, so voted.

Next Mr. John Martin presented the proposed budget for the fiscal year 2006/07. The Commission scheduled a Special Meeting for Tuesday, April 25, 2006 at 9:00 A.M. for emanate domain proceedings in connection with Contact 19B-1 to be followed by a Workshop on the proposed budget.

Correspondence:

07-10-18 – Correspondence from Beta Group, Inc. regarding Oakland Village, Applicant, Adler Bros. Development, LLC, proposed sewer extension. Mr. Kane stated his office has represented Adler Bros. on a continuous basis therefore if there are any issues that require legal council he will assign another deputy who has no connection with Alder Bros. Mr. Wolfe made a motion to approve a waiver of Article 16 in the case of the Adler Bros. development pending that they respond to the five comments listed by Beta Group. Mr. Wallace Auclair seconded the motion, so voted.

Mr. Skerpan reported that there appears to be a discrepancy between the Town's land development regulations and what the Commission requires under their Rules and Regulations. Mr. Skerpan recommended that this issue be forwarded to Mr. Kane for

clarification for future references. Mr. Rabideau stated that once the budget process is over the Commission wants to schedule a total review of the Rules and Regulations. Mr. Rabideau stated one of the issues that need to be discussed during the review is regulations for pretreatment facilities and also the matter of appeals to the Town Council.

07-10-19 – Correspondence from Michael Abood regarding requesting permission for different format of invoice processing of water hauling. Mr. Rabideau asked Mrs. Franklin to explain the letter. Mrs. Franklin stated Mr. Abood would like to provide the Commission with a summary of the invoices for the water that is being hauled away each month instead of each individual invoice. The Commission agreed that a summary of the invoices from Michael Abood would be acceptable.

07-10-20 – Correspondence from Synagro regarding rate increase. Mr. Wolfe made a motion to receive the letter and place on file. Mr. Auclair seconded the motion, so voted.

07-10-21 – Correspondence from Beta Group regarding certificate of approval for 19B-1. Mr. Skerpan reported that for Contact 19B-1 there needs to be a revised certificate of approval from Jay Manning at DEM. Mr. Skerpan stated that he spoke with Mr. Manning and the certificate of approval has been drafted and is waiting for a signature. The Commission should have the certificate in hand tomorrow or Thursday. Mr. Skerpan also reported that the certificate of approval is for the entire job and not each phase.

07-10-22 – Correspondence from Dante Giammarco regarding pretreatment water sample results – Stedagio, LLC/LaGinestra, LLC. Mr. Wolfe made a motion to consolidate the addendum to the agenda with Mr. Giammarco's letter. Mr. Auclair seconded the motion, so voted. Mr. Rabideau stated that he was asked to attend a meeting last Thursday with DEM. Mr. Rabideau provided the Commission with an email he had received from Eric Beck at DEM. Mr. Rabideau stated the DEM is issuing a temporary six month permit to LaGinestra based on the initial results of the water sampling. Mr. Martin stated that one item that is of concern to him is on the as-builts LaGinestra shows a bypass built in around their biological process. Mr. Wolfe asked if it would be appropriate to seal that bypass. Mr. Kane stated that if LaGinestra does not meet their discharge parameters it would take a court order to stop them from discharging. Mr. Skerpan suggested asking DEM to provide the Commission with a letter indicating that they will not hold the Sewer Commission responsible for any problem that they experience at their plant as a result of this discharge being allowed. Mr. Kane suggested that if the Commission decides to seal the bypass the condition should be that it cannot be broken without a member of the Commission being present. Mr. Skerpan suggested that the Commission ask for the testing that is being done by LaGinestra to be submitted by a certified laboratory on a weekly basis. Mr. Martin stated that the other issue that was never addressed was that the Commission never got any official ruling on their refrigeration blow down. Mr. Wolfe made a motion to grant LaGinestra a six month temporary permit with the following conditions:

1. Sealing of the bypass, notification to the Commission prior to any breaking of the bypass so that if warranted a Commission member or someone from the Sewer Plant can be present when the seal is broken.
2. This acceptance of the discharge is fully revocable at anytime within the six month time frame if violations which are recorded are not corrected in a reasonable time frame.
3. Certified lab copies of all testing results shall be forwarded to the Commission upon their receipt.
4. Prior to the expiration of the six months the Commission will have completed as-builts and a finalized O&M manual.

Mr. Auclair seconded the motion, so voted.

07-10-23 –Letter from Boyle & Fogarty Construction Co., Inc. regarding Contract 19B-1. Mr. Wolfe made a motion to receive and place on file. Mr. Auclair seconded the motion, so voted.

Attorney's Report: Mr. Kane reported that at the last meeting the Commission authorized him to negotiate with the attorney for L-5 up to \$10,000.00 to resolve their appeal. Mr. Kane stated that he has a letter from Mr. Kelly that states with receipt of a \$10,000.00 check he will sign a full and final release of all claims. Mr. Wolfe made a motion to authorize that a check in the amount of \$10,000.00 be made out to L-5 Inc., and that the check be forwarded to Mr. Kane's office to be sent with the release to Mr. Kelly. Mr. Auclair seconded the motion, so voted.

Mr. Kane then stated that there is a process the Commission must follow when they are going to take property. Mr. Kane stated the Commission is authorized to take property by eminent domain upon receiving approval from the Town Council. Mr. Kane stated he has drafted a resolution of the Burrillville Sewer Commission requesting the Town Council to authorize the Commission to take land in accordance with plan of land taking #11, which included approximately 3,000 square feet of land taking plus approximately another 2,500 feet of temporary easements. Mr. Kane stated the Commission needs to pass this resolution and see that it is hand delivered to the Town Council together with the letter that states the Commission has signed a contract to extend the sewer lines along a portion of Victory Highway. As part of that extension it is necessary to construct a pumping station. This will require by eminent domain a taking of a parcel of land consisting of 3,025 square feet of temporary easement and a construction easement of 2,600 feet. The parcel is necessary for the construction of a pumping station. These takings are shown on the attached plan of land taking and temporary easements. Enclosed is a copy of the resolution passed by the Commission requesting the Burrillville Town Council to authorize the taking. This authorization is required by the Legislation Establishing the Commission. Mr. Kane stated that at the next meeting of the Commission he will have the necessary papers ready for the Commission to pass. Mr. Wolfe made a motion to authorize the Commission to condemn the real estate property as shown on the plans, a plan of easement and land taking prepared by Beta Engineering. Mr. Auclair seconded the motion, so voted.

Mr. Kane then reported that he expects the Town Council tomorrow night to authorize to proceed to get the \$3million from SRF. Mr. Kane suggested the Commission name someone to attend that meeting. Mr. Rabideau asked Mr. Wolfe to attend the meeting. Mr. Kane suggested the Commission consider authorizing Mr. Skerpan to do the preliminary work with both contractors regarding extending their contracts and then report back the day the Commission has their work shop. Mr. Skerpan asked if he should approach the contractors regarding Spring Lake Road, Mason, and Victory. Mr. Rabideau stated yes he should. Mr. Rabideau asked if the Commission could consider building a separate septic system for the eleven residents on Victory Highway that are not currently scheduled to get sewers. Mr. Kane stated it was something the Commission could look into.

Mr. Auclair made a motion to accept the report of our attorney. Mr. Rabideau seconded the motion, so voted.

Engineer's Report: Mr. Skerpan first gave an update on Contract 19A-1. Mr. Skerpan stated that Parkside Utility had remobilized the beginning of March. Mr. Skerpan reported that the generator is in and has been tested and is working fine. Mr. Skerpan reported there are some minor pending punch list items. Mr. Skerpan recommended that the Commission take beneficial occupancy of the pump station, force main and related sewers under the Contract 19A-1 on April 17, 2006. Mr. Skerpan stated that if the Commission does take beneficial occupancy of the pump station it will not relieve the Contractor from completing any of the punch list items or anything that is required under the contract. Mr. Skerpan reported that the issue with MBE/WBE noncompliance is still being pursued. Mr. Wolfe made a motion to accept beneficial occupancy of the Glendale pumping station and the force main. Mr. Auclair seconded the motion, so voted.

The second item Mr. Skerpan reported on was Contract 19A-2. Mr. Skerpan reported that the contractor had remobilized as of April 5, 2006. Mr. Skerpan reported that the contract is back on Victory Highway and has approximately 100 feet left to finish. Mr. Skerpan stated that the contractor does have MBE/WBE issues. Mr. Skerpan recommended that the Commission take beneficial occupancy of the sanitary sewers that are located in the New Village area, specifically Snake Hill, Stockwell, Maple Leaf, Woodside, Elm, and Village Way. Mr. Skerpan stated this would allow the New Village area to start connecting. Mr. Auclair made a motion to accept beneficial occupancy of the sewer mains related to Glendale New Village. Mr. Wolfe seconded the motion, so voted.

Mr. Skerpan advised the Commission to address the time frame that they are going to allow for the residents in the New Village to connect to the system. Mr. Skerpan recommended no less than 60 days but no more than 90 days to allow the residents to connect.

Mr. Skerpan reported that the work on Spring Lake and Joslin Road is almost completed. Mr. Skerpan stated that at the next Commission meeting he would be recommending

taking beneficial occupancy. Mr. Skerpan reported that Victory and Bronco Highway will not be finished for a couple of months.

Mr. Skerpan then reported on Contract 19B-1. Mr. Skerpan stated that Boyle and Fogarty was notified of the Commission intent to award. Mr. Auclair made a motion to award and execute Contract 19B-1. Mr. Wolfe seconded the motion, so voted. Mr. Skerpan stated he had prepared a draft notice to proceed. Mr. Skerpan stated the project completion date is by September 30, 2006. Mr. Wolfe made a motion to issue the notice to proceed. Mr. Auclair seconded the motion, so voted.

Mr. Skerpan then reported on Harrisville Village. Mr. Skerpan stated that as of March 31, 2006 the inspection work was finished. Mr. Skerpan stated all of the sewers have been installed and tested. Mr. Skerpan stated the sewers still need to be flushed out and there is still some inspection work left to be done once the foundations are poured. Mr. Rabideau stated that the contractor wants to tie the houses in so he can put the porches on.

Mr. Skerpan stated in regards to the School Street ejector station report he was supposed to provide to the Commission, he would like to keep the meters in for the month of April because the months of February and March were so dry. Mr. Skerpan stated he would have the report for the next meeting.

Mr. Wolfe made a motion to accept the report of our engineer. Mr. Auclair seconded the motion, so voted.

There was a discussion of changing the time of the monthly Commission meetings. Mr. Kane stated a change could not take place before June 2006. Mr. Rabideau asked Mrs. Franklin to draft the time change and put it on the agenda for the May meeting.

The next item on the agenda was the Superintendent's Report. Mr. Martin presented the Superintendent's Report for the month of March.

SUPERINTENDENTS REPORT

Month of March 2006

1. OPERATIONS :

A. <u>Influent to Treatment Facility</u> :	M.G.	<u>Date Occurred</u>
Average daily flow	0.7693	N/A
Maximum daily flow	0.8740	01-Mar
Minimum daily flow	0.7060	31-Mar
B. <u>Biochemical Oxygen Demand</u> :	Percent removal	Average Concentration
E.P.A./ D.E.M. requirement	> 85.0%	< 30.0 mg/l
Facility achieved	95.5%	7.2

C.	<u>Total Suspended Solids :</u>		
	E.P.A./ D.E.M. requirement	> 85.0%	< 30.0 mg/l
	Facility achieved	93.8%	11.5
D.	<u>Total Phosphorus :</u>		
	E.P.A./ D.E.M. requirement	N/A	< 1.00 mg/l
	Facility achieved	81.7%	0.96
E.	<u>Total Ammonia :</u>		
	E.P.A./ D.E.M. requirement	N/A	< 31.5 mg/l
	Facility achieved	15.8%	22.5
F.	<u>Disposed Sludge :</u>		
	Dry Tons disposed of	28.60	
	Number of loads removed	23	
	Average dry tons/load	1.24	

2. COLLECTION SYSTEM OPERATIONS:

There was one call-in for the month at the School St ejector station. Repairs were made, alarm was reset and station returned to normal operation.

Mr. Martin stated that due to earliness of the meeting this month the lab results were not all in for the DMR summary. Mr. Martin stated this months DMR summary will be included in next months report.

Mr. Martin then stated the discharge permit was public noticed last Friday. Mr. Martin stated there is a 30 day public notice period.

Mr. Auclair made a motion to accept the report of our Superintendent. Mr. Wolfe seconded the motion, so voted.

Old Business:

The first item under old business was the DEM project priority list. Mrs. Franklin stated that Mr. Rabideau had hand delivered the list last Thursday. Mr. Auclair made a motion to receive and file. Mr. Wolfe seconded the motion, so voted.

The second item under old business was a memo from the office staff regarding preliminary tax sale. Mr. Auclair made a motion to receive and file. Mr. Wolfe seconded the motion, so voted.

The last item discussed under old business was a memo from the Office Manager regarding informational packet for Glendale New Village. Mr. Wolfe stated that on page 2 of 2 of the application it states a plan must be prepared by the applicants licensed

drainlayer and the Commission had talked about providing a sample plan with the packet. Mr. Skerpan stated he could have a sample plan made. The Commission decided to allow the residents of Glendale New Village to begin connecting on April 24, 2006 and to finish the connections on June 24, 2006. Mr. Kane suggested that it be noted in the packet that because the old system needs to be abandoned in the New Village it is important that the residents connect in a timely manner. Mr. Auclair made a motion to approve the information packet to the Glendale New village with a start date of April 24, 2006 to June 24, 2006 and to attach Exhibit A (a sample plan). Mr. Wolfe seconded the motion, so voted.

Mrs. Franklin stated the assessment/user charge write-off's will be available next month.

Being no further business to come before the Commission Mr. Auclair made a motion to adjourn. Mr. Wolfe seconded the motion, so voted.

Respectfully Submitted,

Stacey Richard
Financial Aide

