

SEWER COMMISSION MINUTES

June 8, 2005 Minutes

Briggs - The regular meeting of the Town of North Smithfield Sewer Commission meeting was called to order on Wednesday, June 8, 2005 at 7:04 pm.

Roll Call - Paul - In attendance were: Thomas P. McGee III, Paul Nordstrom, Michael Connolly, Linda-Jean Briggs and Manny Alvarez. Also in attendance were: Patricia Paul, Secretary.

1. APPROVAL OF MINUTES

Briggs – Approval of May 11, 2005 minutes. Are there any corrections, additions, deletions?

Briggs - MOTION made by Mr. Connolly and seconded by Mr. Nordstrom and voted unanimously on an aye vote to approve May 11, 2005 minutes.

Briggs – The aye's have it. Motion carried 4-0 on an aye vote.

2. REPORT FROM SUPERINTENDENT

Alvarez – Manny referring to May's report.

- Hired Woonsocket sewer Division's jet truck, to help clean Pound Hill Road wet well.
- Pound Hill Road sewer extension completed.
- Warren Avenue, Great Road and Park Drive sewer improvement project submitted to DEM.
- SCADA system showing Silver Pines sewer pump station, still having problems.

Briggs – There was a neighbor at the location on Pound Hill Road that was two houses originally on one piece of provided and have since been divided. The sewer was brought up at the end of Pound Hill Road. And the neighbor looking at the house from Pound Hill Road to the left was suppose to be looking for an easement for that property.

Alvarez – No. I have not heard anything. He is just cleaning up his land now. Nobody has come forward.

Briggs – Is there anything that that neighbor would need to do now before the road has its finished coat on it to hook up?

Alvarez – They would have to get that easement and permission. He would have to do it soon because the first house is going to be finished and planning on paving that driveway soon and finish it with asphalt. The easement would probably come right through there.

Briggs – Can you follow up with him on that?

Alvarez – I'll follow up with Mr. Benoit.

Briggs – He would be the one that would have to give the easement.

June 8, 2005

Alvarez – In my conversations, I don't know if they approached him at all.

Briggs – It seemed to me they had in the initial stages.

Alvarez – I'll talk to him.

McGee – Did they put the lateral big enough to take the other one, so they didn't have to tear up the road again?

Alvarez – No there was no mention of it.

Briggs – That road isn't finished right now?

Alvarez – It's patched right now.

Alvarez – The Warren Avenue, Great Road, and Park Drive sewer improvement project was submitted to DEM.

Briggs – Do we have a timeframe? I'm receiving telephone calls.

Alvarez – The earliest would be spring of 2006.

Briggs – For ground breaking?

Alvarez - Right

3. MR. RUSSO – PINE COURT CONNECTION TO SEWER SYSTEM

Briggs – This was on last months' agenda but he wasn't in attendance and it was discussed but there was no representation for Mr. Russo present. What I wanted to do was to ensure that if they did present themselves this month they would have an opportunity to discuss and if appropriate would be able to take action.

Caren Cote-29 Pine Court – John's been working with the town to try and get an easement to go through the neighbor behind us so he could gravity feed to that road behind us. And they were unsuccessful with the gravity feed. So we're going to have to pump up Pine Court to Woonsocket Hill Road. And that is what we are here to request.

Briggs – Are there any other houses on Pine Court that are not yet connected?

Cote – Yes, the neighbor across the street David is not connected. He has a septic system that he just put in a couple of years ago. And there are no other houses on the road.

Briggs – Are there some houses on Woonsocket Hill Road that are adjacent to Pine Court that are not yet connected to the sewer system that we are aware of?

June 8, 2005

Alvarez – The plans that I have been shown are not up to date.

Briggs – So we are going to get some up to date plans?

Cote – He does have up-to-date plans for gravity feed.

Briggs – But we are talking pumping right now.

Cote – Yes he will get those. I believe they already have them done.

Briggs – When we get those plans we can address the specifics of the plans. More and more we hear of people within the town who really need the relief. And if there are neighbors in the area and it is something we can work into a project for one house and if we could make it a project for three, four or five people, I personally find beneficial for the town. Because the more septic systems will take

offline and have them go through the public wastewater process is a benefit to the environment.

Connolly – How come he decided not to go with the gravity side?

Cote – The neighbors wouldn't allow us an easement. No. So we've been trying to work that way and it is just not happening and our house is already there and we can't move in.

McGee – By going with this pumping station, he is looking to see if the town would give him a pump.

Cote – In the ordinance, the pump maybe free and then we have to upkeep it from that point on.

Briggs – As I understand the way the ordinance reads and that is the Union Village area, if you are already paying a sewer assessment on that lot, or if a sewer assessment has been paid at some time in the past on that lot that it was considered to be a part of the Union Village area and the ordinance does allow for a pump. If it cannot be shown that you are paying or have or someone has paid for that lot in the past, then they are not necessarily considered a part of Union Village and therefore would not be entitled to a pump because you would fall under the new ordinance.

Cote – So if he didn't pay an assessment, then we have to pay for the

pump?

Briggs – If they didn't pay an assessment, they weren't part of the district. If you can find something from the previous owner who paid a sewer assessment then we'll talk about the pump at that point. Unless they have already paid the Union Village assessment, I don't think that we're going to be able to do anything because of the way the current ordinance reads.

Connolly – Have your researched the assessment?

Cote – No I did not.

June 8, 2005

Briggs – When you come back with the plans and have proof that the assessment has been paid and would discuss that. We need plans. We can't do anything without plans. If you get the new updated plans within the week can you get them to Geremia and we can put them on the July meeting and hope to have the response back from them.

Alvarez – Yes

Cote – So even if I had up to date plans right now it wouldn't matter?

Briggs – Anything we would discuss would be conditioned on advice from our experts. The next step beyond our recommendation for or against would to go before the Town Council. We would bring the recommendation forward. If we can look at it in July and make a decision on it and will do everything I can to get it on the very next Town Council agenda. That is the next step before you can break ground.

4. CORRESPONDENCE AND COMMUNICATIONS

Briggs – I have delivered to you eight different letters. These are all letters from various residents in the Waterford district. I've talked about the Waterford district going back to 2001 when I had an opportunity to walk each and every street in the town. Overwhelmingly, as I discussed various issues with the people throughout the town in the Waterford district, I was amazed as to how many people told me they had issues with their septic system. When I was approached a couple of months ago asking if there was anything on the agenda if anything that could be done, I advised them what we all know that there is no bond money out there and there are no plans at this point. I've not seen an overwhelming desire on the part of anyone to support putting a bond referendum for sewers. My suggestion to them was to follow the pattern that the folks at Warren Avenue/Park Drive did. Which was to start a letter writing campaign, identify some of the areas that are of some concern to them and we could begin to get a dialog going. I would like at some point to sit

down and discuss it. Any suggestions?

Nordstrom – I would like to make the suggestion that we have a workshop with the Finance Director, the Building Inspector, Mr. Alvarez, Mr. Lowe and anyone on the Town Council. We continually get hit with this assessment and whether or not there is good documentation or whether or not a developer has paid the fee and get hit about the complaints how the sewer assessment is charged. I think it would be worthwhile if we would be the ones to initiate the discussions to get everyone together that is involved in the process. So that before when you approve the building permit, the Finance Director knows that the assessment has been paid so that there is documentation. Even if it involves the sewer use ordinance and the developer pays the entire fee upfront.

Briggs – The way it is structured now is for the individual resident. It was for the resident who wanted to come in for that one shot and going into an existing and splitting the \$5,200 over four years. As opposed to a developer of where we are talking hundreds of units.

Nordstrom – It is still for the developers not for the individuals.

June 8, 2005

Briggs – I'll send out an invitation to Finance, building inspector,

water/sewer, administration and Town Council. On more than one occasion, we have asked for direction as far as where we thought where we were going with this and if we were going to continue to handle things piecemeal or at sometime expected to update the facilities plan and I don't know if that has gotten approved for money. We have a fifteen-year-old facilities plan.

5. OLD BUSINESS

Mr. Russo – Pine Court– Came into the meeting late. I would like to verify this regarding Pine Court. What we have been trying to do at Pine Court is we've tried to go different ways with the town drainage problems. This a map of where we were going to cut through the abutters. (Referring to his map).

Briggs – Is this the way your going right now?

Russo – No its not. Well, it could be? The reason why I'm here is that Caren just told me about a sewer assessment fee. I paid a \$1,500.00 fee to the town for a sewer assessment fee.

Briggs – When was that?

Russo – When they began to build Pine Court. Now the original plans were to pump up. Those plans are older plans. They went through the state to be approved. If I have to get them updated at the time, I

will get Manny to restamp them. Is that ok?

Briggs – The only thing that we are concerned with there would be if there are any changes to the topography from the time it was designed until now and as long as we have an updated engineering stamp, that would be fine Manny?

Alvarez – Yes

Russo – I met with Bob Lowe today and trying to solve a very bad drainage problem in this area with the town. I spoke with Mrs. Darling and she will let us know to allow an easement through her property. (Mr. Russo referring to plans explaining to Commission members of what he will anticipate on doing).

Briggs – Your allowing for existing homes to also get in there.

Russo – No one wants to pay for it. (Mr. Russo pointing out several different scenarios on the set of plans of what he may do).

Briggs – I think you need to make a decision of which way you want to go?

Nordstrom – The question about sewer assessment only came in because if you had been paying sewer assessment fees all along on the lot which apparently you didn't. Then the town would have

supplied the pump.

Russo – Right

June 8, 2005

Nordstrom – But since you weren't paying the sewer assessment fee, you have to buy the pump.

Russo - The pump was out.

Connolly – We don't give it. You would have to supply it.

Nordstrom – That might factor into your decision which way to go.

Russo – I offered Mrs. Darling some money.

Briggs – I think if you would all combine together as a private group, you would pay for the cost of construction, plus the sewer lot development fee because you are not in an existing district. And the sewer lot development fee is \$5,200.00. And you would pay a quarter of it.

Nordstrom – If this is going to be a private connection and he is going to connect to Homestead or he is going to put in private pump and connect to Woonsocket Hill Road. That is a private connection. I don't know why we would be getting involved in this. It would have to

go to Manny to get it approved.

Briggs – Right. He is raising the issue here.

Nordstrom – If they are going to do a private connection, then they don't need to come to us.

Briggs – Your right.

Nordstrom – The issue is that you have to get hooked up to move in. You don't have to wait until July for us to approve it if it is a direct connection. So if this becomes the new plan, then you do need to come to us. (Referring to Mr. Russo's plan in hand).

Russo – If it is a private line and there are two to three people on it, do I still have to come to you?

Briggs – I would think so.

Russo – Manny said that if we went this way (pointing to plans) we would have to put an eight inch line in.

Briggs – And I think that is what our specs require for more than one dwelling.

Russo – I talked to the engineers and they said an eight inch line

would be too big for one house to go all this way.

Nordstrom – That’s correct. But you are not building it for you.

Briggs – What we probably would look at is at some point at these other homes that are up Pine Court to come on down. And so we would be building for those as well as these others that you are passing.

June 8, 2005

Russo – (Explaining how it affects the other neighbors referring to the plan and stating that the line would change from a six inch to an eight inch pipe and all of a sudden it became a commercial line).

Nordstrom – Is there any chance that it may be converted over to the Town? And it has to be an eight inch line?

Briggs – I would think that if the town was investing in a drainage remedy, the town would probably hope to have all infrastructure under their control in that area. I don’t know.

Russo – (Referring to the plans with Manny about the manholes). We’re going to check with Mrs. Darling and I don’t need to come to you with plans?

Nordstrom – No, if you going to make a direct connection, you just have to run it through Manny and Bob Benoit.

Russo – We've spent three to four months playing with this and are tired of it.

Briggs – It is still a \$5,200.00 sewer lot development fee.

Russo – Why is it \$5,200.00 development fee? In that area is \$1,500.00? Does it go by the area?

Briggs – No

Russo – Why are my getting two different things on this again?

Nordstrom – Because if you were in the district you would have already paid the assessment fee. If would have been assessed from when Union Village was put in in the 1980's. You would have been paying that charge all along. You are not in the district.

Russo – I'm putting in my own line for your connection.

Briggs – Right

Russo – It is costing me to run one line.

Briggs – Correct. And it is \$5,200.00 for the sewer lot development fee for resident houses or structures that are already not in a designated district. It is in the ordinance.

Russo – I've checked that and they told me it was \$1,500.00 and then my other lot is \$2,500.00 and the sewer assessment is \$2,500.00.

Nordstrom – Has that been paid? You'll need to check to see if the \$1,500.00 has been paid.

June 8, 2005

Briggs – You want to go back to the town records. Because you are geographically within Union Village and when Union Village was put in, they paid around \$3,500.00 to basically pay for the pipe to go into the road

because that is what it costs back then. The total cost of the project was divided up by the number of lots and structures and the fee was assessed at that time it turned out to be around \$3,500.00. If you were included in that district, then there would be documentation somewhere. We would not have that information, but there would be documentation.

Nordstrom – If the sewer past in front of your lot, you would have been paying \$3,500.00. Somebody had paid assessors for that. So

because that didn't happen, those lots on that street were not part of it.

Briggs – When I hear McCann Street, off of Rt. 102 and North Main Street, and that maybe \$2,500.00 multiplied by 4.

Russo – I paid a sewer assessment already. I paid \$80.00 each quarter.

Briggs – Ok. Then you are in the Ironstone District.

Nordstrom – That is where your fee would be.

Briggs – So on McCann Street, that \$5,200.00 sewer lot development fee does not enter into it. Because you already paying into the Ironstone district.

Russo – McCann Street is right and is fine. This is not run right. Where do you apply the \$5,200.00?

Briggs – That is where the ordinance addresses areas that are not already in a defined sewer district.

Nordstrom – Especially the way it is set up, that's your cost to buy into the system. That is what they determine that all of the sewers that are built that go down to Woonsocket that is what the value has

been assessed at.

Russo – I don't understand why I'm getting different prices. A lot of people on Woonsocket Hill Road are not hooked up for whatever reason. It is coming down the property I own.

Nordstrom – So what they have done is paid the sewer assessment fee and every year they pay a user sewer charge just as if they were connected.

Connolly – If you want to talk to us again, make sure you get put on the agenda for next month.

Russo – I probably won't unless I want to argue the \$5,200.00.

Briggs – The sewer lot development fee. You are allowed to pay one-quarter of it. You are allowed to pay for it over a four year period. And you have to pay the first installment is made when you get your permit.

Russo – That is why I haven't heard anything. I must have paid it.

June 8, 2005

Nordstrom – (Showing Mr. Russo and referring to the Sewer Development Fee in the ordinance).

Briggs – Referring and pointing to “the four installments” to Mr. Russo in the ordinance.

Nordstrom – (Reading from the Ordinance) “A sewer lot development fee will be assessed against all property owners requests to or whoever required to connect into the towns sewer system and whose lot or unit have not been charged the sewer assessment on an individual basis”. So if you didn’t pay the union fee, that lot wasn’t assessed. “At the option of the applicant the fee of \$5,200.00 for each lot or units may be paid in four annual installments”. So you would have three more years to pay off the remaining \$1,300.00 per year.

Russo – I guess I’ll deal with that.

Nordstrom – If things don’t fall into place and you put in a grinder pump or you just make one direct connection through him, a fee is a fee.

Russo – So if this other way does work out through Mrs. Darling’s property then I just have to deal with Manny. I don’t have to come before the board.

Nordstrom – No

Russo – I give you a sketch of the plans Manny for approval.

Nordstrom – And then he inspects it.

Briggs – We have a town Engineer who will look at it, review it, approve it and make any changes or make any recommendations for changes.

Russo – Do I have to hire someone or can I just give a regular plan and make this alot easier?

McGee – When you go for your permit you have to draw what you are doing on the permit.

Russo – Thank you.

6. NEW BUSINESS

Briggs – Do you want to try and set a date for a workshop?

Alvarez – You want to have some time to schedule a date.

Nordstrom – Unless you want to do it by sub-committee or do it during the day.

Briggs – I have no problem with taking on a sub-committee kind of role assuming they would report back.

June 8, 2005

Nordstrom – The whole point is to try and save some aggravation.

Connolly – People who are coming to complain are told one thing and then told another thing.

Nordstrom – We're catching all of the flack because of insufficiencies and the lack of communication. The idea is you need to develop a system that is going to survive the politics. If there is a new Town Administrator, atleast there is a system in place. And the people understand what the procedure is.

Connolly – What your basically developing is an SOP, part of the infrastructure.

Briggs – I'll make a phone call initially and introduce the fact that you would like to come and see him (Mr. Lowe).

Nordstrom – He can invite the individuals he thinks needs to be involved.

Briggs – I'll call him and send an e-mail to everyone and let everyone know when it will be.

7. ADJOURN

Connolly – MOTION to adjourn and seconded by Mr. Nordstrom and voted unanimously on an aye 4-0 vote to adjourn the meeting at 8:02 pm.

Briggs – Meeting Adjourned at 8:02 pm.

Respectfully Submitted By,

Patricia A. Paul

Sewer Commission Secretary