

SEWER COMMISSION MINUTES

July 21, 2010

7:00 PM

Mrs. Kane - The regular meeting of the Town of North Smithfield Sewer Commission was called to order on Wednesday, July 21, 2010 at 7:00 P.M.

Roll Call - Mrs. Paul - In attendance was: Mr. DeCelles, Mr. Nordstrom, Mr. Kane, Mr. McGee and Mr. Connolly were present, Mr. Alvarez, Superintendent was not in attendance due to his resignation on July 16.

**VEOLIA WATER PRESENTATION-Jonathan Mongle and Paul Rodman
Mr. Kane received a proposal from them to do interceptor cleaning per the O & M manual from the town line to the wastewater treatment facility.**

Mr. Mongle has run various projects throughout the area and also in Woonsocket which they have done smoke testing. They also provide an asset management software program which is a powerful engineering tool and collects all asset information. Everything is done using a field mobile application and it is completely paperless. They are a safety and environmental company. It is all pinpointed on a GIS format and it is all within a program. He provided a software demo that looked at a GIS view and all the conditions and information

and assessments that are at their fingertips and provided examples. It can track what was done on a monthly or yearly basis. The software provides a spreadsheet with the information and brings up all of the numbers and can track contract obligations. It can also track smoke testing information and observations and can detect which is captioned and detect a problem on a hand held device. This serves as an asset management approach. The presentation lasted approximately 45 minutes.

APPROVAL OF MINUTES

Mr. Kane requests approval from the sewer commission for the June 16, 2010 minutes.

MOTION by Mr. Connolly, seconded by Mr. DeCelles and voted unanimously on a 5-0 aye vote to approve and accept the June 16, 2010 sewer commission minutes.

REPORT FROM SUPERINTENDANT-Mr. Alvarez

Mr. Kane read that on July 7, 2010 approximately 10:00 am, regrettably the town of North Smithfield accepted the resignation of Mr. Manual Alvarez as Water & Sewer Superintendent. Mr. Alvarez's last day was Friday, July 16, 2010 and wishing Mr. Alvarez the best in all his future endeavors. He asked if Mr. Russell Carpenter, Assistant had anything to report since he was present.

Mr. Carpenter replied that no he didn't have anything to report at this

time.

GEREMIA & ASSOCIATES-PAYMENT REQUESTS-J. GEREMIA

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 5-0 vote to recommend that the Town Council approve payment req. #16 to Boyle and Fogarty Construction Company for \$118,225.80 for grinder pumps.

AMEY MORRIS-Extension Request-295 Victory Highway

Mr. Kane stated that this was discussed with Mrs. Morris and continued from last month and asked her to be excused from this months meeting. Mrs. Morris falls under the ordinance section for an extension for a new septic system and is not under the extension for this particular project.

Mr. Nordstrom explained that the ordinance refers to this as a deferral which is different part of the extension. Under the ordinance Mrs. Morris installed a new septic system three (3) years ago and she has a certificate of conformance from DEM and the designer certificate of construction and that would be proof for the commission to a five (5) year deferral under the ordinance. He read from Section 8-35.8, (e) of the ordinance:

“The Commission shall have discretion to defer sewer assessments against parcels of land if the owner of such parcel, within five (5) years of the date before the sewer assessment, has installed a new

septic system, provided that such parcel shall remain subject to assessment and shall begin paying such assessment at least five (5) years from the date of initial assessment. If the property is sold during the five (5) year period, the assessment will begin upon the sale of the property.”

July 21, 2010

When the Commission acts upon this request, this resident would be exempt from paying an assessment for five (5) years. He has drafted a letter but doesn't have it with him and is asking to table to next month's meeting. He stated that what he drafted was that five (5) years from now, Mrs. Morris then has the option whether or not she wants to apply for a hardship, at which case she would then have to start paying the assessment, wouldn't have to connect and would have to put it all up front along with the letter that goes approving the deferral under that section of the ordinance and is asking for a motion to table it to next month's meeting and include his draft letter in the next packet.

MOTION by Mr. Nordstrom, seconded by Mr. Connolly with discussion.

Mr. Decelles asked if this would defer the user fee also.

Mr. Kane and Mr. Nordstrom both stated that yes it would.

MOTION by Mr. Nordstrom, seconded by Mr. Connolly and voted unanimously on a 5-0 aye vote to table to August's 18th sewer commission's next meeting.

Mr. Kane also stated "That to obtain this approval the property owner will be required to submit evidence of the septic system has been installed within the five (5) year period this information shall include but not be limited to RIDEM approval an invoice from a certified installer this request must take place within one year from the notice to connect. If the request is not submitted within that time period, the owner will be subject to assessments as stated with this section." This is listed under section 8-35.8 ss (e).

**GATOR'S PUB-Mr. Thomas McGee, IV-Sewer Connection Request
Mr. Kane feels that Gator's Pub and that area should fall under sewers.**

Mr. Thomas McGee, IV is asked what the status is at this time to install sewers in that area and asked when and if Gator's Pub could be connected to sewers as soon as possible. He is looking to bring the main sewer line from 102 to the businesses down in that area. And if there was any available money, they would love to have sewers come down to that area before installing another septic system and wasting their money.

Mr. Kane indicated that there is a discussion that the town is applying for economic development money which is going to be 80% federal funding and 20% local funding and it would be for infrastructure improvement and expansion. “Correction: He will talk to the Town Planner.” He has talked to the town Planner and to see where they could go with that and he stated that it is in the works and “Correction: He will ask him to look at that” he has asked him to look at that because there are businesses there and potential for a lot more business. It is being talked about and money is being applied for but as far as the bond that Mr. McGee is referring to, for the past project, there is no money left to borrow, it has been reallocated.

Mr. McGee, IV requested that the next time, that there is something that comes up, they would love to see it come their way and he is asking just to do the main business end not the entire area. They were told in ten (10) years and now its going on 22 years and indicated they can’t wait much longer.

CORRESPONDENCE & COMMUNICATIONS

Mr. Kane referred to item A.) Article in the Valley Breeze. Mr. Lovett did state in the paper and at the town council meeting that they will not rehash the sewer cost discussion but Mrs. Wojcik is listed on the town council agenda and will be presenting her evidence to the town council for official action and any members are welcome to attend to listen to their discussion. Item B.) Sewer Use Ordinance and O & M

Manual Binder included is the blue binder that members have received. They are together to put everything in one place. He also inserted the 2009 addendum in the sewer use ordinance between pages 8-24 and 8-25. Further into the document is a letter from Geremia & Associates to RI DEM Office of Water Resources and the entire draft of the O & M manual. Also included is a letter in draft form for those items that need to be changed in the O & M and the letter needs to be sent to Geremia & Associates for his alterations and an addendum to DEM so it can be changed before the actual manual is approved. It is at DEM for approval. He is asking to look for approval and authority to send the letter to Mr. Geremia and alter the O & M manual because it is a time sensitive manner.

July 21, 2010

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles to send the letter to Mr. James Geremia's office as drafted dated July 21, 2010 for alternations on the O & M manual with discussion.

Mr. Connolly asked if there was a copy of the proposed confined space entry with that.

Mr. Kane replied no. He stated that this document that he is going to give to the town and Mr. Nordstrom gave him a document of what Narragansett Bay Commission (NBC) uses and someone in the town

can rewrite it and it will also be sent with the letter as an addendum to be put in.

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 5-0 aye vote to send the letter that is to be sent to Mr. James Geremia as drafted dated July 21, 2010 for alternations on the O & M manual.

Mr. Kane referred to C.) Assessment Costs-2009. He wrote a letter to Mr. Wilcox which is a table that he pulled out of the ordinance and added to it for the 2009 Sewer Project for residential/commercial restaurants, industrial and vacant residential and commercial land and costs for assessment charges and spells out the edu's and what it should be assessed for. For D.) Budget Approval F/Y 2010-2011, on June 28, 2010 the special meeting of the North Smithfield Town Council meeting was approved for the operational budget of \$1,126,792.00. The new user rates, per equivalent dwelling unit (EDU) should be \$354.45 beginning on July 1, 2010 and ending June 31, 2010. The usage and assessment bills have been sent out and Mr. Wilcox has sent out all of the assessment and usage bills and have come across some problems but working through them. The final item is E.) Letter to Residents from Administrator. This is the letter that Mrs. Hamilton has sent out to all residents that is in the 2009 Sewer District. He stated that he did draft the letter and sent it to the administrator for review, comments and sent back so he could finalize it and send it back to her for disbursement. She took it and

he attempted to make her deadline or actually it was his deadline and it was sent out without his final review, without his signature but has his name on it. He was displeased and stated that because his name was on it doesn't mean he approved it and he had no knowledge of what was exactly in the letter and several things that he had put in the letter for a reason were removed. Because his name was on the letter doesn't mean he approved what was sent to the residents nor does he believe that it encompasses everything that should have been in the letter.

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 5-0 aye vote to receive and place items 8-A through 8-E on file.

OLD BUSINESS

Mr. Kane stated that there was a discussion either last month or the month prior regarding how the usage bills will be handled with the new project and the extensions that the commission is granting for the time to tie in for which none have been granted as of yet. He has conferred with Mr. Nadeau, the Town Solicitor and he has informed him that it is illegal to send out usage bills to people who have not yet connected and they cannot do so legally until they physically connect to the system. His original plan was to prorate the bills up until October 20, 2010 this year and on October 20th , if they were granted an extension or not, they would receive a usage bill as of that day until the end of the fiscal year and he was now told that that is illegal

to do and even if people wait for additional years to connect with the commission's permission they will not receive a usage bill until then. Mr. Nordstrom asked how the town got away with it before. He replied that he didn't know.

Mr. DeCelles asked what law is that based on?

Mr. Kane replied that Mr. Nadeau stated that you cannot charge someone for a service they are not receiving. That is like the attempt to pass on the charges for the design in Phases 2 and 3 to the residents who live there and that was illegal and falls under the same occupant. He was told that with the town's municipal court, the town will begin to enforce fees and force people to connect. He noted that in the letter that was sent out, there are several dates that the Commission might have to meet special meetings for extensions to save time and to meet the deadline of October 19th, 2010. He has also set those up with Sherry McGahan, the Superintendent's secretary. She has informed him that Kendall Dean is slated to be closed by the School Department. And the School Department is going to start charging and Kendall Dean will no longer be used at all by the town and Scouter's Hall will be used but the Sewer Commission hasn't been brought up at all in that discussion. It is strictly the Town Council, Planning Board, Zoning Board and the municipal court. In the end, someone is going to have to find the Sewer Commission a place to meet. He is trying to discuss with people and that it is going to cost money to meet at the schools. If

the town council wants them to meet and he feels that it really should be coming out of the general fund and he'll never approve

July 21, 2010

anything that comes out of the sewer department to pay for them to meet. And he was told that the municipal court will be using Scouter's Hall several times a week.

NEW BUSINESS

Mr. Kane stated that under the O & M manual during this presentation this evening they have to start cleaning sewer lines and conduct manhole inspections. They have received a proposal from February from Veolia Water and he is putting some sample bid documents together received from Mr. Nordstrom to get two (2) additional bids for this type of work and to work with the finance department for paying for them. Once those are approved, they would have to recommend an Award of Bid to one of the companies to the Town Council because it is more than \$10k. It was budgeted for \$35k for this year for this. The proposal from Veolia is only for the NS Interceptor from NS Woonsocket border in Woonsocket. That alone is \$12,550.00 for 5,400 ft. and 35 manholes at \$50.00 a piece which is \$2.00/linear ft. There is a total of 16 miles. There is also extra capital money put aside in relation to the generator of the SCADA system. If they would reallocate that in, they would have \$50k. At \$2.00 per linear ft. and he figured 25k per ft. That would do the NS Interceptor.

Mr. Nordstrom suggests getting a spec set up or doing it by sewer districts, the oldest one first or by interceptors.

Mr. Connolly suggest to also ask for Request For Proposals (RFP's) and send it out and saying this is what we would liked done and then we could evaluate their proposal.

Mr. Nordstrom expressed his feelings and stated that the presentation tonight was a Cadillac product and very good way of doing things. The town wouldn't have to go to that level, there are various levels, but it would be a very good starting point and give North Smithfield the opportunity everything they own on a good data base and know what is going on in the system and collectively make a decision as to where the town wants to be. He stated that when things are put on the GIS, it is only as good as the as built.

Mr. Kane stated that the North Smithfield interceptor which they had bid already, plus Union Village, South Union Village, Great Road and Mendon Road interceptors, this includes everything but the Branch River interceptor which is one of the longer ones and would total 27,100.00 ft. which would cost \$5,400.00. The only difference between this document and what Veolia Water already bid would be their charge for \$50.00 per manhole. That total \$5,400.00 would include the manholes. Foreseeable in five (5) years, the whole system could be done instead of ten (10) or fifteen (15) years.

Mr. DeCelles stated that DEM is giving some time so there is no need to rush it and feels that they couldn't afford it right now anyways.

PUBLIC COMMENT

Mr. Kane stated that he has one change that he needs to make to public comment. He was told by adding public comment, that he should be running it like the town council meetings are run, so people can talk but they (the commission) are not suppose to answer.

Mr. Robert Thurber of 20 Brian Avenue commented that Halliwell School has not connected to the sewer system and that would have been done back in the School Street, Birch Hill district and he is troubled that when he hears about the town council talking about water quality and the people connected to the sewer system with hundreds of students and teachers, faculty and the facility being used for 10 plus (multiple) years and no connection. He is wondering what is used for compliance for the existing system. Who is tied in and who isn't tied in, with that many students contributing into a leach field and according to Mr. Lindberg is working fine. He was hoping that a letter from the Sewer Commission with notification that they would have to connect to the sewer system as is everyone else in the sewer system is suppose to do after a certain amount of time. He believes that back then that they were given 90 days and instead it has been about 15-16 years. It may force the town council to take some action in regard to what they are actually going to do with the

school or it may force the school committee to take some action of what they are actually going to do with the school. He feels that if the sewer commission would put a little pressure on them or do something else, it might force the hand of the town council or the school committee.

Mr. Ron Martin 37 Pacheco Drive, and is wondering how they made out with the last meeting regarding the conversation about his pump replacement and speaking to Mr. Quann from F.R. Mahoney.

July 21, 2010

Mr. Kane replied that he will speak with him after.

Mr. Kane requested two motions to revert back to correspondence and communication to add two separate pieces of correspondence to correspondence and communications.

MOTION by Mr. Connolly, seconded by Mr. McGee and voted unanimously on a 5-0 vote to add two pieces of correspondence.

MOTION Amended by main maker Mr. Connolly, second amend by Mr. McGee and voted unanimously on a 5-0 vote to add three items to correspondence and communications.

Mr. Kane shared a letter he received from Mr. James Geremia to Mrs.

Paulette Hamilton about the final balancing change order that was approved at the town council meeting. The second one is about a payment request to Boyle and Fogarty Construction for payment request #15 and the Council did not approve the release of retain age to John Rocchio without the solicitor reviewing legal evidence about release of liens, cancelled checks and contract documents, so that has been provided to Mr. Nadeau and he has a copy and will e-mail a copy to all commission members.

MOTION by Mr. Nordstrom, seconded by Mr. Connolly and Mr. DeCelles and voted unanimously on a 5-0 aye vote to receive and place on file all three pieces of correspondence mentioned.

ADJOURN

MOTION by Mr. Connolly, seconded by Mr. McGee and voted unanimously on a 5-0 aye vote to adjourn meeting at 8:34 pm.

Meeting adjourned at 8:34 pm.

Respectfully Submitted,

Patricia A. Paul

Secretary