

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

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

Board Members in Attendance:	Guests:
Fred Sullivan, Chairman	James J. Geremia, P.E., Geremia & Assoc.
Aaron Guckian, Secretary	Dennis Setzko, P.E., AECOM
Steven Sylven, P.E.	Mr. Joseph Almonte
Gary Jarvis	Mr. Gary Taravella
Peter Ginaitt	Mr. Joseph Almonte
	Kirby Avenue property owners
Staff Present:	
Janine L. Burke, Executive Director	Jodi Bourque, Nixon Peabody Legal Counsel
Joel F. Burke, Superintendent	Steve Zubiago, Legal Counsel
Mat Solitro, Program Engineer	Lynn F. Owens, Administrative Coordinator

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 regular meeting held January 28, 2010.**
ACTION: 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.
3. **Operations & Maintenance Division**
 - a. **Facilities Plan Update: AECOM monthly progress report**
ACTION: Mr. Dennis Setzko, P.E., AECOM, presented a Facilities Plan monthly progress report to the Board and submitted an updated schedule.
 - b. **Repair of main sewage pump – Cedar Swamp Pump Station**
A. W. Chesterton Company: \$12,285.00.

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.

4. Construction Division

a. Project Update Report, February 2010

Mr. Solitro reviewed the status of the Sandy Lane sewer extension. Construction has shut down for the winter. Mr. Solitro reviewed the status of the Governor Francis II sewer project. Work will resume on March 15th. Mr. Jarvis asked about the status of the Gaspee Point project. Mr. Solitro stated we are working on the maintenance agreement between Spring Green Corporation and WSA.

Director Burke stated we received the Value Engineering report from Crossman yesterday. She said Mat needs to review it and then discuss any plan changes he feels are warranted with the design engineer (Gordon Archibald), who will then revise the plans and prepare bid specifications/contract documents.

Director Burke state we did discuss breaking up the project into three phases, and we got the verbal authorization from DEM (provided legal counsel signs off) to use Contract AA to construct the extension of sewers into Longmeadow. She stated I wanted to talk to the Board about this because I am back to thinking we need to go out to bid for this project (even though Contract AA was publically bid). She said it's a public perception thing for me, but there are valid reasons to do it either way; we would be able to get a shovel in the ground earlier if we use Contract AA.

Director Burke stated I think we are all in agreement that this will be the last major project we construct. She said we have to move forward with construction of the Longmeadow project for a number of reasons, not the least of which is we are already paying debt service on it even though the loan money for construction has not yet been drawn down due to the suspension of our construction program in 2007 which delayed a lot of the projects (we lost a whole construction season). She said Longmeadow is a pretty straightforward project and I expect we would be able to bid it and construct it this 2010 season, with final paving in 2011.

Director Burke stated the other thing I wanted to talk to the Board about was whether we can go with Gordon Archibald for construction management services (inspections, resident engineering, administration, etc.). She said in the past we have gotten quotes from three engineering companies for construction project management services. She said traditionally this work goes to the design engineer and in getting three quotes, the design engineer usually is the lowest. She said it can be done with an amendment to their current engineering design contract, which I would recommend to the Board.

Mr. Solitro stated GRA has agreed to hold the Governor Francis II unit prices for the Longmeadow project. Director Burke stated if you're in general agreement, we'd ask Todd Ravenelle to give us a contract amendment proposal for your consideration. She said she would like to draft a letter to go to the residents of the project area giving them the schedule for the project and other information about it.

The Board agreed to consider using Contract AA to construct the Longmeadow project and GRA to conduct construction/inspection services on the project. Formal contract proposals will be presented to the Board on March 25, 2010.

b. Request for sewer extension on Kirby Avenue

ACTION: Continued from 12-17-09 meeting

The following property owners were in attendance and participated in the discussion about this proposed sewer extension and its cost:

Dr. Bishnu L. Rauth, 310 Kirby Avenue (represented by sister)

Donna M. Wheeler, 150 Kirby Avenue

Sofiya Rudayev, 239 Kirby Avenue

Philip and Janine Place, 157 Kirby Avenue

David Cloxton, v/l Kirby Avenue

Bill Nixon, 281 Kirby Avenue

Gary Taravella, 230 Kirby Avenue

Joe Almonte, 170 Kirby Avenue

Earlier in the day, Director Burke provided the Board with a summary document of the properties involved and funding options for this proposed sewer extension. After a lengthy discussion, Director Burke offered to send property owners in the extension area another letter itemizing the options available with associated costs. This item will be considered again on March 25, 2010.

c. Sandy Lane Sewer Extension: Change Order No. 3, Additional Construction Services. Garofalo & Associates, Inc.: \$9,800.00

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

d. Authorization to include Pocahontas Drive in Governor Francis II project

ACTION: In August 2009, at the Chairman's suggestion, WSA reached out to property owners on Pocahontas Drive that were originally included in the GF III project to see if it's possible to include them in the GF II project. Mr. Solitro stated a design and cost estimate have been prepared to provide sewer service to eleven properties. Director Burke stated the estimated cost for this sewer extension is \$99,785 versus \$105,698 estimated sewer assessment principle (\$184,567 over 20 years). She said if approved, we would need to obtain a modified Order of Approval from DEM before proceeding with the work. Director Burke stated a change order will be presented at the March 25th meeting for formal approval.

5. Billing Services Division

a. Safety Valve Revenue Sharing Proposal

DISCUSSION/ACTION: Mr. Paul Roberts of Safety Valve Corporation, Bridgeport, CT, made a presentation to the Board about a water and sewer line protection program available to Warwick property owners for emergency repair

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services. Mr. Roberts discussed the revenue sharing opportunity available for WSA and the City’s Water Division. Board members were provided with program information.

Following Mr. Roberts’ presentation and discussion amongst the Board and staff, Mr. Ginaitt made a motion to pursue this revenue sharing opportunity. Mr. Jarvis seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Mr. Guckian unavailable for vote. Motion passes. Mr. Roberts will prepare a contract for the Board to consider at its next meeting.

b. Revise/Update Existing Sewer Rate Schedule and Fee Structure

DISCUSSION/ACTION: Director Burke stated we need to schedule a meeting with the City Council as soon as possible so we can start having a series of public hearings on the usage rate and fee structure.

Chairman Sullivan asked that a public hearing be scheduled to present the sewer assessment portion of the rate study. He asked that the usage rate schedule and fee structure be presented to the City Council, with Mr. Bebyn present to explain the connect capable fee. Director Burke suggested we ask the Mayor’s office to assist in getting the City Council to docket our appearance. Chairman Sullivan suggested we wait a week; if nothing happens by the end of the week, do what you’ve got to do.

Director Burke stated I would advise breaking up the public hearings to target distinctly different audiences – residential home owners, commercial customers and maybe even large residential customers. She said input from our customers is vital to making the recommended changes or modifying the recommendations to address any major concerns.

c. Sewer Usage Abatement

Name	Service Address	Reason	Amount
Thomas R. Carbone	30 Duluth Avenue Plat 330 Lot 0157	Deduct meter installed; credit outside water usage	\$266.35

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

d. Annual Deferment of Sewer Assessments (2010 Renewals)

Name	Year	Address	Reason
David & Linda Brown	9	24 Desmar Ct., Plat 359, Lot 0608	Single family; 1.78 acres

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

6. Industrial Pretreatment Division No items for Board consideration.

7. Administrative Items

a. Director's Report

Director Burke stated we are continuing to follow up on issues from the December 16th meeting. She said unfortunately we are stretched pretty thin and this type of outreach work is usually what falls off my plate with everything else we have going on.

Director Burke stated per Aaron's suggestion, we are working on a series of essays or "blogs" on various topics to publish on our website. She said we have been focusing on the website as a way of improving information exchange with the public. Director Burke previewed the improved website for the Board. She suggested each member go through the site and make recommendations for changes or additional information they would like to see out there. She said we would like to introduce the new website very soon, maybe issue a press release to let everyone know what we are doing. Director Burke stated starting next week, provided we can get the new site up and running, I would like to start publishing blogs or essays on various important topics starting with the issue of Mandatory Connections versus Connect Capable Fees. She said in fairly short order, we should be able to publish copies of various presentations that I have produced on various topics, including the December 16th presentation to the City Council on the future of the Warwick Sewer Authority, my presentation to you on the Mandatory Sewer Connection Program, my presentation on the Construction Program and summaries on construction/bond spending, the history and public health/environmental benefits of sewers, financial information/usage and assessment rates.

Director Burke stated I would respectfully suggest to the Chairman that someone from the Board be assigned to work with me on the website.

i. Financial Report

Director Burke stated quarterly sewer usage bills are going out next week. She said we produced a short bill stuffer to inform customers of the availability of the Rate Study and to give them a heads up that we are in the process of upgrading the billing software system. She said the insert directs customers to the website for more information.

Director Burke stated we have been working again on our end of year projections and generally keeping an eye on our budget. She said we were asked by the Finance Office to come up with some expense cuts like everyone else in City government is being asked to do. She said we went through the budget again and cut \$369K from the O&M budget and will probably see another \$150K in salary savings before June 30th. She said the biggest cut was in the Engineering Services line item where we had \$150K budgeted for Facilities Planning. Director Burke stated we now plan to use some GOBS money to pay for engineering design of the plant upgrades and those expenses can be reimbursed down the road when we go for a construction loan. She said overall, we will probably see around \$500K in reduced expenses, however, we are going to need all of that and more since the revenues continue to lag behind budget projections.

ii. Administrative Schedule

Director Burke stated I just want to remind the Board that our administrative offices will be closed as part of the City-wide furlough on Fridays March 19th, April 9th, April 30th, and May 14th. She said we have a meeting next week with DEM and CRMC regarding our mandatory connection program and compliance with the DEM grant and CRMC permit requirements.

b. Chairman's Report

Chairman Sullivan stated regarding the LAMAR billboard, at this time there is \$124,800.00 sitting in an account. He said what I am proposing, and the Mayor likes the idea, is that we relinquish those funds to the City, but not the right to the sign or any other monies associated with that contract. Chairman Sullivan stated the funds would pay down our debt to the City. This item will appear on next month's agenda for formal action.

i. Proposed Amendments to By-Laws

1. Section 3.1 Election

ACTION: The Board discussed the proposed amendment to Section 3.1 and agreed to change the word "opposing" to "different" regarding the election of chairman and secretary.

2. Section 4.6 Committees

3. Section 4.7 Appointment to Committees

4. Section 4.8 Function of Committees

ACTION/DISCUSSION: Chairman Sullivan suggested committees be set up to allow the public to comment on WSA business. Mr. Ginaitt agreed, with the Chair setting standard procedure to keep the committee meetings organized and productive. Discussion was held about when the committee meetings should be held. Mr. Guckian stated rather than have committees, if there's a lot of people at a meeting, the Chair can ask that the rules be suspended to allow the public to address the Board. Mr. Jarvis suggested WSA start a public comment period the first half hour of every other meeting. Mr. Ginaitt stated the Narragansett Bay Commission (NBC) had a public advisory committee (non-voting, non-political) that provided good interaction between the Commission members and the public.

Director Burke stated she has the by-laws for the NBC Citizens Advisory Committee. She offered to forward the information to the Board for their consideration. No action taken; discussion of this initiative will continue.

c. RFP 2010-190: Legal Services for the Warwick Sewer Authority

ACTION: Chairman Sullivan stated as you know, we conducted interviews with three fine firms and got some positive information from all of them. Mr. Ginaitt stated from my perspective, it came down to dollars. He said we asked all of them if there were any conflicts of interest. Mr. Ginaitt moved to award the contract to the low bidder, John Revens of Revens, Revens & St. Pierre. Mr. Jarvis seconded the motion. Mr. Sylven also seconded the motion, stating while he did not sit in on the interviews, he is basing his vote on a review of the proposals submitted. Chairman Sullivan, Messrs. Ginaitt, Guckian, Sylven and Jarvis voted in favor of the motion. Motion approved unanimously.

It was agreed that Nixon Peabody will continue to represent WSA in the Kristen Court matter. All other WSA business will be transferred to John Revens effective April 1, 2010.

Mr. Jarvis stated Steve, you have done a great job and this decision is not a reflection of your abilities. All thanked Mr. Zubiago for his work with the WSA.

8. Consent Agenda – 2010 Drainlayer Licenses

- a. Laserds, LLC, 7 Tallman Avenue, East Providence (New 2-1-10)
- b. Langford Bros. Excavating, 212 Hope Rd., Cranston (Renewal 2-3-10)

ACTION: Mr. Jarvis made a motion to accept the consent agenda. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Mr. Guckian unavailable for vote. Motion passes.

9. Consent Agenda – Correspondence

- a. WSA to CRMC: MSCP December 2009 Quarterly report (1-29-10)
- b. WSA financial report to City Council (2-1-10)
- c. RIDEM to WSA: RIPDES Permit No. RI0100234 Consent Agreement RIA-402 (2-8-10)
- d. WSA letter (sample) to owners of vacant lots in Capron Farms (2-11-10)
- e. WSA RFP #2010-190 Legal Services interview letters (2-16-10)
- f. WSA Special Session agenda (2-17-10)

ACTION: Mr. Jarvis made a motion to accept the consent agenda. Mr. Ginaitt seconded the motion. Chairman Sullivan, Messrs. Ginaitt, Sylven and Jarvis voted in favor of the motion. Mr. Guckian unavailable for vote. Motion passes.

10. New Business

11. Old Business

- a. Buttonwoods Fire District: no discussion.
- b. WSA Deferment Policy: no discussion.
- c. Mandatory Sewer Connection Program

Director Burke stated as you know, last summer we started enforcing the state law requiring connection to sewers within one year of sale of a property with sewer service availability. She said most of the properties have come into compliance; however we did have to bill several homeowners as if they were connected to sewers, which is the penalty in the law. She said one person is refusing to pay the penalty and my response has been that, once the property has been connected, I would recommend to you an abatement of the penalty.

Director Burke stated after our initial enforcement efforts, we decided to wait until the low-interest loan program was up and running before issuing more Notices of Violations. She stated however, I explained last month what the hold up is with that program and it may be a while longer before we know whether that program is going to be available to us.

Director Burke stated we currently have a list of another nine (9) properties across the City that have not complied with the law, five (5) of which are cesspools. She said I see no reason to not enforce the State law but I wanted to run it by you in light of the scrutiny we are under.

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The Board suggested these Notices of Violation be held for one month.

- d. Sewer Tie-In Loan Fund: no discussion.
- e. William and Barbara McCarty, 7 Eleventh Avenue
This item will be considered at the March 25, 2010 meeting.

12. Adjournment

Mr. Guckian moved to adjourn this meeting. 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