

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

**March 25, 2010, 5:30 p.m.**  
WSA Conference Room  
125 Arthur W. Devine Boulevard  
Warwick, RI 02886

<b>Board Members in Attendance:</b>	<b>Guests:</b>
Fred Sullivan, Chairman	Councilwoman Donna Travis, Ward 6
Aaron Guckian, Secretary	Julie Finn, Sewer Board of Review Chair
Steven Sylven, P.E.	Peter Ruggiero, City Solicitor
Gary Jarvis	John Revens
Peter Ginaitt	Dennis Setzko, P.E., AECOM
	Eric Meserv, P.E., AECOM
	Todd Ravenelle, GRA, Inc.
	Richard Wilkins, D'Ambra Const. Co.
	Mrs. Barbara McCarty (and daughter)
	Kirby Avenue property owners
<b>Staff Present:</b>	
Janine L. Burke, Executive Director	Steve Zubiago, Legal Counsel
Patrick F. Doyle, Assistant Superintendent	Mat Solitro, Program Engineer
Lynn F. Owens, Administrative Coordinator	

Prior to the meeting being called to order, Chairman Sullivan introduced Councilwoman Donna Travis who came to the meeting to speak about the mandatory sewer connection letters recently sent to her constituents in the Capron Farms project area.

**1. Call to Order** At 5:40 p.m. Chairman Sullivan called this meeting to order.

### **2. Approval of Minutes**

**a. Approval of minutes from the special session held February 24, 2010.**

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

**b. Approval of minutes from the regular session held February 25, 2010.**

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 lack of available personnel. Minutes will be available at the next regularly scheduled meeting April 22, 2010.

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

**3. Operations & Maintenance Division**

**a. Facilities Plan Update: AECOM monthly progress report**

ACTION: Dennis Setzko, P.E., and Eric Meserv, P.E., provided an overview of the project and detailed progress being made.

**4. Construction Division**

**a. Project Update Report, March 2010**

Mat Solitro provided a construction project update report to the Board which included facts about construction in the Governor Francis II project area. WSA is waiting for the formal approval from the State's Historical Preservation Office to begin work on Algonquin.

Attorney Zubiago stated the City Council did not approve our request for a zone change on the Kristen Court lot until we received a summary motion. He said the judge agreed with WSA on all accounts and dismissed the case; a complete victory for WSA. He said Mr. Carlone may appeal the judge's decision. Director Burke spoke about the cost to WSA to respond to this challenge to build a pump station on city owned land. Mr. Zubiago stated the City Council must grant the zone change, then WSA can proceed with National Grid and D'Ambra work on the station.

Mat Solitro stated we will begin final paving in the Sandy Lane project area in April.

**b. Request for sewer extension on Kirby Avenue**

ACTION: Continued from 12-17-09 meeting.

Director Burke prepared a spreadsheet detailing construction cost options for each property owner in the proposed construction area. She explained the assessment spreadsheet and deferment options available. Donna Wheeler said the extension of sewers would produce a financial hardship for her. Mr. Jarvis said an appeal to the Sewer Board of Review is an option following sewer construction and assessment. Director Burke stated she will direct Attorney John Revens to finalize the private property easement required to facilitate this sewer extension.

Mr. Guckian moved to approve this sewer extension under Option 2 with WSA paying for the sewer extension. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved. Messrs. Bentsen, Almonte and Taravella thanked the Board for their consideration.

**c. Amendment to Contract 85A (Governor Francis Farms Phase II)**

Change Order No. 1, D'Ambra Construction Company, Inc.: \$6,888.38  
(Compensation for asphalt and diesel fuel adjustments for 2009)

ACTION: Mr. Ravenelle, GRA, Inc., explained that this change order is in compliance with RIDOT standards. Mr. Sylven moved approval. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

**d. Amendment to Contract 85A (Governor Francis Farms Phase II)**

Change Order No. 2, D'Ambra Construction Company, Inc.:  
\$95,905 *estimated costs* (extension of sewers on to Pocahontas Drive)

ACTION: Mat Solitro explained that the assessment projections will cover the cost of sewer construction in this extension area. He said the costs to extend sewers to Pocahontas Drive will be reflected in a balancing change order at the end of the 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.

**e. Amendment to Contract AA (Construction of System of Sewers)**

D'Ambra Construction Company, Inc.

Work Order for Longmeadow/Bayside IV Sewer Extension Project:  
\$3,525,212.90

ACTION: Director Burke stated WSA would like to use Contract AA for sewer construction in the Longmeadow/Bayside IV project area. She said RIDEM has given verbal approval for the use of this publicly bid contract to construct this project. Mr. Ginaitt moved approval provided all permitting and approvals are in place. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved. Mr. Ginaitt asked for a copy of the project map.

**f. Amendment to Contract for Design Services for Longmeadow/Bayside IV**

Gordon R. Archibald: \$385,310.00 (resident engineering and inspections)

ACTION: Mr. Ravenelle stated GRA, Inc. has agreed to hold its rates from the Governor Francis II sewer project. Mr. Sylven moved approval. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved.

Mr. Jarvis credited Mr. Solitro and Mr. Feeney for doing a good job saving money on construction projects.

**g. Sewer Maintenance Agreement with Spring Green Corporation**

ACTION: Director Burke stated the maintenance agreement between WSA and the Spring Green Corporation is complete and details WSA's maintenance of

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

**5. Billing Services Division**

**a. Revise/Update Existing Sewer Rates**

DISCUSSION/ACTION: A public hearing on the proposed sewer assessment rate was held on March 24, 2010.

**b. Proposed Sewer Assessment Rate (Amendment to Regulation 44)**

DISCUSSION/ACTION: Chairman Sullivan asked that this item be held for one month. Director Burke stated WSA plans to make a presentation to the City Council on the rate study the last week of April.

**c. Sewer Usage Abatement**

Name	Service Address	Reason	Amount
West Bay Community Action 224 Buttonwoods Avenue Warwick, RI 02886	22 Astral Street Plat 312, Lot 149	Water leak; bill changed by Water Department	\$4,368.28

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

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

Name	Year	Address	Reason
One Ninety – Six 199 Bethel Street, LLC	1	Plat 330, Lot 0196 Old Homestead Road	Vacant lot; 11.76 acres

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

**6. 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: Following discussion regarding efforts to improve collection of outstanding payments, Mr. Jarvis made a motion to hold action on these items.

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

**b. Use of IPP Fine Money**

DISCUSSION/ACTION: Director Burke stated to date Pretreatment has collected about \$1,500.00 in fines. She said in the past, WSA gave scholarships to students from the public high schools. She said the fine money can go to any public outreach and education program. Director Burke stated the Mayor has suggested WSA support the Rhode Island shell fishermen's reseeding program. Mr. Ginaitt stated the reseeding program is a great environmental pretreatment device for the bay and it stimulates the quahogging industry. Director Burke stated if the Board is in favor of using the fine money for this program she will get more details.

**7. Administrative Items**

**a. Director's Report**

- i. **Financial Report**
- ii. **Administrative Schedule**

ACTION: Director Burke provided her financial report to the Board.

**b. Chairman's Report**

- i. **Proposed Amendments to By-Laws**

ACTION/DISCUSSION: No discussion of by-laws.

**c. Transfer of Lamar Billboard Money to City's General Fund**

(Balance of \$124,800 in Treasurer's Agent Account # 360-0292)

ACTION: Mr. Jarvis moved approval of the one-time transfer of funds to the general fund, thereby reducing our debt to the City, and reserving the right to collect future lease funds. Mr. Sylven seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved. Mr. Guckian commended Chairman Sullivan on the idea.

**8. Consent Agenda – 2010 Drainlayer Licenses**

**a. RI Sewer Connection (Renewal 3-17-10)**

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

**9. Consent Agenda – Correspondence**

- a. RIDEM to WSA: 2009 Compliance Evaluation Inspection of Wastewater Treatment Facility (2-17-10)
- b. Representative Joseph M. McNamara to WSA: Draft legislation relating to state affairs and government (2-24-10)
- c. WSA to Edward DeMatteis: Follow-up to Notice of Violation for failure to connect to sewers within one year of sale (2-25-10)

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- d. WSA financial report to City Council (3-1-10)
- e. City of Warwick to John C. Revens: Award of contract for WSA legal services to Revens, Revens, & St. Pierre (3-2-10)
- f. WSA to Roy Dempsey: Response to public information request (3-2-10)
- g. WSA to Representative Joseph M. McNamara: Proposed legislation H-7225 (3-3-10)
- h. WSA to Mukesh Tandon, 196-199 Bethel Street, LLC: Sewer assessment on Plat 330, Lot 196 (3-9-10)
- i. WSA Final Order (sample) to owners of properties in the Capron Farms project area to connect to sewers (3-15-10)

ACTION: Mr. Jarvis stated Councilwoman Travis was here and made some comments on the connection orders in Capron Farms. He said I agree with her and should consider her comments. He said I've never been a strong proponent of mandatory connections, although I know the State is trying to mandate connections. He said I would reiterate the Councilwoman's comments and give people some time to connect. He said a compromise would be good. Mr. Guckian stated the letter was harsh. Director Burke stated RIDEM had a lot of input into this correspondence. She said we are talking to the people in the area and are trying to assist with grant funds and understand their specific issues. She said we are working within the parameters we've been given.

Mr. Sylven 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.

### 10. New Business

- a. Response to Storm/Pawtuxet River Flooding

DISCUSSION/ACTION: Chairman Sullivan asked Peter Ginaitt and Steve Sylven to form an ad hoc committee to review storm damage from the March 16<sup>th</sup> flooding event.

Mr. Ginaitt stated we have some real challenges ahead of us; we are very fortunate that the storm didn't get worse. He said if the Arctic Dam had let loose we would have had a catastrophic environmental event at WSA. He said we were approximately 1.5' from overflow of our earthen dam. He said I did speak with RIEMA; they would be happy to facilitate a meeting with FEMA, but our losses (from this storm) were not at the level that qualifies for reimbursement. Mr. Ginaitt commended the staff for their diligence during the event. He emphasized the importance of our levee. He said we need to mitigate conditions at Bellows Street and Knight Street to maintain the integrity of those pump stations, particularly during these significant storm events. Mr. Ginaitt stated we need to look at our emergency management plan. Director Burke stated our insurance will cover losses at the Bellows and Knight Street pump stations. The Board thanked all WSA staff for their efforts.

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**11. Old Business**

- a. Buttonwoods Fire District
- b. WSA Deferment Policy
- c. Mandatory Sewer Connection Program
- d. Sewer Tie-In Loan Fund
- e. William and Barbara McCarty, 7 Eleventh Avenue

Director Burke stated Mrs. McCarty is seeking reimbursement from the City for costs associated with a Sewer Board of Review decision which required her to merge lots in order to reduce her sewer assessment. City Solicitor Peter Ruggiero and Sewer Board of Review Chairman Julie Finn were present to explain to Mr. McCarty and the WSA Board that their decision on Mrs. McCarty's appeal of her sewer assessment was done appropriately and in accordance with the law.

Following discussion of the matter, Mr. Sylven made a motion to abate Mrs. McCarty's sewer assessment by half of her expenses. Mr. Guckian seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion passes. Sewer assessment will be abated by \$2,400.00.

Chairman Sullivan asked that a meeting be set up between the WSA Board of Directors and the Sewer Board of Review. Director Burke stated I will set up a special meeting of the two Boards to review guidelines and procedures.

- f. Safety Valve Insurance Revenue Sharing Contract: Director Burke stated I'm hoping to bring the contract before you next month.

**12. Adjournment**

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

At 7:17 p.m. this meeting ended.

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Aaron, Guckian, Secretary