

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, April 22, 2010, 5:30 p.m.
WSA Administrative Headquarters (temporary location)
50 Service Avenue, Warwick, RI (rear of building)

Board Members in Attendance:	Guests:
Fred Sullivan, Chairman	Members of the public
Aaron Guckian, Secretary	
Steven Sylven, P.E.	
Peter Ginaitt	
Gary Jarvis	
Staff Present:	
Janine L. Burke, Executive Director	John Revens, WSA Legal Counsel
Lynn F. Owens, Administrative Coordinator	Steve Zubiago, Legal Counsel
Bill Miranda, Admin. Technical Assistant	

1. Call to Order At 5:30 p.m. Chairman Sullivan called this meeting to order.

Item No. 12 considered at the start of the meeting. Mr. Guckian moved that the Warwick Sewer Authority convene in executive session in accordance with Rhode Island General Laws 42-46-4 and 42-46-5 (a) (2) to discuss Kristen Court litigation. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian and Sylven voted in favor of the motion. Mr. Jarvis not available for vote. Motion passes.

At 5:32 p.m. the Board entered executive session.

At 6:13 p.m. the Board returned to open session.

Mr. Guckian moved that the minutes of the April 22, 2010 executive session be kept closed in accordance with Rhode Island General Laws 42-46-4 and 42-46-5 (a)(2). Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

2. Approval of Minutes

- a. Approval of minutes from the regular session held February 25, 2010.
Approved April 20, 2010.
- b. Approval of minutes from the regular session held March 25, 2010.
Approved April 20, 2010.

Warwick Sewer Authority Board Meeting Minutes

5:30 p.m., April 22, 2010

WSA Temporary Administrative Offices, 50 Service Ave., Warwick

- c. Approval of minutes from the regular session held April 20, 2010.
(In accordance with RIGL 42-46-7(b)(2), a request is made that the members vote to extend the time period for filing the April 20, 2010 meeting minutes due to time constraints.

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

3. March 30, 2010 Pawtuxet River Flooding/City of Warwick State of Emergency

- a. Operations & Maintenance Report
- b. Collections System Report
- c. Amendment to existing AECOM Contract
ACTION: Approved April 20, 2010.
- d. Confirmation of Hart Engineering Contract
ACTION: Approved April 20, 2010.
- e. Financial Report/Approval of Emergency Purchases
 - i. WSA Emergency Purchases

ACTION: Director Burke stated in addition to emergency purchases approved by the Board on April 20, 2010, there are two more emergency purchases for your review and confirmation. Purchases were made in accordance with the WSA Emergency Purchase Procedures approved by the Board on June 25, 2009.

- a) Inland Waters: \$20,650.00
- b) Hach Company: \$16,450.91

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.

- ii. Hart Engineering Purchases
ACTION: Approved April 20, 2010.

Mr. Ginaitt clarified that action taken April 20, 2010 on \$103,671 Hart Engineering procurement authorization is for the purchase of pumps that will become part of the WSA fixed assets inventory.

- iii. Approval of State of RI Master Price Agreement
ACTION: Approved April 20, 2010.

- f. Confirmation of Executive Order 2010-05
ACTION: Approved April 20, 2010.

- g.** Confirmation of Memorandum of Understanding
ACTION: Approved April 20, 2010.
- h.** Lease of Brooks Building, 50 Service Avenue
ACTION: Approved April 20, 2010.
- i.** Board member site visit to Warwick Wastewater Treatment Facility
Accomplished April 20, 2010.

4. Operations and Maintenance Division

- a.** Increase value of Kent County Electrical purchase order for routine operations and maintenance repair work
ACTION: Held until next meeting.
- b.** Increase value of R.E. Erickson purchase order for routine operations and maintenance repair work
ACTION: Held until next meeting.

- 5. Construction Division** Director Burke provided a brief update on Governor Francis II, Longmeadow and Sandy Lane sewer projects. She stated WSA is allowing emergency sewer connections on a case by case basis. She said there is a serious environmental issue on Kirby Avenue; WSA will finalize the easement and construction will be done this summer. Chairman Sullivan stated the work that's being done in Governor Francis II is on the sewer extensions; no work is being done at the pump station location at Kristen Court.

Director Burke briefed the Board on sewer backups experienced at several properties on Xavier Court during the March 2010 flood. She stated our insurance provider has classified the event as an Act of God and will not pay for the sewer backups. She stated I told Councilman Colantuono that we would look into the issue and offered to camera the sewer line and look at the as-builts to see if there is any hydraulic reason for the backups. She said property owners can install check valves to protect their property in the future. Director Burke stated our pump station never failed during the flooding; there is no liability on the part of WSA.

6. Billing Services Division

- a.** 2010 Proposed Sewer Rate Schedule and Fee Structure
DISCUSSION/ACTION: Chairman Sullivan stated I'd like Janine to continue to work with Dave Bebyn to update his information. Director Burke stated a lot of the items Dave presented are still valid, but a lot of the assumptions made (revenues, capital expenses, etc.) are no longer valid. She said I asked him to meet with us, review the assumptions and update the numbers based on our situation following the flood. Mr. Ginaitt suggested caution when considering FEMA reimbursement; that is a major assumption and WSA should be conservative until commitments are made in writing.

Warwick Sewer Authority Board Meeting Minutes

5:30 p.m., April 22, 2010

WSA Temporary Administrative Offices, 50 Service Ave., Warwick

Mr. Ginaitt moved to extend the contract with B & E Consulting, LLC to revise and update existing sewer rate schedule and fee structure as a result of major changes due to past months flooding. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylvan and Jarvis voted in favor of the motion. Motion approved.

- b. Safety Valve Insurance Revenue Sharing Proposal: Approval of Contract
DISCUSSION/ACTION: Director Burke asked that the Board approve the contract pending Attorney Revens' review of the document. She said she would like to include the revenue sharing in the FY2011 budget. Mr. Ginaitt suggested legal counsel review the document for Board signing in May. He suggested a contract term of three years, with a renewal option of three years, based on performance.

This item will be considered at the next meeting.

7. Industrial Pretreatment Program (IPP)

a. Abatement of Pretreatment Charges

Name	Service Address	Reason	Amount
Express Cleaners/Gemini Cleaners, Inc.	2436 West Shore Road Plat 361, Lot 125	Business sold; account remained active in billing system	\$1,325.00
JSM Stamping, Inc.	24 Greco Lane Plat 274, Lot 264	Business closed; unsuccessful in obtaining payment after significant efforts to locate	\$381.54
Warwick Banquet Hall	1035 West Shore Road Plat 332, Lot 362	Business closed; unsuccessful in obtaining payment after significant efforts to locate	\$695.00
Danny's Pizza	170 Jefferson Boulevard Plat 283, Lot 35	Business closed; unsuccessful in obtaining payment after significant efforts to locate	\$446.62
Grand Buffet	1000 Bald Hill Road Plat 260, Lot 32	Business closed; unsuccessful in obtaining payment after significant efforts to locate	\$20,547.46

ACTION: Held from March 25, 2010. No action taken.

8. Administrative Items

- a. Director's Report
 - i. Financial Report
 - ii. Administrative Schedule

ACTION: Director Burke stated we had a kick-off meeting this morning with FEMA and were given direction on how to proceed with the development of scopes of damage, disaster recovery projects and reimbursement. She said there are FEMA tours planned for tomorrow and some folks from Washington are coming in for a tour on Monday.

Warwick Sewer Authority Board Meeting Minutes

5:30 p.m., April 22, 2010

WSA Temporary Administrative Offices, 50 Service Ave., Warwick

Director Burke stated I need to bring to you our FY2011 budget in early May; the Finance Director needs to see it by May 15th. She asked that the Board meet more regularly during this busy time. Chairman Sullivan stated everyone must check their schedules on availability.

Director Burke stated the City's next furlough day is Friday, April 30th.

Mr. Ginaitt asked where do we stand with the Army Corps of Engineers? Director Burke stated the Army Corps came in two weeks ago. She stated they looked at the levee, performed a camera inspection of the storm drain system and took some information away with them. She said once we get a report from the Army Corps (1-2 weeks), we can take that recommendation to the State to support a request for grant funds. She said all funds are distributed and reallocated through the Governor's office.

b. Chairman's Report

i. Proposed Amendments to By-Laws

ACTION: Amendments to be reviewed by legal counsel.

Chairman Sullivan stated with all that's going on, we don't want to lose sight of the fact that we want to form committees. He said Aaron is spearheading the creation of an advisory committee. He suggested we add this to our next month's agenda as an action item. Mr. Guckian asked that legal counsel look at how other cities and towns structure citizens advisory committees.

9. Consent Agenda – Correspondence

- a. Executive Order 2010-03 Declaring City State of Emergency (3-30-10)
- b. Senators Reed and Whitehouse to President Obama (3-30-10)
- c. RI DOA to Mayor Avedisian regarding 50 Service Avenue (4-5-10)
- d. WSA to City Emergency Management on assistance from US Army Corp of Engineers (4-7-10)
- e. RIEMA to WSA on FEMA/State applicant briefing (4-13-10)
- f. RI Interlocal Trust regarding flood damage to WSA buildings and contents (4-15-10)

ACTION: Approved April 20, 2010.

10. New Business

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

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

Warwick Sewer Authority Board Meeting Minutes

5:30 p.m., April 22, 2010

WSA Temporary Administrative Offices, 50 Service Ave., Warwick

See page 1.

13. Adjournment

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.

At 8:52 p.m. this meeting ended.

Aaron Guckian, WSA Secretary

Date of Approval