

Fred Sullivan
Chairman

Janine L. Burke
Executive Director



Scott Avedisian
Mayor

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Board Meeting Minutes

December 29, 2009, 6:00 p.m.
WSA Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members in Attendance:	Guests:
Fred Sullivan, Chairman	Councilman John DelGiudice
Aaron Guckian, Secretary	Mr. and Mrs. Robert Bentsen
Steven Sylven, P.E.	Mr. Joseph Almonte
Gary Jarvis	Mr. Jack Kirby
Peter Ginaitt	
Staff Present:	
Janine L. Burke, Executive Director	Steve Zubiago, Legal Counsel

1. **Call to Order** At 6:00 p.m. Chairman Sullivan called this meeting to order.
2. **Approval of Minutes**
 - a. **Approval of minutes from regular meeting held December 17, 2009.**

ACTION: In accordance with RIGL 42-46-7(b)(2), a request is made that the members vote to extend the time period for filing minutes due to the short time between meetings and holiday/vacation schedules. Minutes will be available at the next regularly scheduled meeting January 28, 2010.

Chairman Sullivan stated we will consider approval of the minutes at our next meeting.
3. **Administrative Items**
 - a. **RFP 2010-190: Legal Services for the Warwick Sewer Authority**
 - i. Overview of submitted proposals
 - ii. Define interview schedule

ACTION: Director Burke stated she provided the Board members with a summary of bids submitted that morning. She asked for volunteers to help her review and rank the bidders. Chairman Sullivan suggested everyone on the Board get a copy of the bid submittals to review and discuss at the January meeting. Director Burke said she has them available for the members to take with them tonight. She said the current legal services contract is good through February.

4. Construction Division

a. Request for sewer extension on Kirby Avenue

ACTION: Continued from 12-17-09 meeting.

Mr. Bentsen thanked the Board for addressing their concerns so quickly.

Director Burke reviewed the major issues with a sewer extension on Kirby:

- 1) Kirby Avenue is outside the Facilities Plan
- 2) There are downstream infrastructure issues (limited capacity)
- 3) Where do you draw the line if you accept the flow on Kirby?

She said it's been less than two weeks since our last meeting, with a holiday in between, but we have done considerable research and she did have some additional information for the Board. She said we still need to ask more questions and get more information.

Director Burke stated we think we can sewer this entire area via gravity, but we would need to do borings, profiles, basic civil engineering work to better determine the cost-effectiveness of including this area in the Facilities Plan (and including the cost of improvements to the downstream infrastructure). She said we should take a look at properties affected by the Cesspool Phaseout to see if we can get sewers in there at the same time. She said, unfortunately, all this doesn't help these people with their immediate issues.

Director Burke stated Mat Solitro did come up with a temporary short-term fix to run a low pressure force main from Anglesea (infrastructure now owned by WSA) to service those three houses at a cost of approximately \$90,000. She said low pressure is a less expensive construction method but grinder pumps are needed at each property serviced. Mr. Guckian asked who would pay for this construction.

Director Burke said Mr. Solitro provided another estimate which included nine additional service connections along that same route (approximately \$120,000). She said WSA does not have the funds to pay for this extension. She said if you entertain either option, a developer's agreement would be necessary with the homeowners paying the construction costs.

Director Burke reported that she had RIDEM take a look at the situation. She said they reviewed the soil data from Mr. Almonte's previous application for a new septic system, which indicates that the conditions are unsuitable for septic systems. She said there is a 0 inch water table and very sandy soil according to RIDEM. She said they are usually pretty flexible when it comes to repairing failed systems when they know sewers are in the works. She said she was sure that they would work with us on this. She said they would absolutely support some type of emergency project to connect these houses provided that we include this area in the next Facilities Plan.

Councilman DelGiudice asked about assessment of properties serviced by this potential extension. Director Burke stated she ran some different scenarios on what the cost to the customers would be versus the cost to WSA, the revenues if WSA paid for the extension rather than if the residents paid for construction as developers. She

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said it appears that if the additional nine properties were to be included both options would be cost effective projects because it is a low pressure system; the revenues from assessments should cover the expense.

Mr. Ginaitt asked what would happen with the system ten years down the line if we end up sewerage Kirby; could the low pressure system be integrated easily? Director Burke stated the drainlayer would install their service connections so they could connect to a gravity system if and when one was available. She said there is an easement on Lot 100 being used for a sewer line; the problem is it was with the Anglesea Homeowners' Association. Mr. Ginaitt stated what would happen if they pay an assessment now, and ten years from now WSA extends a gravity line. He said would they be facing another construction assessment? Director Burke said she did not think that would be fair. Mr. Ginaitt stated if we were to construct a gravity line at some point, we would know that there may be properties that will not contribute to the cost of that sewer line because they have already been assessed for the low pressure line and downstream infrastructure. Mr. Guckian stated all this would be in writing to protect the homeowner.

Director Burke stated the Bentsens and Mr. Taravella have over an acre of property and would be assessed based on the acreage formula. She said she assumed in her calculations that they would request a deferment. Mr. Zubiago stated as part of an agreement between WSA and the property owners, they could waive their right to take a deferment of their assessment.

Mr. Almonte stated they were facing significant out of pocket costs for replacing their systems. He said they were amenable to the ideas presented.

Director Burke reviewed with the Board and property owners the estimated costs of sewer extension to three parcels on Kirby.

Mr. Ginaitt spoke of introducing the possibility of a low pressure sewer extension to other property owners in the area. Director Burke stated she could send out letters to property owners to see if there is interest from the other nine residents. Mr. Ginaitt suggested a member of the engineering division go door to door to speak with them about this matter. Mr. Ginaitt stated this may be an opportunity for them to improve their property.

Mr. Guckian stated in the best case scenario, what would be the time frame where they could tie in? Director Burke stated if we had the money, within the next few months we may be able to complete the project. She said, depending on the weather, she thought we could get a special exemption from DPW to open up the road. Mr. Sylvén asked about the easement already in place. Director Burke stated the easement is in place but may not be the instrument to use for this work so WSA would need to secure the proper easement.

Mr. Guckian asked if the Board can take action tonight to help with this situation. Director Burke stated she was looking for a consensus to move ahead to connect the other nine people while we continue reviewing the possibility of bringing sewer service

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to these three parcels. She said she would prefer to go to the end of Kirby to service two additional lots.

Councilman DelGiudice asked if WSA could include those parcels that are highlighted in pink on the map (subject to Cesspool Phaseout Act). Director Burke stated that would be a third option that we will examine.

The Board discussed financial options to pay for the cost of sewer construction. Mr. Bentsen reiterated the urgency of their situation. Mr. Jarvis stated everyone at the table wants to help them, but the dollars need to make sense. Councilman DelGiudice suggested WSA canvas the neighborhood to see if the interest and funding is there to service a greater area. Mr. Sylven stated that WSA would liken this to an emergency connection; put sewers in for these three properties and then if there's other interest in the area, deal with that at that time. He said the pipe used for these three properties should be large enough to service other properties in the area; we also need to confirm the availability of an easement.

Chairman Sullivan suggested WSA contribute to the cost of the sewer extension, with the property owners paying their sewer assessment up front and WSA using on-site funds. Director Burke stated with a developer's agreement, payment for construction must be made up front. She said she would like Mat Solitro to do more research on the sewer extension; legal counsel must review the existing easement, and the financial implications of the extension must be defined. Mr. Jarvis stated it may take a couple of weeks before we get to a point where we can say yes, let's do it.

Chairman Sullivan stated we're talking about putting in a gravity pipe along the easement, and connect these three properties with low pressure. He said the big thing is to get a general consensus so everyone knows what's going on. Director Burke clarified that she was not going to reach out to the rest of the property owners; we're just talking about these three properties for emergency connections right now, and size the line properly so we can use the line in the future.

The Board discussed potential locations for the sewer extension. Director Burke stated there is still much more work for WSA to do. She told the property owners she would be in touch with them and if another special meeting is needed prior to our next regular meeting she will notify them.

5. 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 7:00 p.m. this meeting ended.

Aaron Guckian, WSA Secretary

Date of Approval