

Fred Sullivan  
Chairman

Janine L. Burke  
Executive Director



Scott Avedisian  
Mayor

**Warwick Sewer Authority**  
125 Arthur W. Devine Boulevard  
Warwick, RI 02886  
Voice: (401) 739-4949 • Fax: (401) 739-1414  
T.D.D. (401) 739-9150

## Board Meeting Minutes

**Thursday, May 27, 2010, 5:00 p.m.**  
**Warwick City Hall Council Chambers**  
**3275 Post Road, Warwick**

<b>Board Members in Attendance:</b>	<b>Guests:</b>
Fred Sullivan, Chairman	Chief Ed Armstrong, Warwick Fire Dept.
Steven Sylven, P.E.	Edward Johnson, Sewer Board of Review
Peter Ginaitt	Dennis Setzko, P.E., AECOM, Inc.
Gary Jarvis	Charlie Smith, P.E., AECOM, Inc.
	Steve Cabral, Crossman Engineering, Inc.
<b>Board Members not Present:</b>	Dave Bebyn, B & E Consulting, LLC
Aaron Guckian, Secretary	Attorney Matt DiMario, Shekarchi Law Office
	Mr. and Mrs. Michael Hall
	Members of the public
<b>Staff Present:</b>	
Janine L. Burke, Executive Director	John Revens, WSA Legal Counsel
Lynn F. Owens, Administrative Coordinator	Mat Solitro, Collections System Manager
Bill Miranda, Admin. Technical Assistant	Lynda Ortiz, Tax Collection/Billing Office

1. **Call to Order** At 5:24 p.m. Chairman Sullivan called this meeting to order.
2. **Joint meeting between the Warwick Sewer Authority and the Sewer Board of Review** Chairman Sullivan stated this meeting has to be postponed. He said their attorney and several members were unavailable this evening.
3. **Approval of Minutes**
  - a. Approval of minutes from the regular session held May 12, 2010.  
ACTION: Mr. Jarvis moved approval of the minutes as submitted. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt and Jarvis voted in favor of the motion. Mr. Sylven not available for vote. Motion approved.
4. **March 30, 2010 Pawtuxet River Flooding/City of Warwick State of Emergency**
  - a. Operations & Maintenance Report

Dennis Setzko, P.E., and Charlie Smith, P.E., AECOM, Inc. present to discuss progress being made with the treatment facility reconstruction. Director Burke stated at this point WSA is still doing advanced primary treatment. She said we are working on a budget for reconstruction to be presented to you on June 10<sup>th</sup>.

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She said the building reconstruction is moving along and we may be back in the Administration building by July.

Mr. Setzko stated the phosphorous project has been put on hold; all AECOM efforts are going to flood recovery. He said we have provided RIDEM with a prioritized schedule to get back on line; the response from RIDEM has been positive. He said we are on schedule to get secondary treatment up and running, although we are still using temporary electrical services. Mr. Setzko stated in dealing with FEMA, the insurance company, the re-insurers, we saw the need for a construction manager. He said Charlie Smith is assigned that task and meets weekly with the contractor to keep progress on schedule. He stated we are taking into account RIDEM mandated upgrades as we move forward with the reconstruction. He said we are installing energy efficient equipment at less cost and sized for the new system. Mr. Setzko stated a big issue is the electrical instrumentation because they were under water. He stated Superintendent Burke is overseeing all work.

Mr. Setzko stated we have had discussions with USEPA about providing, through the State of Rhode Island Energy office, grant funds for energy efficiency projects. He said we are looking at cutting edge technologies and will put together a cost effective study on energy efficiency. He said USEPA would like to showcase this plant with the new technologies that are out there and the energy savings that can be achieved. He said the cost effective analysis should be completed by the end of June.

Mr. Ginaitt stated this is a great opportunity to take the initiative and imbed some of these green practices into our treatment process. Director Burke stated she would like to set an aggressive goal to improve energy efficiency.

**b. Collections System Report**

Director Burke reviewed with the Board her memo on "Flood-Related Collection System Issues". See Item 4.d. for action.

**c. Financial Report/Approval of Emergency Purchases**

- i. WSA Emergency Purchases
- ii. Hart Engineering Purchases
- iii. Administrative building furniture and equipment

**ACTION:** Director Burke provided the Board with a spreadsheet listing all flood related purchases since the last report. An itemized listing of purchases over \$5000 was provided to the Board for confirmation (\$1,231,948.09 total). Director Burke stated all purchases will be reimbursed by the insurance company and FEMA. The Board reviewed the spreadsheet and discussed with Director Burke the nature of the expenses and the anticipated spending going forward. No vote was taken confirming the purchases.

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Director Burke stated on June 10, 2010 she will give the Board a summary budget report by category (labor, equipment, etc.) of the flood expenses to date. Mat Solitro provided a detailed report of ongoing efforts to reconstruct the Administrative building. Director Burke stated the insurance company will pay for the administrative building furniture and equipment directly. The Board had an extensive conversation about information technology, computer and server equipment, records retention, data recovery and system backup.

- d. Preliminary Engineering/Cost Estimates for flood mitigation projects: Crossman Engineering, Inc.

ACTION: Steve Cabral, P.E., Crossman Engineering, Inc., present to discuss with the Board the possibility of and costs for moving several pump stations out of the flood plain, including Knight Street and Bellows Street, as well as restructuring the Irving Road pumping station, on its current site, to withstand flooding in the future. A proposal not to exceed \$45,015 was presented to the Board for review. Director Burke stated there may be funding opportunities available to mitigate the flood issues at these stations; WSA will need a cost estimate and an environmental assessment in order to apply for grant funding.

Mr. Sylven moved approval of the proposal pending the availability of funds, prioritizing Bellows Street pumping station, Knight Street pumping station and then Irving Road pumping station. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

## 5. Operations and Maintenance Division

- a. Increase value of R.E. Erickson purchase order for routine operations and maintenance repair work (telephone to radio communication conversion)

ACTION: Director Burke reported that this item is premature; there are funds still available. No action needed.

## 6. Construction Division

- a. Extension of Contract AA unit pricing for one additional year

ACTION: Director Burke stated WSA has an existing contract with D'Ambra Construction Co., Inc. for miscellaneous sewer construction work entitled Contract AA, which is scheduled to expire on June 30<sup>th</sup>. She said D'Ambra Construction Co., Inc. is willing to hold their pricing for an additional year. She said we are asking that you extend the terms of that contract for one year.

Mr. Jarvis asked if WSA is using Contract AA for the Longmeadow sewer project. Director Burke confirmed that on March 25, 2010, the Board approved the use of Contract AA for the Longmeadow project (pending DEM approval). She said the Kirby Avenue work and other miscellaneous sewer extensions (Cowesett Avenue) will be conducted using Contract AA.

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Mr. Jarvis moved approval of the contract extension. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt and Jarvis voted in favor of the motion. Mr. Sylven not available for vote. Motion approved.

**b. Extension of sewers to 450 Cowesett Avenue (Warwick Fire Station No. 5) and neighboring property**

**ACTION:** Director Burke provided a memo to the Board regarding connection of City Fire Station No. 5 to the sewer system. She stated we have been talking about this for a while, and it is becoming a serious public health issue. She said we are looking to assist the Fire Department in connecting to the sewer system. Mat Solitro explained the plan to extend a low-pressure force main from Diamond Hill Road to Station No. 5, also servicing five other properties on the way.

Director Burke stated the estimated cost of the sewer extension is \$26,000.00 (plus the cost of grinder pumps). She said we took a quick look at the (anticipated) assessment revenue, which will exceed the expense of the sewer extension. Director Burke said this area is technically outside the Facilities Plan but public sewers are 400 feet away. She said WSA is in the process of updating the Facilities Plan and could move the line for sewer service. She said the Fire Department received a \$12,000 connection grant from RIDEM.

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

**c. Sewer Project Update Report**  
**i. Sandy Lane Sewer Extension**

Mat Solitro provided an update report on the Sandy Lane project, which is in the final stages of completion. He said WSA has seen 38 connections out of the 115 services available. Director Burke stated the next billing cycle (October) will include assessments for this project.

**ii. Governor Francis Farms II**

Mat Solitro provided an update report on the Governor Francis Farms II sewer project. He stated 155 services are completed to date; two crews continue lateral work. He said following the June 10<sup>th</sup> City Council meeting, WSA is prepared to order the pump station equipment from the manufacturer; there will be a 14-week procurement period. He said D'Ambra will build the pump station building prior to the pump equipment being installed.

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### iii. Bayside IV/Longmeadow

Director Burke stated I am looking for guidance from you on moving this project forward. She said prior to the flood we agreed to use Contract AA for the construction, but since the flood, we are limited in terms of resources. Mat Solitro stated that his past duties included project management on construction jobs. He said plant reconstruction is keeping him very busy. He suggested GRA, Inc. (awarded contract for construction/inspection services on the project) handle the day-to-day construction issues and expressed confidence in Mr. Ravenelle and Mr. Asciola's abilities to oversee the project.

The Board authorized staff to move forward with a public hearing on the project. Director Burke stated she will follow up with RIDEM on using Contract AA for this project, and then schedule a public hearing.

### iv. Kirby Avenue

Mat Solitro stated we are waiting for an easement to be signed to facilitate this sewer extension. He said construction can begin 72 hours after DigSafe is notified; the project may take three weeks to complete.

## 7. Billing Services Division

- a. 2010 Proposed Sewer Rate Schedule and Fee Structure  
Dave Bebyn, B & E Consulting, LLC: Submittal of Revised Report

DISCUSSION/ACTION: Mr. Dave Bebyn present to review his revised 2010 proposed sewer rate schedule and fee structure. Board members were provided with copies of the revised schedule.

Mr. Bebyn stated several revisions were made to the original report to consider additional information that has been provided to B & E, most notably due to the flooding situation and how that has impacted the capital project plans, taking into consideration also the FEMA money that is expected as part of the capital plan itself. He said that information has been incorporated into the Study. He said we now have another quarter of additional billing information; consumption was adjusted in this Study to take into consideration the March consumption number (a decline from the previous projections and the previous year). He said also, the number of connections, now that we have an updated customer count as far as this most recent billing, that data has been applied into the Study as well. He said now that you are almost through your FY 2010 year and have a FY 2011 budget, those budget line items were reviewed and incorporated into the Study.

Mr. Bebyn stated essentially, a lot of the methodology was still adopted into the Study. Mr. Bebyn provided a detailed review of the revised sewer usage rate schedule and fee structure draft document. He said we are still incorporating a

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connect capable (fee), looking at an R & R (renewal and replacement) individual line item, and also looking at billing and service reallocation to have a more equitable customer service charge. Mr. Bebyn stated page 45 lists the B & E proposed rates, (residential: \$32.55, commercial: \$50.08, connect capable charge: \$288.99, renewal and replacement charge: \$0.55, customer service charge based on per unit charge: \$117.55 and various different meter sizes for commercial customers. He said the overall increase in rates would be about 13% if we are looking at total revenues; however, the impact for a typical small residential user would actually be a decline of 4.73%. He said small commercial users will not see a heavy impact (1.5%-3% increase); the larger the users, the more of an impact they have to absorb.

Mr. Bebyn stated he has provided alternate methods. Alternate #1 provides for no connect capable fee; a typical residential user would see about a 5-6% rate increase under this methodology. He said Alternate #2 "pay-go structure" requires an approximate 20% increase overall; however, under this methodology, a residential customer would see a 13% increase.

Mr. Jarvis stated in looking at the proposal, essentially we are looking at decreases in usage fees across the board, from \$43.34 to \$32.55. Mr. Bebyn confirmed this and said the customer services charges would be increased. He said that will give you stability whenever you see fluctuations in consumption.

Mr. Sylven asked if some of the public comments provided at the public hearing were taken into consideration in this revised report. Mr. Bebyn stated most of the comments were related to the assessment rate; this revised report only looks at the use rate. Director Burke stated the flat rate went from \$120.00 in the first study to \$117.56 in this revised report. Mr. Bebyn stated the impact for the residential user in the first report was about 5%; this revised report shows an impact of about 4.7%.

Chairman Sullivan stated the bottom line appears that if we get the connect capable fee, the average person would be paying 4.7% less, and if we don't get a connect capable fee it's about a 5.7% increase. Mr. Bebyn confirmed this.

Director Burke stated the Mayor did sign a resolution of the City Council saying they would meet with us regarding the rate study; the resolution did not assign a date for the meeting. In the interest of fairness and equity for ratepayers, the Board agreed to pursue the connect capable fee with the City Council. They thanked Dave Bebyn for his efforts.

- b. Appeal of Regulation No. 53: On-Site Grant Application**
  - i. Mr. & Mrs. Michael Hall, 87 Brunswick Drive**

**ACTION:** Mr. and Mrs. Hall present to ask for on-site grant funds to help defray the cost of improving their failed on-site system. Director Burke stated the property is within our Facilities Plan but there is no sewer service

available (Greenwood East project has been delayed due to airport expansion plans); the on-site improvements have been completed.

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

**c. Sewer Assessment Abatements**

<b>Name</b>	<b>Service Address</b>	<b>Reason</b>	<b>Amount</b>
T & N Realty, LLC	v/l Chatfield Street Plat 378 Lot 0016	Evidence of wetlands presented; initially assessed on acreage. Reduce assessment to frontage.	\$8,321.03
Charles & Angela Abrosamra	v/l Ellsworth Street Plat 363 lot 0782	Property is landlocked; assessed in error.	\$1,753.60

**ACTION:** Attorney Matt DiMario, K. Joseph Shekarchi Law Office, present to represent T & N Realty, LLC. Director Burke stated a biologist’s report identifies wetlands on the lot. Mr. Jarvis moved approval. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Motion approved.

Regarding Plat 363 Lot 0782, this item was held for further information.

**d. Annual Deferment of Sewer Assessments (New)**

<b>Name</b>	<b>Year</b>	<b>Address</b>	<b>Reason</b>
Buttonwoods Beach Chapel	2	Plat 373 Lot 0209 v/l Ninth Avenue	Religious corporation
Buttonwoods Beach Chapel	2	Plat 373 Lot 0211 v/l Ninth Avenue	Religious corporation
Buttonwoods Beach Chapel	2	Plat 373 Lot 0218 1003 Buttonwoods Ave.	Religious corporation
Buttonwoods Beach Chapel	2	Plat 373 Lot 0219 v/l Buttonwoods Ave.	Religious corporation
Buttonwoods Beach Chapel	2	Plat 373 Lot 222 v/l Ninth Avenue	Religious corporation
Buttonwoods Beach Chapel	2	Plat 373 Lot 224 v/l Ninth Avenue	Religious corporation

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

**8. Administrative Items**

**a. Director’s Report**

- i. FY 2011 Budget
- ii. Financial Report
- iii. Administrative Schedule

**ACTION:** Director Burke stated the budget hearings for FY 2011 begin on June 1<sup>st</sup>; the WSA is scheduled to review its budget on June 7<sup>th</sup>.

**b. Chairman’s Report**

- i. Amendments to By-Laws  
**ACTION:** No discussion. Held.

**9. Consent Agenda – Correspondence**

**a. FY 2011 Project Priority List**

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- b.** RI Historic Preservation & Heritage Commission to PAL regarding sewers on Algonquin Drive (4-15-10)
- c.** City Finance Department to RI Interlocal Trust on reconstruction of WSA Administration buildings (4-19-10)
- d.** Executive Order 2010-09 Partial Rescission of Municipal State of Emergency Declaration (4-21-10)
- e.** RIDEM to WSA regarding RIPDES discharge permit (4-23-10)
- f.** WSA to WFD Chief Sullivan on assistance (4-28-10)
- g.** WSA to State of RI DOA Gallogly on lease of 50 Service Ave. (4-28-10)
- h.** RIDEM to City of Warwick on Cesspool Phase-out Rules (4-30-10)
- i.** WSA to City Council on March/April 2010 expenses (5-3-10)
- j.** CRMC to WSA on Longmeadow sewer system (5-3-10)
- k.** WSA to RICWFA on bond issuance (5-4-10)
- l.** WSA response to Mr. Dempsey's APRA request (5-4-10)
- m.** Crossman Engineering to RIDEM on Spring Green Corporation (5-5-10)
- n.** WSA to RIDEM Director Sullivan in response to 4-23-10 letter (5-5-10)
- o.** WSA to RICWFA on financial impacts of March 2010 flooding (5-6-10)
- p.** Mayor Avedisian press release on collaborative TGIF project (5-7-10)
- q.** Save the Bay Local Hero award letter (5-6-10)
- r.** Mayor Avedisian on Local Hero Award going to WSA (5-13-10)
- s.** RIDEM to NWPCA on Warwick/West Warwick storm efforts (5-14-10)

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

### **10. New Business** No new business discussed.

### **11. Old Business**

- a.** Buttonwoods Fire District
- b.** WSA Deferment Policy
- c.** Mandatory Sewer Connection Program
- d.** Sewer Tie-In Loan Fund
- e.** Facilities Plan Update
- f.** Abatement of Pretreatment Charges
- g.** Sewer Assessment Rate
- h.** Safety Valve Insurance Revenue Sharing Proposal: The Board briefly discussed putting this proposal out to bid, or considering making it an in-house program.

### **12. Open Call for Executive Session Pursuant to RILGL 42-46-5 (a) (2) Litigation: Kristen Court**

Mr. Jarvis moved that the Warwick Sewer Authority convene in executive session in accordance with RIGL 42-46-4 and 42-46-5 (a) (2) to discuss Kristen Court litigation. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, 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 7:50 p.m. the board returned to regular session.

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

**13. Adjournment**

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

At 7:50 p.m. this meeting ended.

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Aaron Guckian, WSA Secretary

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Date of Approval