

**Burrillville Sewer Commission**

**Regular Meeting of July 12, 2016**

**Board Room of the BWWTF**

**Members Present: William A. Andrews – Chairman**

**Russell Fontaine – Secretary**

**Raymond Trinque – Commission Member**

**Member(s) Absent: Richard Nolan – Vice Chairman**

**Also Present: Timothy Kane – Attorney for the Commission**

**James J. Geremia – Consulting Engineer**

**John E. Martin III – Superintendent**

**Donald Shurtleff – Senior Operator/Lab Tech**

**Stacey Richard – Office Manager**

**Jacqueline Batalon – Financial Aide**

**Melanie Robeau – Maplehill Mobile Home Park**

**Joseph A. LaPorte – Representative for Lawrence Fortune,**

**1971 Victory Highway**

**Cynthia Lussier – Resident**

**Kenneth W. Putnam Jr. – Resident**

**Madelyn Putnam – Resident**

**Terri Lacey – Resident**

**Jeremy P. Bailey – Resident**

**Stephen Bailey – Resident**

**Julia O'Rourke – Resident**

**Cheryl McCall – Resident**

**Sandra Gravel – Resident**

**Frank Silva – Resident**

**Coley O'Rourke – Resident**

**John A. Scott – Resident**

**Roberta L. Lacey – Resident**

**Mr. Andrews opened the meeting at 9:00 AM.**

**Agenda Item – The question of accepting the Minutes of the Regular Meeting of June 14, 2016; and the question of dispensing with the reading of said Minutes.**

**Voted – Mr. Trinque made a motion to accept the Minutes of the Regular Meeting of June 14, 2016 and to dispense with the reading of said Minutes. The motion was seconded by Mr. Fontaine. All in favor, so voted.**

**Public Comment – Ms. Lacey presented the question of who would be liable for any MTBE that may be discharged into Clear River through Burrillville Waste Water Treatment Facility if the Clear River Energy Center is built.**

**Mr. Andrews stated that Invenergy would build a treatment facility at**

**the well head to remove the MTBE from the contaminated well prior to use of said water. Mr. Andrews also stated that the wastewater facility cannot accept hazardous materials, as determined by Rhode Island Department of Environmental Management.**

**Ms. Lacey asked who would be responsible for testing the water.**

**Mr. Andrews stated that RIDEM would test the water.**

**Mr. Putnam presented the question of whether or not the Burrillville Sewer Commission has the authority to assign liability (via contract) for any future issues with the sewer pipes leading from the CREC to Invenergy, should such issues arise.**

**Mr. Andrews stated that all materials going into and leaving the facilities will need to be monitored.**

**Mr. Geremia stated that ordinance regulates the amount and types of pollutants that can and cannot be accepted by the facility. The BSC does not sign a contract with the residents or business owners who discharge to the facility. Invenergy will need to provide additional information as to how the waste discharge from CREC would impact the BWWTF. The BSC is not yet at this stage with Invenergy.**

**Mr. Silva asked if the BSC is currently involved in discussions with Invenergy regarding the CREC.**

**Mr. Andrews stated that the only discussion between the BSC and Invenergy has been regarding the BWWTF having the capacity to handle the flow from CREC.**

**Mr. Silva asked if the BSC has received an application from**

**Invenergy.**

**Mr. Geremia stated that the BSC has not yet received a pretreatment application from Invenergy. The industrial pretreatment process is monitored by the State of Rhode Island.**

**Mr. Silva stated that Invenergy expects to expel from 60,000 to over 250,000 gallons of waste per day. He posed the question of what type of waste the BWWTF may expect to come from CREC, whether it is the waste from the processed water after it has been used to cool the turbines, or the bi-waste product of reverse osmosis, containing high concentrations of metals.**

**Mr. Fontaine explained that the water will have already been tested for quality prior to the reverse osmosis process. He also stated that the process with Invenergy is only in preliminary stages and the BSC does not yet have information from Invenergy. The information will be provided to the BSC as required.**

**Ms. Lussier asked if Invenergy would pay for the sewer pipes.**

**Mr. Andrews stated yes.**

**Ms. Lussier asked if Invenergy would then be responsible for the maintenance of said pipes.**

**Mr. Andrews stated that Invenergy would be responsible for the maintenance of the pipes.**

**Ms. Lussier asked if the BWWTF has the capability of handling the capacity from CREC as well as future growth of the town.**

**Mr. Andrews stated that the plant is currently operating at approximately half capacity. Every 4-5 years, the BSC submits a**

facilities plan to RIDEM, which includes capacity, usage and must include opportunity for commercial and residential growth. The main concern of the BSC is contaminants, not capacity.

Mr. Fontaine explained that Invenergy will need to submit an application to the BSC and any issues will be addressed at that time.

Mr. Putnam asked if the BSC will be holding another meeting once an application has been received from Invenergy.

Mr. Andrews stated that the BSC holds meetings monthly and the public is invited to all meetings.

Mr. Silva asked if the RIDEM has contacted the BSC.

Mr. Andrews stated that the RIDEM has contacted the BSC.

Mr. Geremia explained the discussions that the RIDEM has had with the BSC regarding the impact of accepting sewage from Invenergy.

Mr. O'Rourke suggested that the BSC hold meetings at a time that is more convenient for the public.

Mr. Bailey presented the question of whether or not the BSC could legally deny Invenergy the right to tie into the sewer lines.

Mr. Kane explained that whether or not a business is wanted in the town, the BSC does not have the right to deny a company to tie into the sewer lines as long as all regulations have been met.

Mr. Bailey asked if abutters to the power plant would have the option

**to tie into the sewer line, should such a line be installed.**

**Mr. Martin stated that such a sewer line would most likely be privately owned by Invenenergy.**

**Mr. Andrews added that residents would be unable to tie into the sewer line.**

**Mr. Bailey asked if abutters would have the right to oppose the installation of the sewer lines.**

**Mr. Fontaine stated that the State of RI would control the decision to install in a state owned road.**

**Mr. Andrews stated that any additional questions may be submitted through the BSC website.**

**New Business – None**

**Correspondence:**

**17-07-01 – Correspondence from Lawrence J. Fortune, owner of 1971 Victory Highway, requesting a waiver for the requirement to have a registered professional engineer design the sewer connection for his property.**

**Connection Application**

**Industrial Waste Questionnaire**

**Mr. LaPorte, representative of Mr. Fortune, stated that although the property is a commercial building, there will be no discharge of commercial waste. There is only one sink and one bathroom, which**

**will not be available for use by the public. The only waste that will be discharged will be from few employees using the restroom and washing hands.**

**Mr. Andrews asked if there are any floor drains on the property.**

**Mr. LaPorte answered no.**

**Mr. Martin stated that the facility had submitted a sewer plan several years ago and was granted a waiver for the requirement to have a professional engineer design the sewer connection. Mr. Martin suggested that Mr. Geremia review the plans for the property connection.**

**Mr. Trinque made a motion to waive the requirement to have a registered professional engineer design the sewer connection for the property with the condition that the plans are reviewed and deemed satisfactory by Mr. Geremia. The waiver will expire in 90 days. The motion was seconded by Mr. Fontaine. All in favor, so voted.**

**Old Business – Connection status for property located at 846 Douglas Turnpike. Property connected without the Contractor pulling permits with the Sewer Commission.**

**Daily Inspection report from James McManus.**

**There was some discussion on this matter. It was determined that the connection does not meet BSC Regulations.**

**Mr. Fontaine made a motion to have Mr. Kane take legal action on behalf of the Sewer Commission to notify the homeowner that the sewer installation was un-permitted and in violation of the Sewer Commission Regulations and that the homeowner must take**

necessary action to bring the connection into compliance immediately. The motion was seconded by Mr. Trinque. All in favor, so voted.

**Discuss & Take Action of possible extension of Maplehill Mobile Home Management Agreement which expired July 1, 2015.**

**Memo from John E. Martin, Superintendent, regarding the Management Agreement with the Maplehill Mobile Home Park.**

**Letter from Tim Kane, Esq., to Melanie Robeau, President, Maplehill Mobile Home Park Residents Association, requesting an authorized representative attend this Commission Meeting to discuss the expired agreement.**

**There was some discussion on this matter. Ms. Robeau requested an extension of time to replace the first pump for one (1) year.**

**Mr. Andrews requested that Mr. Kane make the necessary changes to the Management Agreement and submit to the BSC office to be signed by all parties.**

**Mr. Trinque made a motion to approve the Management Agreement as amended by Mr. Kane. The motion was seconded by Mr. Fontaine.**

**Engineer's Report:**

**Phosphorous/Copper Project Status Report of Construction – Minutes of Job Meeting No. 6**

**SRF**

**RI Infrastructure Bank – Pay Request #4 in the amount of \$490,433.38**

**Exhibit A – RI State Revolving Fund project payment request form**

**Exhibit F – Wage Requirements**

**Exhibit G – Certification regarding Debarment, Suspension & other Responsibility Matters**

**Exhibit H – American Iron & Steel Certification**

**James J. Geremia & Associates, Inc. – Inv. #5 in the amount of \$19,589.63**

**Hart Engineering – Pay Request #3 in the amount of \$470,843.75**

**Letter from Angelo Liberti, RIDEM, to James J. Geremia regarding review of Burrillville/Invenergy Facilities Plan Amendment (DEM file #16-B)**

**Mr. Geremia updated the BSC on the progress of the Phosphorous/Copper Project. New equipment will be installed by the spring of 2017.**

**Mr. Trinque made a motion to authorize the Chairman to approve and sign RI Infrastructure Bank Pay Request # 4 in the amount of \$490,433.38, including Exhibits A, F, G & H and James J. Geremia & Associates, Inc. Invoice #5 in the amount of \$19,589.63 and Hart Engineering Pay Request #3 in the amount of \$470,843.75. The motion was seconded by Mr. Andrews. All in favor, so voted.**

**Mr. Geremia explained that the BSC had requested more information from Invenergy regarding the discharge to the BWWTF. There was some discussion on this matter. Mr. Trinque expressed concern regarding the type of waste that may be discharged to the BWWTF. Mr. Geremia explained that there will be limits set and monitored by**

**RIDEM. Mr. Geremia will keep the BSC informed of all interactions with Invenergy. Mr. Trinque made a motion to accept the Engineer's Report. The motion was seconded by Mr. Fontaine. All in favor, so voted.**

**Attorney's Report:**

**Status of properties not connected to the sanitary sewer system.**

**Mr. Kane updated the BSC on the impending connections of Mr. Audet and Mr. Fortune. There are approximately 4 properties remaining that have not yet connected to the sanitary sewer system, including Mr. Audet and Mr. Fortune.**

**Mr. Fontaine made a motion to accept the Attorney's Report. The motion was seconded by Mr. Andrews. All in favor, so voted.**

**Superintendent's Report:**

**Report for the month of June, 2016**

**Financial Report**

**Mr. Trinque made a motion to accept the Superintendent's Report as presented. The motion was seconded by Mr. Fontaine. All in favor, so voted.**

**Chairman requests Executive Session of the Commission, pursuant to Rhode Island Open Meeting Law (42-46-5(a) (1)) to discuss job performances of two (2) employees – positions.**

**Note: The two affected parties were duly notified in advance in writing of this request for Executive Session; they were notified and advised**

**that they could require that the discussion be held at an open meeting.**

**Consider & Take Action on the salary requests of the positions of John E. Martin, III, Superintendent, and Stacey Richard, Office Manager.**

**Mr. Trinque made a motion to approve the salary request of 2.5% increase for John E. Martin, III, Superintendent, over FY 2015 budget. The motion was seconded by Mr. Fontaine. All in favor, so voted.**

**Mr. Andrews made a motion to approve the request of Stacey Richard, Office Manager, of 2.7% salary increase, maintain flex time adopted in 2006, maintain \$200 per month benefit for health benefit opt-out and maintain all other benefits per collective bargaining agreement between BSC and the Union Employees Local 1322 employed by the Commission and maintain the mileage reimbursement of \$0.54 per mile. Mr. Fontaine made an amendment to the motion to update the mileage reimbursement to the current IRS mileage reimbursement. The motion was seconded by Mr. Trinque. All in favor, so voted.**

**Sewer Use/Sewer Assessment Write-Offs – None**

**Adjournment – Mr. Trinque made a motion to adjourn the meeting. The motion was seconded by Mr. Fontaine. All in favor, so voted.**

**Respectfully Submitted,**

**Jacqueline Batalon,  
Financial Aide**