

SEWER COMMISSION MINUTES

March 17, 2010 Regular Meeting 7:00 PM

The regular meeting of the Town of North Smithfield Sewer Commission was called to order on Wednesday, March 17, 2010 at 7:03 PM at Kendall Dean at 83 Greene Street.

Roll Call - Mrs. Paul - In attendance was: Mr. DeCelles, Mr. Nordstrom, Mr. Kane, and Mr. Connolly. Mr. McGee and Mr. Wilcox the Sewer Administrator were not in attendance. Also not in attendance were Mr. Pendergast and Mr. Erickson.

Mr. Kane stated that Mr. James Geremia from Geremia and Associates has been excused and will not be attending this evenings meeting.

APPROVAL OF MINUTES

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on an 4-0 aye vote to approve the February 17, 2010 minutes.

STATEMENT OF CLARIFICATION

Mr. Kane explained the position of the sewer commission on the appeals process as discussed in a letter to town residents. He stated

that after consultation with legal council he has been advised that the sewer commission is not the body that the appeal must be made to, according to the sewer use ordinance an appeal must be brought before the town council and must be a decision of the sewer commission. The sewer commission made no official decision in setting of the ordinance for the 2009 sewer district, the town council solely made that decision and like any other legislative act and appeal of the sewer assessment made by the town council, that it can be appealed to the Rhode Island Superior Court. As a result of his instructions from legal council, the item of appeal of assessment will not appear on any agenda on the sewer commission as to the sewer commission is prohibited in entertaining of such an appeal, a discussion of this topic was held on February 17, 2010 at the regular sewer commission meeting and stated that it is the extent of the sewer commission's jurisdiction.

REPORT FROM SUPERINTENDANT-Mr. Alvarez

Mr. Alvarez stated that the SCADA project is still going on. The contractor is coming out to repair some issues that are not working and cleaning up his final list. A sewer manhole was repaired next to Alice Avenue station. Veolia Water called and requested the department's assistance in walking North Smithfield's sewer force main in Woonsocket. Part of their contract is not to service that main since it is part of North Smithfield so they wanted to make sure that the main is in good shape and he stated that they assisted them. He has received some letters and maps that Woonsocket forwarded to

them and at which time he will provide at next months meeting.

Mr. Kane asked in relation to these numbers what the total capacity is.

Mr. Alvarez's response was 3.9m per day that is in the contract.

Mr. Kane requested if he could receive a copy of the inter-municipal agreement.

Mr. Nordstrom had a copy with him and provided a copy to the secretary Pat Paul who will make copies for all commission members for next months meeting.

Mr. Alvarez stated that the department has submitted their budget version along with the sewer commission's budget version which is currently being reviewed by the town administrator and waiting to hear the status at the next budget meeting.

SCADA PROJECT

Mr. Alvarez stated that the system is 90% done and they were in on Monday and will be returning on Thursday and they have to clean up some items that they had deficiencies that were found during inspection.

GEREMIA & ASSOCIATES-PAYMENT REQUESTS

MOTION by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on a 4-0 aye vote to recommend and approve payment to the town council for Inv. #18 to James J. Geremia & Associates, Inc. for design services for Phase 3 for \$85.55.

MOTION by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on a 4-0 aye vote to recommend and approve payment to the town council for Inv. #18 to James J. Geremia & Associates, Inc. for construction administration and resident inspection services for Phase 1B for \$1,133.11.

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Mr. Nordstrom referred to a letter received from Mr. James Geremia of James J. Geremia & Associates, Inc.

FINAL PROJECT DESIGN REPORT

Mr. Kane made reference to the same letter that Mr. Nordstrom had just referred to and indicated that he did speak to Mr. Geremia and asked to clarify. Mr. Kane read the following correspondence received from him dated February 22, 2010:

Dated: "February 22, 2010 addressed to Mr. Kane and the North Smithfield Sewer Commission regarding the Status Report of Phases 2 and 3 Design. In accordance with the Town Council's request, JGA has completed the design of the Phases 2 and 3 Sewer Improvement

Projects as authorized in our contract (1/27/2006)/Amendment No. # (12/12/2007), No. 4 (9/5/2008 and No. 5 (5/12/2009. The following is a summary of the Phase 2 Sewer System Design for the St. Paul & Great Road East Service Area: The Town has received the following approvals:

- 1. RIDEM-Division of Water Resources Order of Approval and Certificate of Approval:**
- 2. RIDEM-Freshwater Wetlands Permit-Insignificant Alterations Permit associated with cross-country route between Lincoln Ave., and St. Paul St; and**
- 3. RI Historical Preservation & Heritage Commission findings for the project.**

JGA has forwarded plans to the following agencies and any comments received have been incorporated into the final documents (see copies of transmittal letters).

- 1. RI Department of Transportation**
- 2. Providence-Worcester Railroad**
- 3. Town of North Smithfield Public Works, Sewer, Building/Zoning Official and Fire Departments**
- 4. Public Utilities: National Grid and City of Woonsocket Water**

At this time, the Town has not acquired the land necessary for the proposed pump station or for the cross-country easements. JGA

(through its sub-consultant, Marc N. Nyberg Associates, Inc.) has prepared legal descriptions for the temporary and permanent easement between Lincoln Ave. and St. Paul Street and the legal description for the land acquisition for the pump station. These documents, however, have not been executed as a result of the project being halted. If the Town wishes to proceed with the bidding and construction of this phase of the project, the Town would have to acquire a permanent and temporary easement associated with the cross-country route and negotiate with the Fire Department for the purchase of the land associated with the proposed pump station (see correspondence between the Town and the Fire Department for this matter).

For the Phase 3 Sewer System Design for the Willerval/Tanglewood and Victory Highway/Dawley Brook Area, the Town has received the following approvals:

- 1. RIDEM-Water Resources Division Order of Approval;**
- 2. RIDEM-Freshwater Wetlands Insignificant Alteration Permit; and**
- 3. RI Historical Preservation & Heritage Commission findings for the project.**

JGA has forwarded plans to the following agencies and any comments received have been incorporated into the final documents (see copies of transmittal letters).

- 1. RI Department of Transportation**
- 2. Town of North Smithfield Public Works and Sewer Departments**
- 3. Public utilities: National Grid**

If the Town was proceed with the bidding and construction of this phase of the project, the Town would have to submit for a Certificate of Approval from RIDEM-Water Resources Division in order to obtain SRF funding for the project.

If you or the Commission has any questions concerning this matter, please do not hesitate to contact me. (Signed by Mr. James J Geremia)".

EDU/USAGE ADJUSTMENTS DISCUSSION & ACTION

Mr. Kane explained that Mr. Wilcox, the sewer administrator had brought some issues to his attention. He reviewed the list of those residents who have either connected or are in the process of connecting for the sewer connections. Currently he stated that there are 51 residents who have connected equaling a total of 58 ½ edu's and there are 15 residents in the permit process that equal 15 ½ edu's. Mr. Wilcox will continue to provide an updated list each month.

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Mr. Kane reviewed an e-mail that Mr. Wilcox sent regarding four (4) properties that are not listed to the utility billing system but are listed

on the as built drawings that were submitted to the town. He stated that the property listed and located at Plat 003 Lot 045 on Colerick Street, the vacant property has been resolved. If a building is placed on that property, then the property would need to reassess at that time.

Mr. Nordstrom feels fairly certain that Halliwell School is tied in but will do further research and check on that.

Mr. Kane referred to Plat 002, Lot 443 Victory Highway lies opposite of Green Street and as of right now they are on the list and is asking the commission of what the process is.

MOTION by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on a 4-0 vote to table the Assessment EDU and Usage to be Added to the Utility Billing to next months meeting until further research is done.

ANNUAL BUDGET DISCUSSION

Mr. Kane provided a copy of the FY 2010-2011 annual budget to the commission of the commission's wish list that they would like to see and basically took a copy of Mr. Alvarez's and changes some things. The biggest change involved the water and sewer departments and how they are split and the sewer department pays 80% and the water department pays 20% of certain costs in relation to salaries and benefits. He met with Mr. Alvarez and discussed this and found that

the majority of Mr. Alvarez's time spent is on the water side. He feels that the formula should be flipped around.

Mr. DeCelles expressed that he wasn't in agreement of that. He stated that based on the number of users on the sewer side verses the water and feels how it can be that split evenly.

Mr. Kane stated that Mr. Alvarez documents all of his time and the degree of water structure is a lot more time spent than the sewer side.

Mr. DeCelles stated that based on miles of pipe, it can't even be compared and also based on the number of services.

Mr. Kane stated that he would tend to agree by just looking at the numbers but compared to what they been having to do on the water side, it is crumbling and falling apart whereas the sewer system is a well built infra-structure and doesn't require as much. Most of it is just regular maintenance.

Mr. DeCelles asked how many sewer pump stations are there now.

Mr. Alvarez's response was that there were 9 pump stations and 2 metering stations.

Mr. DeCelles asked how many service connections are there.

Mr. Alvarez's reply was that there were over 3000. He indicated that the problem with the water system is that they spend more time checking the levels, they are not in wells anymore so the well water is delivered by Woonsocket and make sure that the levels are maintained in chlorine and as the summer approaches, they start boosting chlorine which takes up a lot of time as far as testing, adding and checking sites constantly. So there are stricter regulations of where the chlorine levels are where they are suppose to belong. They also have to do the hydro maintenance, check the valve boxes and also deal with customer complaints, their water meters and there are other issues with the water system that they take care of. The sewers are a little easier as long as the pump stations remain running automatically and handle any emergencies that come up. They can not start the collection system maintenance when they constantly checking the water system and making sure that they stay on top of the issues that come up. He stated that yes the sewer system is bigger but he has fewer issues with the sewer system than what they do with the water.

Mr. Kane justified that it should be broken down 50/50% equally. He stated that it only relates to the superintendent, his assistant and their benefits. Everything with the sewer administrator is 100% sewer and it will stay like that. He stated that was the biggest change, the only other change is the administration fee. He referred to the breakdown of appendix a for the administration fees (Finance Director, Town Administrator, Public Works Director, Payroll and

Accounts Payable) and that was put in place by the former Finance Director, Jill Gemma and speaking with the personnel, they were very arbitrary and it was to fill a gap in the town's budget that the town couldn't come up with and so the percentages have been adjusted. The other change is that since the Parks and Recreation Director and the Public Works Director are one in the same person and has had the 20% of his total salary paid by the sewer department. The only capacity that he works in their part is the public works which is a very small percentage of his salary that results in a \$32k in savings and reduction in his salary since it is only being paid on the part that benefits the sewer department. He also referred to the capital budget.

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Mr. DeCelles feels that an emergency by-pass pump for \$60k really isn't needed. He suggested setting up an emergency contract with a company, so if there is an emergency, they can be contacted.

Mr. Kane explained the process of how the capital expenditures are reviewed. He provided the breakdown on the debt service to the commission members for all of the bonds. He stated that everything in the finance department has been put on hold until they get a finance director and once they have one, they must be briefed on everything and told of what is going on.

Mr. Nordstrom brought it up to the commission's attention that back

in November of 2008 the former finance director in her research had found a short fall.

Mr. Kane stated that back in 1999 that according to Mr. Rick Erickson, a former finance director at the time had noted that there would be a shortfall in the Forestdale/Birch Hill district would be \$589,000.00 and the shortfall in the Ironstone district would be \$2.9m. “When he says shortfall, he means that the town council and the Ironstone project had an arbitrary reduction in the assessment. In 2011 and 2016 when those bonds are suppose to end and the assessment collection ends, the residents would have paid everything that the town council said what they had to pay and what is remaining is the shortfall and that will be the responsibility of the sewer department to figure out of how to pay for this”. He is saying that is what the estimation was back in 1999. What the actual figures will be, they won’t know until everyone has paid the assessments and the payments stop and unfortunately, that is when they will find out.

Mr. Thurber stated that he doesn’t understand how can they predict a shortfall if they are still collecting assessments up until the time of the bond being due.

Mr. Kane hasn’t read the audit that was completed by an outside party.

Mr. DeCelles stated that the sewer department is an enterprise fund

so it has to be audited separately.

Mr. Kane stated he just received it and hasn't had time to read it as of yet. He also stated that he thinks that towns or any organizations are only required to keep seven (7) years of financial documents. Right now the furthest the town should have on file would be back to 2003. He is unsure if the town even destroys documents or not.

Mr. Kane requested to return to item #7 EDU/Usage Adjustments Discussion & Action since there is a resident present to address this issue. There were no objections by members of the commission.

Mr. Kane stated that there are two issues regarding Mrs. Felicio's property. Mrs. Felicio contacted the town back in February 2010 regarding a sewer usage bill that was issued. She connected on October 1, 2009 and paid her usage bill. The town prorates the bill to the end of the fiscal year. That bill was \$286.65 and on December 14, 2009, she paid the bill in full. She was then issued a supplemental bill for \$141.44. There is no back-up documentation of why this was done and was done by a former assistant tax collector. Mrs. Felicio has not paid that bill until it is clarified. The second issue is when the documents were prepared, her permit held showed 1.5 edu's and two usage units. Mr. Wilcox further checked the building inspections for an in-law apartment and there were none listed, the tax roll said one family residence, the permit said one unit and Mr. Alvarez went out and confirmed that it is a one unit (1 edu) building. Mr. Wilcox's

recommendation is to change the edu and usage to one (1) edu of assessment and one (1) usage and to eliminate the supplemental bill for some reason was issued to her.

Mr. DeCelles asked if it was switched at anytime.

Mr. Kane's response was that for some reason it was put in the computer system at 1.5.

Mr. Nordstrom asked if there was an area in Phase 1B & if it is a current project.

Mr. Kane replied yes that it was in Phase 1B.

Mr. Kane asked Mrs. Felicio that she received a bill from the town for her usage from October 1, 2009 through June 30, 2010 for \$286.07 and paid this in December and connected on October 1, 2009.

Mrs. Felicio believes that it is all correct.

Mr. Kane asked her if she was aware that she was listed at 1.5 edu's and had she be notified by someone?

Mrs. Felicio stated that she didn't know how she was listed and wasn't aware.

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Mr. Kane stated that Mr. Wilcox has done all of the research and he sat down with him and discussed it with him.

Mr. Connolly stated that he thinks it could have possibly been a typographical error, someone typed in 1.5 and it should have been 1.0 edu's.

Mr. Kane stated that because it has been entered into the system, it is permanent as far as the town is concerned without an official action. And they have no idea why there was a supplemental tax bill issued and for what reason. The assistant tax collector who issued it is no long working for the town. Mr. Wilcox is requesting the commission take official action so that the correction can be made on the computer system.

Mr. Connolly feels that it shouldn't come before the commission since it is administrative.

Mr. Kane stated that according to Mr. Wilcox and this comes from more than one source, the sewer administrator, nor anyone in the sewer department can adjust the assessment once it has been entered into the computer unless that there is some sort of action that says that is incorrect even if it is a town error. What is entered into the system is entered. The tax department has to contact the company for it to be corrected. It should go to the administrator but

for some reason the administrator is sending back to the sewer commission. He feels that it should be handled in-house and it shouldn't come before the sewer commission. But he stated that the administrator wants several pairs of eyes looking at everything before a decision is made and before it is changed.

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 4-0 aye vote that the sewer commission has reviewed the matter and agrees that it is reasonable and that it is the Town Administrator's function and has forwarded the matter to the Town Administrator for official action.

Mr. Alvarez stated that on two occasions he has to go out and verify apartments that have gone from a two bedroom family to a single family and verify that the plumbing has been changed and the apartment has been renovated and when they switched their edu's back to one (1) edu and that has always stayed with the building inspector, tax collector and tax assessor and it has happened in the past.

Mr. Connolly feels that getting confirmation from the superintendent should be sufficient to the town administrator and that it is one (1) edu. and to change it.

Mr. Kane agreed and stated he has and that it already has been forwarded to the administrator but it was forwarded to him saying

that the sewer commission should review this and to do something.

Mr. Kane stated he will forward the information to the Town Administrator along with Mrs. Felicio's contact information along to Mr. Wilcox.

Mr. Nordstrom will draft a letter to the Town Administrator and allow the Chairperson of the sewer commission to sign the letter on behalf of the commission and Mr. Kane will bring it before the commission to review at next months meeting.

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom and voted unanimously on a 4-0 aye vote to give the authority to the Chairperson of the Sewer Commission to sign the letter and forward to the letter to the Town administrator.

IMPROVEMENT LOT DISCUSSION PLAT 9 LOT 191

Mr. Kane stated that this was put on the agenda for his own understanding and for Mr. Wilcox's further clarification. A resident came in to see Mr. Wilcox who resides in the Union Village district and was charged a sewer assessment but is now going to further improve the property. Mr. Wilcox wants to clarify if the improvement fee is the \$1,500 that is listed in the Union Village part of the ordinance.

Mr. Nordstrom asked if it was a vacant or undeveloped property.

Mr. Kane's reply was yes.

Mr. Nordstrom stated that they show that they paid an unimproved fee and now that they are developing it and they get assessed of what the Union Village assessment is less the improvement fee. He referred page 8-20 Sec. 8-35.2. (b) (6) ad from the ordinance and stated that "Unimproved lots shall pay the flat assessment fee be paid upon of completion of said building, or prior to issuance". He continued to say that listed under Sec. 8-35.2 (b) (1) "The assessment value of the land comprising each estate as determined by the Town for the purpose of assessing real estate taxes, one hundred forty dollars (\$140.00) per one thousand dollars (\$1,000.00) of assessed value." Because they are paying that in taxes for having the lot.

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Mr. Kane asked does this resident pay the \$1,500.00 upfront for his improvement fee and then is the property reassessed minus what he has paid?

Mr. Nordstrom replied that from his understanding is that this resident has paid one part of the four part formula.

Mr. Kane stated that it was correct. It is his understanding that he should be paying the \$1,500.00 of the improvement fee and from what

he understands, Mr. Benoit, the Building Inspector has a check he is holding until this is decided and then upon completion of the building, a reassessment or an assessment of the building value of \$50.00 per \$1,000.00 in assessed value. He will continue to do a little more research on this topic.

MARSHFIELD COMMONS DISCUSSION

Mr. Kane provided a draft letter regarding Marshfield Commons.

Mr. Nordstrom stated that the four (4) part formula applies to Marshfield Commons also and they have to pay the same as Ironstone.

Mr. Kane noted that the letter includes the additions, deletions and corrections in the letter. He stated that it will not come before the commission because it is part of the comprehensive plan but the commission will provide whatever help they can. He included appendix A which included the Ironstone sewer districts and determination of the assessment which includes the four (4) part formula and their payment options. In appendix B is his mathematical breakdown which he is asking the commission to review. As he reviewed everything, he noted that both properties that Marshfield is looking to purchase has houses on them. He compiled all of the information and totaled each land value and everything together and came up with an assessment of \$283,600.00. The Ironstone formula is \$115.00 per thousand of assessed land value

which came to \$32,614.00 which is the part 1 total. He added the two building values which were assessed at \$261,100.00 at \$52.50 per the ordinance per thousand which gives a total of \$13,707.75 for part 2. Both properties abut the street for 440 linear ft. at \$3.00 per linear foot which equals to \$1,320.00 for the part 3. The improvement fee which is their 18 two unit townhouse buildings, and for each buildings first unit is \$2,500.00 and the second unit and any there after is \$750.00 and since every building is two units, the one \$2,500.00 fee and one \$750.00 per building that equals to \$3,200.00 improvement fee per building and for 18 buildings equals to \$58,500.00 for a total for part 4 and he added them all up which comes out to a total assessment of \$106,141.75. The only thing he has not put in the letter was the assessment amount that was already paid by the current owners and subtract the amount of assessment that has already been paid per the ordinance. Due to going to a new computer system back in 1999 the information wasn't brought over to the new computer system and unfortunately he doesn't know what the starting amount was.

Mr. Nordstrom shared with Mr. Kane that he doesn't think that he needs to do that and suggests to allow the town to go back & figure it all out. He also stated that they have to come before Mr. Alvarez for a sewer connection and that if they meet all of the standards and do they still have to go and get a building permit and a water permit and all the other stuff that goes with it. He also asked Mr. Kane to include in his letter that "As a reminder all sewer connection permits and all town standards have to be reviewed by the sewer superintendent".

Mr. Kane asked if he wanted it verbally or in writing.

Mr. Nordstrom stated he would prefer to have it in writing for reinforcing.

Mr. Kane stated he will make the change in the letter to include that it must meet all town standards and go before the sewer superintendent for review and permit approval and will issue the letter immediately. For the determination of assessment and the discussion will assume that 18 town house two unit buildings located within the Ironstone sewer district for a total cost to the developer is \$106,141.75.

Mr. Nordstrom wants to take the first and last paragraph and keep in the letter and make it a preliminary determination. He doesn't want to be the one who sets the assessment for them.

Mr. Kane will take the suggestions and revise the letter. He stated that the sewer department sends their plans of review to Mr. James Geremia as the towns consulting engineer and did so for Silver Pines.

The issue that arose was that Mr. James Geremia hasn't been paid because it is being bounced back and forth that the town is suppose to pay him and then get reimbursed by Silver Pines because Mr. James Geremia is saying that he works for the town and that he doesn't work for the developer and the town is telling Mr. James

Geremia that the developer will pay him. Mr. James Geremia suggested the he speak to Mr. Alvarez and would like to institute and an expense side of increasing the engineering and legal fees and then create a revenue account to say that the developer will give the town a check for whatever Mr. James Geremia charges to review the plans.

Mr. DeCelles asked what authority they have to charge the developer.

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Mr. Kane replied that whatever the town has for a contract with the developer will go into a clause that they have to pay for review and study fees. He thinks that the only reason that it was put in place is to remove the weight from the sewer department. He will make the revisions to the letter and will sign it and present it at the public hearing on Thursday, March 18 at the Planning Board meeting.

VACANT LAND/SCHOOL PROPERTY

Mr. Kane has discussed this issue with Mr. Wilcox and requesting that it be tabled as it has been resolved.

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom and voted unanimously on a 4-0 aye vote to table item #11 Vacant Land and School Property discussion.

O & M MANUAL AND POLICY REVIEW

Mr. Nordstrom explained that by the DEM regulations every

municipality in the State of Rhode Island whether or not they have a treatment plant has to comply with their Operations and Maintenance (O & M) regulations. Prior to that they had only cared about Woonsocket. Even if you have a sewer system and a discharge, even satellite communities, has to have an O & M plan. Included in an O & M plan, a synopsis for what the Standard Operating Procedures (SOP's) are. Mr. James Geremia completed an O & M Manual on behalf of the town and part of the SOP's. They want to meet with Mr. Alvarez, Mr. Geremia, Mr. Ray Pendergast and the town administrator and he wants to explain to them that once it is put in writing and this is how things should be done on a moving forward basis. He has reviewed it and will present it to them on Friday.

Mr. Kane stated that he will also be there to meet with Mr. Nordstrom, the town administrator, the public works director, Mr. Alvarez, Mr. Geremia and with Mr. Wilcox on Friday in the town administrator's office. And at April's meeting they will provide a report.

CORRESPONDENCE AND COMMUNICATIONS

Mr. Kane stated that all of the bills went through from the March 1st town council meeting. He has also informed the town council that the line has been completed and that any further bills that come before them will be bills for printing services for Mr. Geremia.

MOTION by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on a 4-0 aye vote to receive and place the following

items on file: A.) Summary Review from March 1st Town Council Meeting; B.) Status Report of Phases II and III Design; C.) Sewer Commission Contacts for Web Page; D.) The Woonsocket Call Newspaper Article-NS Sewer Board Won't Hear Appeals.

OLD BUSINESS

Mr. Kane wanted to discuss what the sewer commission should be receiving on a monthly basis. One of the items he is requesting is an updated list of EDU's and the sewer connections. He has revised the Fiscal Awareness Policy which is starting July 1, 2010 with the new budget that he had given the commission members last month. "Starting July 1st with the new adopted budget they will receive each month a budget vs. actual spreadsheet from the sewer or finance department noting all the monies spent that month and under what line item in the budget they were paid and year to date figures. Any one item purchased by any member of the department working that is more than \$500.00 must come before the Sewer Commission at the next monthly meeting. In all emergencies that supplies are purchased, the sewer commission Chairperson should be notified within 48 hours of the purchase by telephone with the exact amount of purchase and its use and any purchase orders, the commission should get a copy of so they are kept in the loop. Any projects exceeding total purchases of \$2,500.00 must come before the Commission for review and approval prior to the award of bid which is the additions that Mr. Nordstrom has suggested. In addition the Commission will receive a monthly report stating actual dollar

amounts used to purchase specific items in relation to the project. The award of bid would continue to be at the discretion of the Superintendent". He stated that it continue to be revised and updated and this will go along with the Standard Operating Procedure (SOP) manual.

NEW BUSINESS

NONE

PUBLIC COMMENT

Mrs. Diane Wojcik, 7 Lincoln Drive referred to item #6 Final Project Design Report and asked that if sewers were to go in on Lincoln Drive were they all be gravity fed?

Mr. Kane's response was yes.

Mrs. Wojcik asked about the easement across from 7 Lincoln Drive has it been prepared by the town?

Mr. Kane stated that the paperwork has been drafted and it will not be acted on unless the project goes forward.

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Mrs. Wojcik asked that if the project goes forward would the town include that property.

Mr. Kane's response was yes unless the town decides differently.

Mrs. Wojcik asked about two separate bonds that she came across back in the mid to late 1990's.

Mr. Kane asked her to e-mail him with the information and he will research it and get back to her.

Mr. Thurber, 20 Brian Avenue asked if there was a representative from FR Mahoney present on-site who signs off on that when the grinder pumps are installed and that is given to the homeowner.

Mr. Kane stated yes. From the date of that inspection the warranty begins from that day forward.

Mr. Thurber asked if Phases 2 and 3 designs are complete.

Mr. Kane stated yes.

Mr. Thurber asked if there were any changes made or extensions in the Phase 3 areas.

Mr. Kane stated that the only change in the contract amendment that the town council authorized which was to change Lincoln Drive to a gravity fed system and to eliminate the majority of the grinder pumps in Phase 2. That was the only authorized change, everything else

remains as it was designed originally and nothing else has changed.

Mr. Thurber asked if those plans are available.

Mr. Kane stated that yes and that the town administrator would have those plans.

Mr. Thurber asked about the pump allowance that was built in to the project costs, if that is not used completely what happens to the surplus of monies, does it stay in the sewer fund.

Mr. Kane stated that in October the Sewer Commission has to go before the Town Council one last time with a final change order to eliminate the surplus that the town hasn't spent on grinder pumps. He would lean that a credit will be issued. The way the ordinance reads, the town will issue a \$2,700.00 and change credit to each homeowner who did not receive a grinder pump from the town and the homeowner would then have to go and buy one on their own at market price.

Mr. Nordstrom stated it would be ultimately left up to the town council to make such decisions.

Mr. Kane stated that the town council's decision can be of many things. The recommendation he foresees is that whatever money is left would just go back and payoff the bond, because then a credit

would have to issue a credit to each homeowner who does not get a grinder pump this year up until October. If they don't get a grinder pump, their assessment goes from \$18,000 plus down to \$16,000.00 and whatever and change. It would come out to a \$2,700.00 credit because that is the town's cost for purchasing the resident's grinder pump. The way the ordinance is written, everyone who doesn't get a grinder pump gets a credit of what the town would have paid for that pump. That is built into the assessment. So anyone who wants more than a year to tie in has to come before the sewer commission and that is the way that the commission will know.

Mr. Nordstrom stated that they won't know what the figures are until that one year period is up in October. By October, 2010 they should know the number of people who have connected.

Mr. Nordstrom asked Mr. Thurber to refer back to the November 2008 sewer commission minutes from what Mrs. Gemma's had to say and she had documents what the commission was looking at which was a draft but didn't want the commission to have the draft copy because she had to revise it. She took the reports back and no one has the information she provided and then she resigned. He is fairly certain that he saw what the deficit was from what the sewer commission secretary had taken for minutes.

Mr. Kane was told by someone that Mrs. Gemma was contacted and requested to come back and help the town sort through this and she

had declined and he isn't sure if she was actually asked or not.

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom and voted unanimously on a 4-0 aye vote to adjourn at 9:15 PM.

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Meeting adjourned at 9:15 PM.

Respectfully submitted,

Patricia A. Paul

Secretary