

SEWER COMMISSION MINUTES

December 13, 2006

Mr. Briggs - The regular meeting of the Town of North Smithfield Sewer Commission was called to order on Wednesday, December 13, 2006 at 7:02 pm.

Roll Call - Mrs. Paul - In attendance was: Mr. Tikoian, Mr. Nordstrom, Mrs. Briggs, Mr. Connolly, and Mrs. Paul, Secretary. Not present was Mr. McGee or Mr. Alvarez.

1. APPROVAL OF MINUTES

Mr. Briggs -Approval of Sewer Commission for November 8, 2006 minutes.

MOTION made by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on an aye vote 4-0 to accept and approve the November 8th minutes as revised. The sixth paragraph from the bottom on page two, referring to the motion to be removed since it is duplicate motion and referring to page one on the motion to read MOTION by Mr. Connolly, seconded by all and voted unanimously on a nay vote 4-0 to grant the credit abatement located at 10 Glenn Avenue.

2. REPORT FROM SUPERINTENDENT

Mr. Alvarez wasn't able to attend Decembers meeting as noted on his November monthly report.

Mrs. Briggs read the following correspondence received from Mr. Richard Hencler to Mr. Alvarez dated December 7, 2006.

Dear Mr. Alvarez:

The Phase 1 sewers within the Elizabeth Development were installed in accordance with the Town of North Smithfield's requirements.

In addition, it is my understanding that the outstanding issues, including the invert on Briden Street, has been resolved based on your inspection.

If you have any questions, please call. Very truly yours, James J. Geremia & Associates, Inc.

The letter was signed by Mr. Richard Hencler.

Following the next day was another letter received dated December 8, 2006 to Mr. Alvarez regarding the Sewers on Elizabeth Avenue and Saranac St. (Phase II).

Dear Mr. Alvarez:

The Phase II sewers on Elizabeth Avenue and Saranac Street have been installed in accordance with The Town of North Smithfield's requirements. The sewer mains and sewer manholes have been tested and passed.

The Town dwellings along Elizabeth Avenue and Saranac Street can connect to the new sewer system.

If you have any questions, please call. Very truly yours, James J. Geremia & Associates, Inc.

The letter was signed by Mr. Richard Hencler.

This information is a follow up from September's sewer commission meeting. The motion in September 2006 made is as follows:

MOTION by Mr. Connolly and seconded by Mr. Tikoian with discussion to recommend that the sanitary sewer bond for phase I be released pending the addition of the letter from the engineering consultant Geremia confirming Mr. Alvarez's recommendation.

MOTION – Mrs. Briggs after discussion all voted unanimously on an aye vote 4-0 that the recommendation to the council to release the bond for phase I sewer development at Liz Development under the

condition that both Mr. Alvarez and the letter from Geremia identifying that all work had been completed satisfactorily be forwarded to the council.

Mrs. Briggs read from Mr. Alvarez's November report stating that the following actions were taken:

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Eastern Piping Inc., was awarded the Wastewater Improvement Project contract and Bahr Sales Inc., was awarded the trailer mounted sewer jetter machine contract.

The final thing on Mr. Alvarez's report was the agreement between Blackstone Smithfield Corporation and the Town of Blackstone.
(Refer to discussion below)

3. TUPPER MILL PROJECT

Mr. Eric Brainsky, Attorney with the Law Offices of Michael A. Kelly, 55 Pine Street in Providence. He is representing Blackstone Smithfield Corporation. He stated that there is municipal agreement with the Town of Blackstone to connect to the municipal sewer system. It is a private sewer line that is going to service the facility only. The sewer line is going to run from the back of the facility along the west side of the property, to the north and then connect to the town of Blackstone's municipal sewer system on Carrington Street. It

is located on assessors plat 3 lots 2 & 2A in the Town of North Smithfield. It involves the conversion of Tupper Mill, 300,000 sq. feet being converted into 120 condominium units and 105 are single family units and 15 of which are two bedroom units. It exceeds the parking requirements. There is an extra 100,000 sq feet of the mill that will remain as manufacturing and commercial warehousing for an undetermined period right now. They received master plan approval from the North Smithfield Planning Board in October of 2006. Because it is in a manufacturing district a special permit had to be obtained in order to permit residential units in this district, they received a special use permit to allow for the residential and m-zone pursuant to 5.5.12 of the zoning code of North Smithfield from the Zoning Board in November. He is presenting an informational presentation to the Commission regarding the sewer connection to the Town of Blackstone, Massachusetts and it is a completely private line. It will be serviced and maintained solely by the private owner and the Town of Blackstone and has no connection whatever so ever to the Town of North Smithfield. He stated that they are there to present how the engineering of the plan and how the connection is going to be made. Also present is Armen Harootian, the Vice-President of the Blackstone Smithfield Corporation an applicant for the project and Jason Ouiment who is the Civil Engineer for Vanasse Hangen Brustlin, Inc. who was the primary engineers with the sewer design.

Mr. Connolly asked if the project was signed off to Blackstone? It

wasn't a project at the time, it was a manufacturing facility that would be charged to Blackstone and for a cost reason, and wanted to discontinue to maintain their own treatment plant and was going to tie into Blackstone, Massachusetts because there was no way that North Smithfield was going to get a line into the other side of the river. So both communities agreed that they would let them tie into Blackstone.

Mr. Brainsky stated that he was correct, that part of the permanent process for the major land development project to go to preliminary stage, the town and Town Planner has asked them to come before the Sewer Commission and present an informational hearing and ask the Board (Commission) to send correspondence to the Town of North Smithfield and that the Commission has seen their connection and that there is no connection to the Town of North Smithfield and that there is no assessment.

Members of the Commission reviewed the plans received.

Mr. Ouiment went over the design of the sewer system for the Tupper Mill project. He created a 50 scale plan that illustrates exactly of what they are doing. He pointed out the Tupper Mill building in the center of the plans showing all of the components including the pump station as well as where the location is and where they are going to connect to the Town of Blackstone. The permitting has been done through the DEP as well as through the Town of Blackstone. He also

discussed the design and safety features of the pump stations and what it includes. All maintenance and repairs will be done by the Town of Blackstone and also will be responsible for any type of monitoring and troubleshooting that may happen on the site.

Mrs. Briggs stated that she appreciates them coming before the commission but stated that she only received three of the first five pages of the agreement from the Town of Blackstone and would like to look at the last two pages which were not received.

Mr. Brainsky requests from Mrs. Briggs that prior to the motion and to include in the motion that there will be no assessment fees with the Town of North Smithfield and to clarify to the North Smithfield's Planning Board in regards to the project.

Mr. Connolly asked if the original letter was presented to the Planning Board?

Mr. Brainsky stated that it was pertinent to submit the original letter along with another correspondence from the meeting held to bring it up to date.

Mr. Connolly stated that he believes that there was council action and recommended it was waived back in August 14, 2001?

Mr. Brainsky stated to Mrs. Briggs that he had only one copy of the

agreement that he would share with the commission to review.

Mrs. Briggs requested from Mr. Brainsky the two missing pages to be faxed to her and he agreed to fax them to her.

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MOTION by Mr. Nordstrom and seconded by Mr. Connolly and voted unanimously on an aye vote 4-0 that they reviewed the plans with the engineer and the owner of the Blackstone Smithfield Corporation and that the project has no impact on North Smithfield facilities therefore it is not subject to sewer assessment fees all of which were included in the August 14, 2001 motion that had gone to the Town Council.

Mrs. Briggs stated that she will forward the information to the Town Council, Mr. Alvarez and Mr. Alvarez will forward to the Planning Department.

4. FACILITY PLAN DISCUSSION – Setting Priorities

Mrs. Briggs requested from the commission their comments regarding the facility plan.

Mr. Nordstrom had several comments and changes that he would like to see made. Referring to section 1.1, an existing sewer area based on the discussion they had with Mr. Alvarez a couple weeks ago, he is a little concerned that it doesn't differentiate into three different sewer

districts. There are also several typographical errors and misspelled words that need to be corrected. He feels that when they speak to the council that the most cost affective way of doing things is to get all of the sewerage done in one bond issue and put them under all of the same assessment. Because he feels that some districts only have three houses, and other districts are larger that have failed septic systems and wouldn't want to do it piece meal. He endorses the idea of a septic tank maintenance district and feels that it is a wise idea and will never be able to sewer the whole town and face the possibility that they may not even pass a bond to do any sewerage and educate the Town Council of what that entails. He states that there is lots of administrative work involved and feels that they would be better off to go with what the engineers recommend.

Mr. Nordstrom referenced page 5 and 6 of the facility plan which are talking about a 20 year build out and the plan says that the capacity is going to go from .76 to 1.5 mgd and feels that there is more than enough capacity to meet the needs if they start sewerage the area they recommend over 20 years. He also referenced page 621 and 622 and feels that it is something for the council to understand. It says "Given the absence of federal and/or state grant money, the aspect of defined wastewater management district will be a viable alternative from comparing to upgrading to wastewater collection system but treatment facilities even with the recent increase in sewer neighborhoods, the town does not have allows enough user base to comfortably to support a significant increase in the depth service

related to the wastewater enterprise fund”. In a true enterprise fund there are no property tax contributions to this fund only actual sewer customers are billed. He referred to a management district on page 622 and read the following: “As part of the plan over the next five year period each of the septic system if any in town will need to be inspected to determine of the operating condition of the system from the inspection results, the homeowner will then be required to take the appropriate action. All cesspools that are to be considered to be malfunctioning systems and will be required to be placed with onsite wastewater systems and that conforms with current state and local standards within 12-months after the sale of the property more than five years of the date of the first maintenance inspection”. And the town would have to pay for those inspections. He feels that it is a good document and well engineered.

Mrs. Briggs suggested placing the facility plan discussion on January’s agenda and hold a joint meeting with the Town Council in February.

Mr. Nordstrom stated that he would like to hold a workshop session with the council before holding a public meeting and will have to deal with the Planning department too as far as the maintenance issue.

Mrs. Briggs has had discussions with them but there are no plans today to administer. They recognize that there are administrative costs associated with that but there is no one there saying to take on

the work.

Mrs. Briggs received a letter that speaks about the wastewater management district based on a discussion that Mr. Geremia had with Mr. Manning from RI DEM that (referring to a letter addressed to Mrs. Briggs).

“The Town must adopt a new Resolution that authorizes the expenditure of monies for the purpose of the development of a Wastewater Management Facilities Plan (see referred attached correspondence resolution letter).

Mrs. Briggs feels that they did it backwards and incorporated it into the facility plan update on the commissions say so but no money was ever appropriated to pay him.

Mr. Connolly asked how are they planning to pay for the facility plan update? Were they going to use the revolving loan?

Mrs. Briggs response was yes.

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Mr. Connolly stated that if they are using the revolving loan, then they need to get authorization.

Mrs. Briggs stated that they did get authorization for the facility plan update. But then another grant came through for the wastewater development plan and Geremia incorporated it in and she wasn't sure if it was for them to do because the Planning Department asked for it to be incorporated into the facility plan update. But now the Commission is being asked because they are not able to get paid for that piece of the project because there was no money appropriated. The money is there but it hasn't been authorized.

Mrs. Briggs stated that she will try and get some clarification for the other piece that Michael Phillips had actually asked for on the wastewater management plan.

Mr. Connolly asked if it was for a proposed resolution or a tax resolution?

Mrs. Briggs stated that it was a proposed resolution. She believes that it could be incorporated in but Mr. Manning from the RI DEM never received anything from the town saying they would like to use it out of the SRF money that has already been appropriated and enough to pay for it. But a resolution never went through the council so now that Geremia has done the work but can't get paid for it.

Mr. Connolly stated that the management plan isn't part of the original scope of the facility plan.

Mrs. Briggs stated that the facility plan was appropriated, the wastewater management plan was added on above and beyond the original facility plan. The wastewater management plan was not in the original facility plan.

Mr. Nordstrom suggested inviting Geremia to January's next sewer commission meeting.

Mrs. Briggs was in agreement and she will call Geremia and invite them to the January 10th's 2007 meeting.

5. CORRESPONDENCE AND COMMUNICATIONS

Mrs. Briggs reviewed all of her correspondence received. No further correspondence received.

6. OLD BUSINESS

Mrs. Briggs reviewed the Rules & Regulations for 2007 and all changes have been incorporated. Mrs. Briggs wants to make note that when the Secretary (Pat Paul) was indexing past information, as a result of updating the Rules & Regulations effort, a motion was made and approved back in January of 2001 suggested that the Rules & Regulations be change regarding the word Chairman to Chairperson be placed in there and take it under advisement and incorporate it next year for 2008.

7. NEW BUSINESS

Mrs. Briggs reviewed the 2007 Sewer Commission meetings calendar.

Mr. Nordstrom noted not to have a regular meeting on February 14, 2007 but hold a workshop and meet with the Town Council instead.

Mrs. Briggs stated that in lieu of having a February meeting, meet with the Town Council in February and leave it as it is presently and discuss it at January's meeting.

MOTION by Mr. Nordstrom and seconded by Mr. Connolly and voted unanimously on an aye vote 4-0 to adopt the 2007 Sewer Commission meetings calendar.

8 ADJOURN

MOTION by Mr. Nordstrom, seconded by Mr. Tikoian and voted unanimously on an aye 4-0 vote to adjourn the meeting at 8:06 P.M.

Respectfully Submitted By,

Patricia A. Paul

Sewer Commission Secretary