

Fred Sullivan
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

Warwick Sewer Authority
125 Arthur W. Devine Boulevard
Warwick, RI 02886
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Board Meeting Minutes

June 25, 2009, 5:30 p.m.
WSA Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members in Attendance:	Guests:
Fred Sullivan, Chairman	Michelle Komar
Aaron Guckian, Secretary	
Steven Sylven, P.E.	
Gary Jarvis	
Peter Ginaitt	
Staff Present:	
Janine L. Burke, Executive Director	Steve Zubiago, Legal Counsel
BettyAnne Rossi, IPP Coordinator	Pat Doyle, Assistant Superintendent
Mat Solitro, Program Engineer	John E. Martin, Billing Services Manager
Lynn F. Owens, Administrative Coordinator	

1. **Call to Order** At 5:35 p.m. Chairman Sullivan called this meeting to order.
2. **Approval of Minutes**
 - a. **Approval of minutes from regular meeting held May 28, 2009.**
ACTION: Mr. Ginaitt made a motion to approve the minutes. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

3. **Administrative Items**
 - a. **Director's Report**

- i. **Financial Report**

Director Burke provided a financial report as of May 31st. She stated the end of year deficit projection is now down to just over \$600,000 due, for the most part, to additional revenues collected as part of the Tax Sale process. Director Burke stated this projected deficit is almost \$200,000 less than the budgeted deficit we started the year off with and is due to cost-cutting measures implemented earlier in the year and all the work our Account Auditor Julie Goslin has been doing to manage the budget.

- ii. **Administrative Schedule**

June 30th: Training session put on by the RI Clean Water Finance Agency regarding compliance with the American Recovery and Reinvestment Act with respect to the use of

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stimulus funds. Director Burke stated several staff people will be attending as well as our contact in the City Treasurer's Office.

July 1st: Second public meeting with residents of Governor Francis Farms Phase II project area. Director Burke stated my plan is to make a brief presentation on WSA's sewer assessment rate setting methods and our Mandatory Sewer Connection Program and then open it up for questions. She stated we will have a microphone for people in the audience and I would like to display a few slides with information on assessments and mandatory connections so everyone is seeing and hearing the same information.

July 9th: Director Burke stated the Chairman and I will be meeting with Councilman Merolla regarding the Mandatory Connection Program and other Ward 9 matters. She stated we are meeting with Councilwoman Travis next.

Week of July 13th. Director Burke will be on vacation.

July 29th: The Caruso Scholarship Awards ceremony will be held at WSA at 5:30 p.m.

July 31st: Attorney General's Open Meeting Summit from 9:00 a.m. to 12:30 p.m. at Roger Williams University School of Law. Director Burke stated I believe you all got information on this and I would encourage you to attend, especially if you have never been. She stated please let Lynn or I know if you would like to attend and we will get you registered.

Chairman Sullivan asked for a motion to accept the reports. Mr. Jarvis motioned to accept the reports. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

b. Chairman's Report

- i. Proposed Changes to By-Laws** Chairman Sullivan stated he will send information electronically within the month.
- ii. Subcommittees** Chairman Sullivan stated he will also send information on proposed subcommittees for Board consideration.

Chairman Sullivan stated Janine and I are sitting with Council members individually to increase communication and help them understand what WSA is working on in their wards concerning sewer connections (maps are prepared for each ward highlighting parcels that are not connected to sewers). Director Burke stated we'd like to learn the concerns of their constituents during these meetings.

Chairman Sullivan stated Janine and I also are looking at the law that requires connection within one year of sale or transfer of a property. He stated we are considering enforcement action on foreclosure (bank owned) properties. Chairman Sullivan stated if we get some press on this (enforcement action), it may encourage others to connect. Director Burke stated we have a listing of foreclosure properties from the City Clerk's office.

c. WSA Policies

i. Emergency Purchase Procedure

The Board was asked to approve the following Emergency Purchase Procedure:

“In accordance with WSA enabling legislation, purchase orders in excess of \$5,000.00 shall not be issued without prior consent of the Sewer Authority and the Mayor. From time to time, emergency situations arise that necessitate the immediate expenditure of funds to acquire or lease equipment or supplies necessary to maintain the integrity of the wastewater collection system. An emergency situation is one in which any delay in acquiring or leasing the equipment or supplies could immediately impact the operation of the wastewater collection system. The board and staff agree that an emergency purchase procedure is needed to provide for these situations.

“In the event of an emergency, the executive director (or designee), with the advice and consent of the Mayor, is given the authority to make an emergency purchase or lease. Board members will be notified of the emergency purchase as soon as possible; the purchase request will appear on the next regular board meeting agenda for formal approval.”

ACTION: Mr. Guckian moved approval of the emergency purchase procedure. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

4. Warwick WWTF Operation and Maintenance Division

a. R. E. Erickson: SCADA system modifications, drawdown purchase order

ACTION: Asst. Superintendent Doyle explained the operation of the SCADA system. A recommendation memo was provided to the Board for approval:

“R.E. Erickson has been the Warwick Sewer Authority’s SCADA system integrator since 2001, when they were working as a subcontractor to Pascak Construction. Pascak completed the first phase of construction of the advanced wastewater treatment upgrade. R.E. Erickson installed the SCADA system for the disinfection building and alarm telemetry panels at the 42 sewage pumping stations. Erickson was also the subcontractor for Hart Engineering, who completed the \$30 million dollar upgrade at the WWTF.

“The operations division utilizes the services of Erickson to perform requested modifications to our programmable logic controllers, replace or repair any failed hardware, and to ensure the integrity of our alarm system. A draw-down purchase order needs to be established for the start of the new fiscal year. The scope of work performed would also include a complete preventative maintenance servicing of both servers and the eight computer hubs within our facility.

“Director Burke is recommending that a draw-down purchase order for R.E. Erickson be set at \$12,000 to cover any future expenses in fiscal year 09-10.

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R.E. Erickson will provide written price quotes on all work performed. There are sufficient funds in our service contracts account 80-340.”

Mr. Jarvis made a motion to accept the draw-down purchase order for R.E. Erickson. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

b. Simplex Grinnell: Fire Alarm Quarterly Testing Contract

ACTION: Asst. Superintendent Doyle stated this is the regular annual quarterly testing of WSA fire alarm devices. He said we’ve recently switched to an independent electrical contractor for the repair and replacement of failed devices, but a qualified inspector is required. He stated proprietary equipment will also be purchased and installed under this contract.

Mr. Sylven moved approval of the contract. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

c. Grit Screenings: Rhode Island Resource Recovery Corporation (56-6 Exception to Bid)

ACTION: The WSA is requesting that the bid process be waived under section 56-6, Exception to Notice, of the Warwick Code, to allow WSA to enter into a contract with the Rhode Island Resource Recovery Corporation for transport of grit and screenings to the Central Landfill several times a month. The Central Landfill is the only landfill within the State that will accept the material.

Mr. Ginaitt moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

5. Industrial Pretreatment Division

a. Contract Extension: Wastewater Laboratory Analysis Rhode Island Analytical Laboratory

ACTION: Pretreatment Coordinator BettyAnne Rossi reviewed with the Board a recommendation memo detailing WSA’s request for a one-year contract with Rhode Island Analytical Laboratories (RIAL) of Warwick, Rhode Island, following the terms and conditions of the 2008 agreement with WSA for all routine laboratory testing.

Mr. Guckian moved approval of the one year contract. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

6. Billing Services Division

a. Amendments to Regulation 36 & Regulation 42: Fee Increases
i. Results of Public Hearing held June 25, 2009 @ 4:00 p.m.

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	PRESENT	PROPOSED
REGULATION 42: Disposal of Cesspool Wastes	\$47.00 per 1000 gallons	\$65.00 per 1000 gallons
REGULATION 36: Qualifications for Drain Layer's License	\$300.00 annual license fee	\$300.00 if paid by December 31 st \$500.00 if paid after December 31 st

Billing Services Manager John Martin provided copies of the proposed changes to Regulation 36 and Regulation 42.

Director Burke stated there were no public comments to address, as no one from the public attended the public hearing. She said notices of the hearing were mailed to septage haulers and current drainlayers. Director Burke said we did do a survey of what other communities charge for septage; we didn't want to price ourselves out of the market. Mr. Martin stated Cranston charges \$75.00 per 1000 gallons for out of town waste, \$70.00 per 1000 gallons for in town waste. Director Burke stated this is an issue of equity; those folks not connected to sewers are not (contributing equally) to the cost of our sewer system. She said it costs WSA more to treat septage than regular domestic wastewater.

Chairman Sullivan suggested that the septage haulers be required to report to WSA on all Warwick septage, including that which is hauled to other cities and towns.

ii. Formal Board adoption of fee increases

ACTION: Mr. Sylven made a motion to accept the change to Regulation 36. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

Mr. Guckian made a motion to accept the change to Regulation 42. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

b. Sewer Usage Abatement

Name	Service Address	Reason	Amount
Wilfredo Rios	132 Page Street Plat 350 Lot 0312	Meter ID was reversed with neighbor's meter and this account was overbilled	\$896.72

ACTION: Mr. Guckian moved approval. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

c. Sewer Assessment Abatement

Name	Service Address	Reason	Amount
Leonard T. Maynard Jr.	37 Capron Farm Drive Plat 369 Lot 0024	Property is landlocked and does not have sewer availability	\$14,760.00
Richard L. Johnston	v/l Kingston Street Plat 302 Lot 0450	Property owner paid for infrastructure; assess at 53%	\$5,395.60

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ACTION: Mr. Guckian moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

d. Sewer Assessment Deferment

Name	Year	Address	Reason
Tri-City Elks Lodge	1	1915 West Shore Rd., Plat 352 Lot 0011	Tax exempt; 2.5 acres
Cemetery	1	Carder Road, Plat 358 Lot 0419	Cemetery

ACTION: Mr. Guckian moved approval. Mr. Sylven and Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

7. Construction Division

a. Project Update Report, June 2009

Program Engineer Mat Solitro reviewed progress being made in the Governor Francis II sewer project area.

b. Spring Green Corporation: review progress of private sewer system

Director Burke said the engineers for the Spring Green Corporation's sewer system did respond in writing to our request for information. Mr. Solitro reviewed the submittal with the Board.

c. Contract No. 76A Capron Farms Sewer Extension:

Balancing Change Order: D'Ambra Construction Co., Inc., (\$194,371.92)

ACTION: (Correction made; this is a D'Ambra change order, not a BETA change order, as listed on agenda)

Mr. Jarvis moved approval. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

d. Purchase of replacement hose for sewer camera:

J. F. McDermott Corporation, \$5,602.74

ACTION: Mr. Guckian moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

e. Request for Sewer Extension: Warwick/Bellevue Avenue

ACTION: Mr. Solitro reviewed the request for sewers made by Attorney Sholes. He stated Attorney Sholes must sign a developers agreement and pay for the sewer extension to his property prior to WSA doing the work. Director Burke stated WSA will take the opportunity to add service connections, and share in the cost of the paving. Chairman Sullivan said there are about fifteen people in that area asking for sewer service. Director Burke recommended that the Board approve the extension of sewers on Bellevue Avenue, contingent upon

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Andrew G. Sholes, Esq. entering into a developers agreement with the WSA for the extension of sewers to his property at 1375 Warwick Avenue.

Mr. Sylven made a motion to approve the recommendation. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

f. Construction Schedule: identify and authorize projects, timeline and rate

ACTION: Director Burke stated the last time the Board discussed future construction plans was back in December and, at that time, we were talking about going before the City Council to request some additional revenue bond authorization in order to complete four projects and keep the assessment rate down. She stated since then, we have turned our attention to the Mandatory Sewer Connection Program and seeking more authorities from the City Council in that area versus asking for more money for construction. She stated our Construction Division has been working with our Accountant and the Billing Office to fine-tune the construction projects' expense and revenue estimates. Director Burke stated also, with only enough revenue bond authorization remaining for three projects, knowing that we would be constructing GF II and Sandy Lane, we wanted to determine which of the other projects would make the most sense to construct. She stated the Chairman had indicated to me that he wanted to look at doing the Longmeadow (Bayside IV) project, so we took a closer look. She said the billing staff fine-tuned the assessment revenue projections for each project and found that for GF III there were a lot of large (acre plus) parcels where sewer assessments would most likely be deferred or uncollectable (i.e., City-owned parcels).

Director Burke stated so now we are presenting you with more refined information and would like to get your blessing on the projects we are recommending to be constructed. She stated I am not asking you to do anything with the sewer assessment rate at this time. She said my intention is to go out to bid for a rate study in the Fall. Director Burke stated once we have bid the Longmeadow project, we will have a much better number for those construction costs that can be factored into the rate study.

Chairman Sullivan stated I'm looking at doing two things; authorize construction in Longmeadow, and set an assessment rate. He asked for a motion to make Longmeadow the next sewer project. Mr. Ginaitt moved approval. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

The Board and staff had a lengthy discussion about the assessment rate. Chairman Sullivan suggested the Board hold the current assessment rate at \$82.00 per linear foot and use usage fees to offset the cost of construction. Director Burke and legal counsel will look at WSA enabling legislation and ask our lending authority if WSA can increase the user fee to cover construction debt service. She said the use of revenue bonds requires rate studies be conducted to certify that we have the resources to repay the debt. She will be

drafting a Request for Proposals for an updated rate study. No vote was taken on the assessment rate.

8. Consent Agenda – Correspondence

- a. RIDEM RIPDES Permit No. RI0100234 Draft Consent Agreement (5-22-09)
- b. UPEPA GF II Revised Findings of No Significant Impact (5-22-09)
- c. WSA to RICWFA requesting funds for Sandy Lane project (5-28-09)
- d. WSA to RIDEM Application for Order of Approval, Sandy Lane (5-29-09)
- e. WSA to RIDEM Application for Certificate of Approval, Sandy Lane (6-1-09)
- f. WSA to Councilman Solomon on budget questions (6-1-09)
- g. RIDOH to WSA, May 8, 2009 on-site evaluation report (6-1-09)
- h. BETA Group, Inc. response to Director Burke's letter on Reaffirmation (6-2-09)
- i. WSA financial report to the City Council (6-4-09)
- j. WSA Director's monthly report to Mayor Avedisian (6-15-09)
- k. RIDEM to WSA on Interceptor Bond Fund Grant Offer for GF II (6-16-09)
- l. WSA to URI Sea Grant College Program on Dr. Kincaid's work (6-19-09)
- m. WSA to RIDEM on Draft Consent Agreement (6-19-09)

ACTION: Director Burke asked Pretreatment Coordinator BettyAnne Rossi to comment on Item g. Ms. Rossi stated on May 8, 2009, we had an inspection by the laboratory consultant for the RI Department of Health (RIDOH). She said they don't have any inspection officers on site at RIDOH; they subcontract the work to an outside company. Ms. Rossi stated she was disappointed with the inspection letter; not so much with what the inspector found, but the fact that he had nothing but praise for us when he was here, and unfortunately, the letter doesn't detail our exceptional quality assurance/quality control program and recordkeeping. She said the inspector did find deficiencies and outlined them in his letter listed in Item g. Ms. Rossi spoke to the deficiencies and is preparing a letter to go to RIDOH on the resolution of the deficiencies. Following review of the letter by Director Burke, a copy will be provided in next meeting's consent agenda.

Chairman Sullivan asked that as items of interest are received at WSA, the Board receive copies. Mr. Guckian moved approval of the consent agenda items. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

9. Consent Agenda – Drainlayer Licenses

- a. Christopher V. Francis, ELJ, Inc., 703 Metacom Avenue, Bristol (new)
ACTION: Mr. Guckian moved approval. Mr. Jarvis seconded the motion.
Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

10. New Business No new business discussed under this item.

11. Old Business

a. Buttonwoods Fire District sewer assessment/deferment (7-24-08)

Director Burke stated Steve has been working with my staff and is close to finalizing a letter to Buttonwoods' attorney on this matter of the sewer assessments on vacant land. She said a copy of the letter will be included in the consent agenda.

b. Facilities Plan Review (9-11-08)

Director Burke stated I am in the process of putting the finishing touches on a Request for Qualifications for the Facilities Plan Amendment and Preliminary Design of Treatment Plant Upgrades for Nutrient Removal. She stated I have received comments from numerous parties on the draft document, including the City Purchasing Department, RIDEM, and both our regular legal counsel and the attorney handling our appeal on the new permit. She said I would also like to thank our resident engineer on the Board, Steve Sylven, for reviewing that draft document as well. Mr. Sylven stated Janine did an excellent job putting it together.

12. Discussion Items

a. Economic Stimulus Package

Director Burke stated we just confirmed today that we are getting stimulus funds for the Sandy Lane project in the form of principle forgiveness which is currently 16.4%. She stated it is my understanding that 16.4% is the minimum principle forgiveness and it's possible we could get more if other communities drop off the radar. She said that amounts to around \$250,000 for the Sandy Lane project.

b. Mandatory Sewer Connection Program

Director Burke stated she is preparing to meet with the City Council.

c. Sewer Tie-In Loan Fund

Director Burke stated we met with Clean Water Finance today and we now know exactly what needs to be done to get this program up and running. She stated as I have mentioned before, this is a new program for Clean Water Finance, modeled after the Community Septic System Loan Program, and we are going to be able to help them figure out how to make the program work best for the communities. She stated we may end up being the first community in the State to sign on, in fact, I am hopeful that we will be. Director Burke stated we plan to present a resolution to you next month which would authorize the program by pledging funds in the event of loan defaults. She said we will be working with our bond counsel to prepare a resolution for your consideration at next month's meeting.

13. Open Call for Executive Session Pursuant to RILGL 42-46-5 (a) (2) Litigation: The Grenier Group

Mr. Guckian moved that the Board go into executive session pursuant to RIGL 42-46-5 (a) (2) to discuss litigation, The Grenier Group. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

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At 7:30 p.m., the Board entered executive session.

At 7:58 p.m., the Board returned to open session.

Mr. Guckian moved that the minutes of the June 25, 2009 executive session be kept closed in accordance with RIGL 42-46-4 and 42-46-5 (a) (2) Grenier Group litigation discussion. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

14. Adjournment

Mr. Jarvis moved to adjourn this meeting. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven, and Jarvis voted in favor of the motion. Motion approved. At 7:58 p.m., this meeting ended.

Aaron Guckian, WSA Secretary

Date of Approval