

Aaron Guckian
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

BOARD MEETING MINUTES

Wednesday, November 20, 2013, 5:30 p.m.
Warwick Sewer Authority Conference Room
125 Arthur W. Devine Boulevard
Warwick, RI 02886

Board Members present:	Guests:
Aaron Guckian, Chairman	Brian King, P. E., Crossman Engineering
Gary C. Jarvis, Secretary	Richard Geldard, P.E., Crossman Eng.
Peter Ginaitt	Paul Roberts, Homeowner Safety Valve Co.
Steve Sylven, P.E.	
Gary P. Marino	
Staff present:	
Janine L. Burke, Executive Director	John Revens, Revens, Revens & St. Pierre
Patrick Doyle, Superintendent	Angelo Simone, Revens, Revens & St. Pierre
Mathew Solitro, Collection Systems Manager	Lynn F. Owens, Administrative Coordinator
Lynda Ortiz, Finance/Customer Serv. Mngr.	

- 1. Call to Order** At 5:36 p.m. Chairman Guckian called this meeting to order.
- 2. Pledge of Allegiance** All those in attendance rose to salute the American flag and recited the Pledge of Allegiance.
- 3. Open Call to go into Executive Session Pursuant to RIGL 42-46-5 (a) (2) to discuss litigation.**

ACTION: Secretary Jarvis moved that the Warwick Sewer Authority convene in executive session in accordance with the Rhode Island General Laws 42-46-4 and 42-46-5 (a) (2) to discuss litigation. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

At 5:36 p.m. the WSA Board entered executive session.

At 6:02 p.m. the WSA Board returned to open session.

4. Return to Open Session: Vote to seal the minutes of the executive session in accordance with RIGL 42-46-4 and 42-46-7.

ACTION: Secretary Jarvis moved that the minutes of the November 20, 2013 executive session be kept closed in accordance with Rhode Island General Laws 42-46-4 and 42-46-5 (a) (2) discussing litigation. Mr. Ginaitt seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

5. Approval of Minutes

- a. Approval of minutes from the regular meeting held October 23, 2013.

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

6. Collection System Division: no items for consideration.

7. AWT-Phosphorus & Flood Control Project, Contract No. 91

- a. AECOM submitted a progress report and updated combined schedule:

“Consent Decree & Funding: Provided detailed cost estimate for use in the [FEMA] grant application.

Engineering Evaluations: Task completed.

Design Progress: Continued work on 90% design.

Permitting:

- Continued work on RIDEM Wetlands permit, Stormwater Protection Plan, and permitting plan.
- Continued work on stormwater report necessary for RIDEM permit.
- Began addressing comments from DOT.

Miscellaneous: Held ongoing discussions with Neuros regarding the blower repairs and extended warranty.”

Director Burke asked if any of the Board members were interested in reviewing the 90% design plans for the levee. She stated a review meeting was being scheduled for the first week in December. She stated we are still on schedule to go out to bid in the spring. Messrs. Sylven and Marino agreed to participate in the review meeting.

Director Burke stated she had asked AECOM to prepare a proposal for engineering services during the construction phase of the project. She stated we will probably have this ready for the Board’s consideration early next year.

8. Flood Protection and Mitigation

a. Bellows Street Pumping Station

- i. Crossman Engineering to submit progress report
Brian King, P.E., and Richard Geldard, P.E., in attendance. Mr. Geldard introduced himself as the residential engineer on the project. Mr. King and Mr. Geldard reported on the progress being made at the site:
 - J. H. Lynch is continuing the dewatering on site, but has scaled down the operations because construction activities are now at higher grade elevations. The well point system is no longer required.
 - The wet well and building installation is complete and the deep excavation areas have been partially backfilled.
 - New utility services have been installed on site, including an 18-inch gravity sewer line, a 12-inch sewer force main, the gas service line, water service line and utility pole.
 - Installation of the internal components in the wet well and building have begun, including:
 - Piping in wet well
 - Securing a staircase and ladders
 - Installing louver vents and screens
 - Other miscellaneous items
 - Upcoming construction activities are:
 - Install retaining wall in front of building
 - Install gas meter and electrical wires
 - Continue backfill on site
 - Continue installation of the building's internal components

Crossman reported that Lynch submitted an updated construction schedule reflecting that the anticipated construction completion date is approximately 106 days beyond the approved October 31, 2013 completion date.

Pictures of the site work were included in Crossman's report. Mr. Sylven questioned a picture on page 14, and stated it appears used fittings are being installed. Mr. Geldard stated, in his professional opinion, everything conforms to the contract documents; nothing has been substituted or replaced. He confirmed that the fittings in the picture are new fittings.

- ii. Crossman Engineering: increase value of engineering contract due to additional construction administration and observation

ACTION: Held from last meeting.

Director Burke prepared a revised memorandum for the Board's review, supporting approval of the contract amendment. She stated Crossman's Amendment #3 includes proposed "not to exceed" dollar amounts (\$43,105.00) for the additional project engineering/inspection costs expected as a result of the extended project duration. She stated WSA needs Crossman on site to document the progress being made at Bellows. She stated any bills from Dr. Aldinger (dewatering expert) will be separated out from Crossman invoices and will be paid separately. Board members reviewed with Crossman the details of the contract amendment request.

Mr. Ginaitt moved to accept the contract amendment. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved.

- iii. Change Order No. 3: J. H. Lynch & Sons, Inc.
Third Party Inspections of pre-cast concrete wet well and pump station building: \$12,000.00

ACTION: Director Burke stated we believe Lynch is entitled to this change order; the work was an additional task to the contract. She stated the City's building official required that WSA hire a third party engineer to inspect and document the work associated with manufacturing of the concrete pump station components in order to obtain the building permit.

Mr. Sylven commented for the record; he thinks it was ludicrous that WSA had to spend \$12,000 for a third party inspector, when we retain a professional consulting/engineering firm that is quite capable to do oversight of the work. Mr. Revens strongly agreed.

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

- iv. Change Order No. 4: J. H. Lynch & Sons, Inc.
Removal and abatement of asbestos pipe: \$3,569.37

ACTION: Director Burke stated the asbestos pipe encountered by Lynch was not shown on the as-built drawings and had to be abated per EPA requirements and was therefore an eligible change order.

Mr. Sylven asked about the terms of the contract regarding on-site rental equipment used in the removal of the pipe. Mr. King referred to the General Conditions section of the contract, which defines

changed conditions, labor and equipment rental rates as “extra tasks”.

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

- v. Change Order No. 5: J. H. Lynch & Sons, Inc.
Extension of contract end date

ACTION: Held from previous meetings

Director Burke stated in order to preserve all our rights under the contract, she recommended the Board deny this change order request. She said Crossman has given the same recommendation. Mr. Ginaitt moved to deny the change order. Mr. Jarvis seconded the motion. Chairman Guckian, Messrs. Ginaitt, Sylven, Jarvis and Marino voted in favor of the motion. Motion approved; Change Order No. 5, extension of contract end date, denied.

9. Operations and Maintenance Division

- a. Advanced Wastewater Treatment Facility
Gravity Thickener No. 2 repair work

ACTION: Board members Ginaitt and Marino were able to tour the facility and observe the failed equipment prior to the start of the meeting.

Chairman Guckian reminded staff to send notification of emergency situations as soon as possible, advising the Board of the nature of the incident, the recommended action and costs associated with repair.

Director Burke reviewed her email of November 16th, detailing the discovery of the failed gravity thickener no. 2 and the plan of action to use the redundant gravity thickener while waiting for the necessary parts to be shipped to WSA to repair the equipment. She stated the cost of repair will be charged to our Renewal & Replacement account since this was unplanned, unscheduled, and unbudgeted. She stated a follow-up email was sent to the Board that day detailing the cost of equipment (Ovivo: \$26,661.39) and labor (Hart Engineering: not to exceed \$43,451.57).

Mr. Ginaitt stated once this unit is repaired and put back online, the other unit must be drained and inspected to see if there is a similar problem with that unit. Superintendent Doyle stated he has discussed that task with Hart Engineering and has planned for it.

Following detailed discussion about the equipment and the timeline for repair, Mr. Marino moved approval of the repair work. Mr. Ginaitt

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

10. Billing Services

a. Paul Roberts, Homeowner Safety Valve Company Sewer Line Insurance Program

Mr. Paul Roberts in attendance.

i. Activity Report on Claims/Revenues

Mr. Roberts reviewed the latest activity report with the Board. Board members discussed the various causes of line collapses and repairs, installation of check valves and customer retention rates, and suggested that the repair information be added to WSA's database.

ii. Contract Extension Discussion

ACTION: Director Burke stated the sewer line insurance contract is up for renewal in February 2014. She reviewed her associated memorandum with the Board and provided them with a copy of the current contract and sample letters from other utilities offering the insurance plan to their customers. She stated section 5 speaks to the revenue share provisions and section 6 provides for an extension of the contract. She stated WSA staff recommends extending the contract.

Mr. Jarvis stated there are a number of Council members that are upset with WSA's affiliation with the insurance program, specifically the use of WSA letterhead and envelopes to promote the sewer line insurance program. Mr. Roberts stated Providence and Pawtucket Water utilities participate in the insurance program, but they have forfeited the revenue share and pass on the savings to their customers. Mr. Ginaitt suggested adding some sort of disclaimer to the letters sent to WSA customers.

Messrs. Marino and Jarvis recommended foregoing the revenue share and passing the savings to customers. Chairman Guckian and Mr. Sylven stated the revenue share has value to WSA. Chairman Guckian suggested we add a disclaimer to the letter, but continue to receive the revenue share.

Mr. Roberts offered to send a revised introduction letter (printed on WSA letterhead) to customers in Homeowner Safety Valve envelopes, and still allow WSA to collect the revenue share. He said he would prepare new sample letters, including disclaimers, for

the Board's consideration. There was discussion about keeping the letter on WSA letterhead. No action necessary; discussion will continue at the December meeting with extension of the contract to be considered in January 2014 (revenue options to be considered).

Mr. Ginaitt left the meeting room at 7:10 p.m.

b. Sewer Assessment Abatement

Name	Service Address	Reason	Amount
Gregory Soscia	Plat 358 Lot 209 Charlestown Avenue	Lot 209 is being merged with lot 208. WSA will abate Lot 209 and supplement Lot 208 upon recording of subdivision.	\$969.78

ACTION: Director Burke reviewed the revenue neutral action in items b and c. Mr. Sylven asked about the method of assessment and the lot merger. Mr. Jarvis moved approval of the abatement. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion approved.

c. Sewer Assessment Supplement

Name	Service Address	Reason	Amount
Gregory Soscia	Plat 358 Lot 208 Charlestown Avenue	Lot 209 is being merged with lot 208. WSA will abate Lot 209 and supplement Lot 208 upon recording of subdivision.	\$969.78

ACTION: This item corresponds to item 10.b. Mr. Sylven moved approval of the assessment supplement. Mr. Jarvis seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion approved.

d. Sewer Assessment Deferment

Name	Service Address	Reason	Amount
City of Warwick	Plat 332 Lot 483 v/l Winter Avenue	Property is city owned.	\$2,080.00

ACTION: Held from last meeting. Mr. Jarvis moved to deny the deferment. Mr. Sylven agreed. Director Burke suggested WSA continue its past practice, with a note that the Sewer Review Commission is looking at the WSA enabling legislation and its deferment policy. Mr. Revens stated the Board can grant the deferment, or continue the matter until such time as changes are made to the enabling legislation. He reviewed the deferment provisions of the current enabling legislation and WSA past practice.

Mr. Jarvis amended his motion, moving to table this item. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt unavailable for vote.

Motion to table passes. Director Burke stated we will carry this item under "Old Business".

11. Administrative Items

a. Director's Report

- i. Financial Report
- ii. Administrative Schedule
- iii. Set 2014 Board meeting calendar

ACTION: Director Burke reviewed the financial report (through the first quarter of FY2014) with the Board. She stated we completed the Local Limits Study and ended up with an excellent product which was submitted to DEM in late September. She stated we are asking DEM to allow WSA to increase the limits on certain pollutants which we have shown will have minimal impact on the treatment facility. She stated if DEM approves that, this is something we should tout as business-friendly change.

Director Burke said she had copied everyone on the meeting schedule for the Sewer Review Commission. She said Councilman Gallucci is scheduling a meeting for the O'Donnell Hill project area to hear constituent concerns on December 5th. She stated December 9th is the second vote to pass the revenue bond authorization ordinances.

Director Burke mentioned that NEWEA is looking for a photo related to the utility management award WSA will be receiving in January so she is actively soliciting suggestions for that. She asked that if any Board members are interested in attending the awards banquet to please let her know and she will make those arrangements.

Mr. Jarvis voted to approve the 2014 Board meeting calendar, as submitted. Mr. Marino seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt unavailable for vote. Motion passes.

b. Chairman's Report

- i. Update on Sewer Review Commission
- ii. Thanksgiving message

Chairman Guckian stated a lot of time has been spent with the Sewer Review Commission and there has been good Board participation. He said he sees the benefits of our efforts.

In the spirit of Thanksgiving, Chairman Guckian prepared a letter on behalf of the Board, thanking WSA employees for their service. Letters will be included in employee paychecks the week of Thanksgiving.

12. Consent Agenda - Correspondence

- a. WSA annual renewal letter to drainlayers (10-13)
- b. RIEMA to WSA: 2012 Hazard Mitigation Grant application for portable generator, Project Denial Notification (10-10-13)
- c. WSA to RIEMA: Letters of Intent, 2013 Hazard Mitigation Grant pre-applications (10-25-13)
- d. USEPA to WSA: Water Infrastructure Outreach materials (10-18-13)
- e. Senator McCaffrey to WSA: request for information (10-25-13)
- f. WSA to Senator McCaffrey: response to request for information (11-4-13)
- g. NEWEA to WSA: 2013 Wastewater Utility Award (10-24-13)
- h. City of Warwick press release on 2013 Wastewater Utility Award (10-30-13)
- i. WSA October 2013 Financial report to City Council (11-7-13)
- j. WSA to St. Mark Church regarding cesspool and sewer availability (11-12-13)
- k. WSA to Mayor Avedisian regarding revenue bond authorization (11-12-13)
- l. RIEMA to WSA: Ineligible project notification (11-12-13)

ACTION: Mr. Jarvis moved to accept the consent agenda. Mr. Sylven seconded the motion. Chairman Guckian, Messrs. Sylven, Jarvis and Marino voted in favor of the motion. Mr. Ginaitt unavailable. Motion approved.

13. New Business

Introduction of new business to be docketed for an upcoming meeting or to be referred to the executive director or legal counsel for comment.

No new business presented.

14. Old Business

- a. Amendments to By-Laws
- b. Modifications to Septage Hauling Regulations
- c. Mandatory Sewer Connection Program/Connect Capable Fee
- d. Changes to Enabling Legislation: Mandatory Connections
- e. Bayside I-III Sewer Project: Amendment to GRA contract/design services
- f. Infrastructure Improvement: 48" line under Rte. 95
- g. Update on status of future sewer construction
- h. Sewer Assessment Deferral Policy: Tabled from 6/13 mtg.
- i. Sewer Assessment policy regarding subdivisions: Tabled from 6/13 mtg.
- j. Cedar Swamp pump station improvements: progress report

DISCUSSION/ACTION: Director Burke stated she had met with Councilwoman Vella-Wilkinson and DEM to discuss septage hauling regulations and possible amendments to the laws to close a gap in data collection.

15. PUBLIC COMMENT PERIOD No members of the public in attendance.

16. Adjournment

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

At 7:42 p.m. this meeting ended.

Gary C. Jarvis, WSA Secretary

Date of Approval