

SEWER COMMISSION MINUTES

August 10, 2005 Minutes

Mrs. Briggs - The regular meeting of the Town of North Smithfield Sewer Commission meeting was called to order on Wednesday, August 10, 2005 at 7:02 pm.

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

1. APPROVAL OF MINUTES

Mrs. Briggs – Approval of July 13, 2005 minutes? Are there any corrections, additions, deletions?

MOTION made by Mr. Nordstrom and seconded by Mr. McGee and voted unanimously on an aye vote to approve July 13, 2005 minutes.

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

Mr. Nordstrom - MOTION made by Mr. Nordstrom and seconded by Mr. McGee and voted unanimously on an aye vote to move Laurelwood Development next on the agenda.

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

2. LAURELWOOD DEVELOPMENT

Mr. Lloyd Gariepy – Is requesting to consider a credit against the sewer assessment for Laurelwood Development. Mr. Gariepy referred to the letter dated December 6, 2001 when Mr. Erickson who was the Finance Director as of December 6, 2001 and also Mr. Naradowy who was the Chairperson of the Sewer Commission. It is basically a request for the sewer work that was done to bring the sewer line onto the Industrial Highway and obtain an easement and concluding negotiations with the Bolduc's. The line was probably completed by the end of 2003 and it has been in operation. There was an easement granted to the town from Mr. & Mrs. Bolduc. The agreement was suppose to be between Laurelwood and the Bolduc's. The town solicitor at the time said maybe it was best if the town become the grantee of the easement from the Bolduc's and went ahead and redid that. The easement has been recorded dated February, 2002. And they have put the easement and my client put the funds in my escrow account. I have dispersed the funds directly to the Bolduc's. And then obtained from the Bolduc's a signed receipt for the \$25,000.00. That is the commencement of the work on the project. Mr. Gariepy's clients hired Narragansett Improvement Co. and they incurred a number of bills. (Packet enclosed). There are 4 bills from Narragansett Improvement. They were billing on a percentage of completion. Mr. Gariepy referred to each invoice from Narragansett Improvement. The first invoice dated in November was based on a 30% completion in the amt. of \$48,670.34. The next bill dated in

December was an 85% bill and the total was \$91,985.34. The work was then completed in August of 2003 was billed for 100% completion in July in the amt. of \$24,448.88. The last bill came in December of 2003 and represents some additional work that was incurred with laying of the sewer pipe and excavation and that total was \$10,493.45 for a final total of \$175,591.01. In addition to that an engineer was hired and Mr. Gariepy requesting to have some portion of the engineering costs be considered. The last item on the summary was some labor put into the project in a supervisory capacity by individuals employed by Laurelwood and its partners. Mr. Gariepy is requesting some supervisory payroll be considered as part of the reimbursement.

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Mrs. Briggs – Read the letter dated December 6, 2001 and signed by Richard Erickson, Finance Director and Dean Narodowy, Chairperson of the Sewer Commission and addressed to John Boucher of R.I.PM as follows:

“At your request we are stating the accounting policy governing the items which maybe

included as allowable items in the calculation of the credit against the sewer assessment for

Laurelwoods. The actual cost of land or easement and the

improvements such as construction, equipment and structures are allowable costs. This letter does not replace your need to apply for any abatement nor that the Town Council of North Smithfield must approve the abatement.”

Mrs. Briggs – So it does allow for the development and signed sincerely by Richard Erickson and Dean Narodowy. So what the town says is that you do have the right to come back for consideration on the actual cost of land or easement and the improvements for construction equipment and structures and to look for an abatement against those costs.

Mrs. Briggs – How many units?

Mr. Gariepy – 162. And in addition there will be a clubhouse to include another \$5,200.00.

Mrs. Briggs – The total cost $162 \times \$5,200$ is \$842,400.00. The cost of the easement is \$25,000.00 is grant to the Town of North Smithfield and not the developer.

MOTION made by Mr. Nordstrom and seconded by Mr. Connolly and voted unanimously on an aye vote to approve item #1 the cost of the easement and abate the amount back to the developer for \$25,000.00.

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

MOTION made by Mr. Nordstrom and seconded by Mr. Connolly and voted unanimously on an aye vote to approve an abatement item #2 to Narragansett Improvement Co. for the credit in the amount of \$175,591.01.

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

Mr. Gariepy – Made a suggestion that the first two items of the bill for (Planning Board meetings and multiple exchange of review comments and modification with National) referring to the bill should not be considered or the town should pay for for credit or the contractor for the project but the engineering design be considered since it is critical to all public works project and some costs would have been incurred by the town.

Mrs. Briggs – Asked Mr. Alvarez if Geremia had actually reviewed these or commented on them?

Mr. Alvarez – When Mr. Alvarez spoke to Geremia about the project, he stated that Geremia reviewed the plans, made some recommendations and they were never addressed. They never came back to Geremia. This was when Mr. Mike Romano was there and has since left. No corrections were made and nothing else was

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brought back to them. When Mr. Alvarez stated that when he brought the plans back to them he stated that his letter was never addressed or addressed any comments or sent a letter stating that the comments were reviewed.

Mr. Alvarez stated that they did have a meeting at his office with their Project Manager, Ed Pavoritto also. The last conversation he had was that they were still waiting to have the plans sent back with Mr. Henckler.

Mrs. Briggs – The town engineer needs a copy of the as built plans.

Mr. Gariepy – Stated that that will be obtained to the town and he apologized for the delay and stated that Mr. Therien has that and he is on vacation currently and that Mr. Alvarez will receive those plans.

Mr. Nordstrom – Asked Mr. Gariepy why was the sewer line moved?

Mr. Gariepy – I believe that may have been a decision by the town. Mr. Decelles had made the request of us to move it to that side of the street. Mr. Dutremble does supervisory work for REPM and was on site for most of the construction.

Mr. Dutremble – Representing REPM. Mr. Dutremble did state that

there is some sewer pipe in Providence Pike because originally that was going to be a residential housing project. And while they were reconstructing Providence Pike they thought that it would be a good idea to place a pipe in the ground. So there is a pre-existing pipe in the ground now. We just put a pipe in where they were repairing the road.

Mr. Gariepy – Stated that there should be correspondence on record in the commission records that the Planning Board in considering this and asked us to do was to redesign the sewer system so we don't go out to Providence Pike because they were getting complaints from the residents who felt that they would be assessed because the line runs in front of their house. So to keep peace with the neighbors, they asked us if we could redesign the sewer system. And that took a considerable amount of time and effort.

MOTION made by Mr. Nordstrom and seconded by Mr. Connolly for purpose of discussion the Engineer item #3 to consider the Engineering costs of \$12,950.00.

Mr. Connolly noted that he didn't want to allow any money for the engineering work. But if some work was done at the towns request and he would allow some.

Mr. Nordstrom – Made note that the entire amount submitted of \$12,960.00 and that Attorney Gariepy noted was that some of the

costs included in the bill are unassociated with the specific design of the sewer. It is a total of a lump sum with hours and includes attendance of planning board meetings that items typically a developer would assume a cost for them doing business. I wouldn't be opposed to 25% of the \$12,960.00.

MOTION WITHDRAWN by Mr. Nordstrom and seconded by Mr. Connolly to withdraw.

MOTION – Made by Mr. Nordstrom and seconded by Mr. Connolly and voted unanimously on an aye vote that a recommendation be made to the Town Council to approve item #3 25% equivalent to \$3,240.00 of the \$12,960.00 engineering fees.

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

Mrs. Briggs – The next bill is for surveying invoice #4027 for the amount of \$4,426.00.

Mr. Garipey – Referred to invoice #4027, \$7,306.00 for clarification from National Surveyors, the detail is on the back and that is where the \$4,426.00 came from. We are not asking that the amount be reimbursed.

MOTION – Made by Mr. Nordstrom and seconded by Mr. McGee and voted unanimously on an aye vote to recommend to the Town Council and abate and approve item #4 for the \$4,426.00 for surveying and to prepare plans and profiles for roadway design for use by Paul Gadoury, prepared display plan and information for Planning Board meeting and Sewer Commission meetings for invoice #4027.

Mr. Gariepy – Noted that they have not and would not include in the request for reimbursement for survey work done for the project itself. This was for strictly for laying of the sewer pipe offsite on behalf of the town.

Mr. Connolly – This is just surveying for just for the easement?

Mr. Gariepy – This is plan of profiles for the roadway design for use. Yes, this is just for the easement. None of this is included in the development portion of the property. None of those costs are included here.

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

Mrs. Briggs – For Labor Payroll in the amount of \$3,167.50. It is the total REPM invoices in packet.

Mr. Connolly – What was the nature of the supervision that is being talked about for the labor costs?

Mr. Dutremble – It was mostly coordinating with Narragansett Improvement Co. for keeping schedules open.

Mr. Nordstrom – Stated that it would be something that the developer would incur.

Mrs. Briggs – Also stated that it would be the cost of doing business.

MOTION – Made by Mr. Nordstrom to deny item #5 Labor Payroll and seconded by Mr. Connolly and voted unanimously on an aye vote for the cost incurred for labor for foreman of the offsite portion of the project in the amount of \$3,167.50.

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

Mrs. Briggs – Also stated that the as built plans be reviewed and approved by the town engineers Geremia Mr. Alvarez?

Mr. Alvarez – Commented that the only question that he had was when they had met at the office, there was the letter that the town engineer gave to their site manager Mr. Ed Provorto and communications was never

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returned and the project was started. When Mr. Alvarez spoke to

Geremia a few weeks later, and he thought that they spoke to them and stated that they had not heard from them.

Mr. Gariepy – Responded by stating that that it had to be with respect to the project not with respect to the offsite sewer improvements because Mr. Porvorotto wasn't even hired with respect to all of this and that it would be with Laurelwood Condo developments themselves not what is being discussed presently.

Mr. Alvarez – Geremia wasn't involved with offsite improvements.

Mrs. Briggs – Asked if the Sewer Commission would need a copy of those plans before making a recommendation?

Mr. Alvarez – Responded by stating Yes.

Mr. Gariepy – Suggested that the recommendation be based upon the Council taking that up when the plans have been submitted than rather postponing the recommendation. So, therefore they will have a date and deadline and they can get that over to Mr. Alvarez.

Mrs. Briggs – Stated that she will put everything together with all of the stipulations and get it on the agenda as soon as possible and place it possibly before the September 19, 2005 Town Council meeting.

MOTION – Made by Mr. Nordstrom and seconded by Mr. Connolly and voted unanimously on an aye vote 4-0 that the following recommendation be made to the Town Council for a credit to Laurelwood Development for the installation of the offsite sewer:

- 1. The Cost of the Easement \$ 25,000.00**
- 2. Narragansett Improvement Co. 175,591.01**
- 3. Engineering Fees 3,240.00**
- 4. Surveying 4,426.00**
- Total \$208,257.01**

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

3. REPORT FROM SUPERINTENDENT

Mr. Alvarez - Referred to his July report. The SCADA is made more for a 24 hour person/plant for people watching the SCADA all the time. Mr. Alvarez spoke to the technician who originally set the SCADA system up and requested to change that that anytime there was an alarm, they are to call himself or the dialer. The way it is set up now is for people watching the SCADA 24 hours. The first one, I did not get an alarm. The second one I got the alarm only because of the communication line had gone down.

Mr. Nordstrom – Stated that if they lost power and the generators would then kick on, that at this time, they don’t have.

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Mr. Alvarez – Stated yes. Unfortunately, the only way he is finding this out is when it happens. Mr. Alvarez thought that this was in place already but isn't.

Mr. Nordstrom – Asked what would happen if the generator didn't start?

Mr. Alvarez – Replied that the same thing and that he wouldn't know about it. The only way he would know about it is if he would lose complete power. Then the dialer would call by saying that it was loss of communication. A SCADA is what is used to computer the alarm system. The dialer works off a phone line.

Mrs. Briggs – How frequent are the phone lines down?

Mr. Alvarez – Constantly. The generator is back online and just had some service to it. Everything is running right now.

Mr. Alvarez spoke with Geremia recently and they stated that the survey is almost complete with the Warren Avenue/Park Drive. They are moving forward and are going to the next phase.

4. CORRESPONDENCE AND COMMUNICATIONS

Mrs. Briggs – Nothing received.

5. OLD BUSINESS

Mrs. Briggs – Nothing received.

6. NEW BUSINESS

Mrs. Briggs – Stated that she and Mr. Nordstrom will be meeting with one town council member, the Finance Director and Mr. Alvarez on August 18, 2005 to discuss where they are with the bonds and where they hope to be and the billing system and how it is all calculated. Mrs. Briggs wanted to share with the commission that the constant calls that she has been receiving and what has been done in the past and hopes to finalize everything and will report back to the commission with what actually takes place and what is found.

Mr. Connolly requested that Mrs. Briggs bring up at the meeting the concern regarding the manning time and Mr. Alvarez working alone in certain situations and the danger it could impose.

Mrs. Briggs – Agreed and will try to address at the meeting.

7. ADJOURN

MOTION by Mr. Connolly to adjourn and seconded by Mr. Nordstrom and voted unanimously on an aye 4-0 vote to adjourn the meeting at 8:15 pm.

**Mrs. Briggs – The aye's have it. Motion carried 4-0 on an aye vote.
Meeting adjourned at 8:15 pm.**

Respectfully Submitted By,

Patricia A. Paul

Sewer Commission Secretary