



State of Rhode Island and Providence Plantations
Water Resources Board
Justice William E. Powers Building, Third Floor
One Capitol Hill
Providence, RI 02908
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PROPERTY COMMITTEE
MINUTES OF MEETING
March 11, 2008

Members Present:

Frank Perry
Jesse Rodrigues
William Parsons

Members Absent:

William Penn
Jay Aron
Richard Mignanelli

Staff Present:

Romeo Mendes

Guests

David Lynch

I. CALL TO ORDER

Mr. Perry called the meeting to order at 10:48 AM noting that there was a quorum present.

II. APPROVAL OF MINUTES

On a motion by Mr. Perry, seconded by Mr. Parsons, the minutes of the August 15, 2007, November 13, 2007, and February 12, 2008 meetings were approved unanimously.

III. ITEMS FOR ACTION:

Rhody Rovers land use for three summer events - Request for Approval

Discussion: Mr. Perry introduced the item noting that when similar events had been approved in the past, there really had been no problems. The organization did a good job of minimizing damage while cleaning/grooming all affected areas. There is local support for the event as it generates scholarship funds for the school system. Mr. Mendes explained that use of an open field for a turn-around during one of last year's events did result in a fair amount of damage to the field and staff's recommendation was to reject the request unless the event used only existing hard packed cart roads and connector trails. Mr. Rodrigues questioned what this particular use of had to do with the main objective of managing the property, which was for water supply. Mr. Perry explained that events such as these really do not aid in any way in the creation of a water supply but allowing such benefits local communities and at minimum indicates to the residents of the State that until concrete plans for a water supply are developed, the property is being utilized for something.

On a motion by Mr. Parsons with a second from Mr. Rodrigues, the committee voted unanimously to allow the events with the stipulation that only existing cart roads and connector trails can be used.

Greenwich Village School - Request for reimbursement of lead mitigation costs totaling \$5,650.00.

Discussion: Mr. Perry explained that this past year, as part of required lead mitigation on State properties, the windows at the Greenwich Village Nursery School and Kindergarten were replaced. The State had obtained an estimate from a licensed vendor currently listed under a purchasing MPA to do the work but due to the inordinate amount of time required to obtain a purchase order, the business owner entered into an agreement with the same vendor to have the work done. She did this primarily to insure that the building would be ready for the beginning of school by the end of August but also because it had been communicated to her that she would be reimbursed.

On a motion by Mr. Parsons with a second from Mr. Rodrigues, the committee voted unanimously to reimburse the costs of the lead mitigation work at the school.

RI State Department of Corrections, BRMA Spring Cleanup –Request for Approval

Discussion: Mr. Mendes explained that the activity is the same one that is conducted each year in the spring. A work order is put through to procure a prison industries crew for 15 work days to clean along sides of roads and in known problem areas that are frequented by visitors. The cost of \$550 per day is budgeted each year and it is very cost effective way of achieving the board's objective of keeping the property in suitable condition so that it may one day be used for either a ground or surface water drinking water supply.

On a motion by Mr. Rodrigues with a second from Mr. Parsons, the committee voted unanimously to expend the total of \$8,250.00 for the cleanup.

RI DEM Division of Law enforcement – BRMA Security Patrols Fiscal 07 and 08

Discussion: Mr. Perry explained that the requested amount of \$13,600 was to reimburse DEM for patrols conducted during the spring and summer of 2007 and for proposed patrols during the spring and summer of 2008. Mr. Parsons inquired if these are budgeted costs and Mr. Perry and Mr. Mendes relayed that they were.

On a motion by Mr. Parsons with a second from Mr. Rodrigues, the committee voted unanimously to reimburse DEM for the cost of the security patrols

Allied Waste Services - Procurement of thirty yard roll-off dumpsters for BRMA Earth Day Debris Removal.

Discussion: Mr. Perry explained that the work was a follow up to the work done by the prison industries crew. The board participates in a volunteer Earth Day cleanup event each year by providing a number of roll-off dumpsters. This year the anticipated cost is approximately \$2,500.00

On a motion by Mr. Rodrigues with a second from Mr. Parsons, the committee voted unanimously to expend the total of \$2,500.00 for the Earth Day cleanup.

Town of Coventry – Payment in lieu of taxes, Coventry Pines Golf Course

Discussion: Mr. Perry referenced an MOU between the Town of Coventry and the board which stipulates that a payment in lieu of taxes is to be made each year equal to 10% of

the non-residential rent collected. Upon reviewing the request, Mr. Rodrigues commented that it seemed the document insured there would not be a problem with funding this payment in lieu of taxes for the golf course but yet there was no such document in place to insure the payment to the Town of West Greenwich to cover the costs of educating children that reside in the BRMA. Mr. Rodrigues agreed that the required payment should be made; however, in his opinion it seemed a slightly ridiculous that the payment dealing with the golf course was more or less insured of being funded while funding for the educational grant payment always faced potential problems.

On a motion by Mr. Parsons with a second from Mr. Rodrigues, the committee voted unanimously to make the payment to the Town of Coventry.

IV. ITEMS FOR DISCUSSION:

New England Mountain Bikers Association request to rebuild log bridge — Mr. Mendes described an area in the vicinity of Burnt Sawmill Road where trails have been carved out from existing cart roads and fire trails. One of the commonly used fire trails squeezes down to a small width and is routinely flooded. An existing log bridge consisting of 2 by 12 longitudinal pieces holding cross pieces (logs) enables passage over an approximate 80 foot section of the narrow section of the trail. The bridge is dilapidated and the NEMBA is requesting permission to re-build it. As part of the project they have proposed to extend the length of the bridge by 100 feet so that flooded sections beyond the original section may be traversed more easily. One of the pieces of information that is definitely required before the board could consider a formal request is what, if any, DEM permitting would be required. There are wetlands on both sides of the path in question and it is possible that DEM would not allow any type of construction at all. It is important to also note that the individuals making up the organization in question, although acting as stewards of the area by reporting misuse such as dumping, and motorized vehicles on the trails, are themselves technically in violation of the BRMA policy that prohibits all off road biking. Mr. Mariscal indicated that the item was included for discussion because staff is not yet prepared to make a recommendation regarding the request. He indicated that a number of issues immediately presented themselves upon the initial inquiry being made. Does the board want a permanent structure here which will most likely result in greater use of the area? Does allowing the biking association to complete the project send a message that off-road riding is sanctioned? The local NEMBA chapter will apply for a grant from their parent organization to fund the project. Does the grant come with any stipulations that the funds are going to be used or continued to be used for five or ten years for the designated purpose similar to a government grant. Also, as with any entity that provides funding for a project, the intent is usually to insure continued use so what, if any, insurance should be required? Mr. Perry indicated that the board's intent was to develop a use policy to handle issues such as these but that the current policy prohibited this use and approving the request would set a precedent. The board must decide whether the current policy will be maintained, modified or eliminated altogether before considering these types of requests. Mr. Rodrigues echoed the same sentiments, the activity was not allowed under present policy and the board was very short handed so the reply should be no.

V. OPEN CALL FOR EXECUTIVE SESSION IN ACCORDANCE WITH RIGL SECTION 42-46-5(2) & (5): BRMA Property Leases

Mr. Perry requested a motion pursuant to RI General Laws 42-46-5 (2) & (5) that this committee move into Executive Session to discuss a situation that had arisen pertaining to a BRMA rental property. **Motion** by Mr. Parsons second by Mr. Rodrigues to go into executive session. Roll call vote:

Mr. Rodrigues - Yes
Mr. Parsons - Yes

Mr. Perry voted yes and the motion was approved unanimously.

The committee proceeded into Executive Session.

At 11:50 the committee returned to regular session

VI. OTHER BUSINESS:

VII. ADJOURNMENT

The meeting adjourned at 11:55 PM

Respectfully submitted,

Romeo N. Mendes, P.E, Supervising Civil Engineer

**Note: The full proceeding of this meeting is available on audiotape by request.*

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