

SEWER COMMISSION MINUTES

January 19, 2011

7:00 PM

Mr. Connolly - The regular meeting of the Town of North Smithfield Sewer Commission was called to order on Wednesday, January 19, 2011 at 7:05 P.M. at Kendall Dean School.

Roll Call - Mrs. Paul - In attendance was: Mr. DeCelles, Mr. Nordstrom, Mrs. Sheridan and Mr. Connolly. Mr. Carpenter, Superintendent and Mr. Wilcox were also present. Mr. McGee was not present.

APPROVAL OF MINUTES

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom and voted unanimously on a 4-0 aye vote to table the December 15, 2010 minutes of the sewer commission.

ELECT OF OFFICERS/CHAIRPERSON

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom, and voted unanimously on an aye vote to nominate and elect Mr. Michael Connolly for Chairperson of the Sewer Commission for 2011.

MOTION by Mr. Nordstrom, seconded by Mrs. Sheridan, and voted unanimously on an aye vote to nominate and elect Mr. James DeCelles as Vice-Chairperson of the Sewer Commission for 2011.

MOTION by Mr. DeCelles, seconded by Mrs. Sheridan, and voted unanimously on an aye vote to nominate and elect Mr. Paul Nordstrom as Recording Secretary of the Sewer Commission for 2011.

Mr. Connolly welcomed Mrs. Mariellen Sheridan to the sewer commission.

ADOPT THE SEWER COMMISSION RULES & REGULATIONS

MOTION by Mr. DeCelles, seconded by Mrs. Sheridan, and voted unanimously on an aye vote to accept and approve the 2011 Rules and Regulations as drafted.

REPORT FROM SUPERINTENDANT - Mr. Carpenter

There were no questions regarding Mr. Carpenter's report.

GEREMIA & ASSOCIATES-Payment Requests

See Correspondence & Communications

REPORT FROM WATER & SEWER COORDINATOR

Mr. Wilcox stated that there is no report at this time per the request of the town administrator. She wants to schedule a meeting and have a working session in February to discuss this.

Mr. DeCelles asked what needs to be discussed.

Mr. Wilcox stated that the sewer commission Chair is looking for a report from him. He said that he didn't know.

Mr. Raymond Pendergast-Director of Public Works shared with the commission that he had a meeting with the administrator and they are trying to schedule a meeting with representatives of the sewer commission as well as themselves to help clarify the need of a commission telling employees to do reports. He feels that since they work for him, it comes down to basic accountability and there are things that are asked of them and he isn't aware of. He thinks that the town administrator will request a meeting very shortly, with his staff and commission members and will be able to take care of this at that time.

Mr. DeCelles asked and requests that the town administrator read the Charter before the meeting and feels saddened that they need a meeting to request a report.

Mr. Pendergast feels that it is more about accountability and this will clarify things and they can work towards that goal and so there won't be any issues moving forward for a new year.

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Mr. Kane of 1800 Pound Hill Road wanted to advise the commission of current issues that were under his attention as their former Chairperson.

He spoke with Mr. Connolly and Mr. Nordstrom about pressing matters that needed constant monitoring. After discussions with the town's engineer, Mr. James Geremia he informed him that the majority of the 2009 sewer project is complete. There will be minor issues being brought before the commission for the final balancing change order for Boyle and Fogarty to close out their contract. He urged the commission to observe the connections for the next several months up through the June 30, 2011 deadline that the commission imposed on sewer permits. And to insure that everyone who is suppose to be connected to the 2009 district, is connected. The O & M manual came before the commission in 2009 and was assembled by Mr. Geremia and it is with DEM for approval and it will be coming back before the commission with minor changes none that will impact much of any importance. He informed the commission that there was money allocated in the budget of \$10,000.00 that Mr. Carpenter is aware of for safety upgrades that coincide with the O & M manual. Those upgrades should be purchased within this budget cycle. He urged that this be looked at carefully and make sure that they are in compliance before DEM sends notices. In Regards to cleaning contracts and per the O & M Manual the sewer commission and the sewer department need to start analyzing their aging infrastructure and start a process of cleaning it. There is 16.1 miles

of sewers and is considered an extensive task as Mr. Kane explained. He supplied bids and was told to have them deferred and at Mr. Nordstrom's request urged him to consult with Mr. Geremia. Mr. Geremia has been working on that and will bring it before the commission shortly to ask for a full evaluation of the system to be completed in the spring so everything can be analyzed and to make sure that there is no pre-work that needs to be completed so that time and money isn't wasted. Mr. Kane urged the commission to proceed with extreme caution with the town council since there are four out of five new members at which time they need to be educated and help educate the new council members and bring them up to speed and to make sure that they have all of the accurate information. Mr. Kane commented and requested to possibly bring Mr. Geremia on as a retainer or bidding it out to see who would be the most appropriate as a retainer and to have an engineer available to have that professional opinion seeing that it is such a small and understaffed department.

Mr. Kane made the following statement: "That for the past two years he has had the pleasure of serving on the sewer commission and many considered what was a highly controversial board. He feels that he was serving the residents from 3,000 e.d.u.'s of a sewer district that is very well managed and he urged all of the commission members to bear in mind that they responsible and upheld to the town council but serve many more residents than what is apparent. He complimented and commented that Mr. Wilcox and Mr. Carpenter are well deserving in their positions and stated that they have been

dealt some very difficult hands and served the residents of the sewer district with the utmost honesty and fairness and urged them to continue that and wishes them both the best of luck in the town and their futures in their current positions. He hopes that Mrs. Sheridan takes on the giant task ahead of her and hopes that her five (5) years are beneficial to the town and to herself. He feels that it was a very humbly experience to serve the people of North Smithfield and to be accountable to that number of people. He complimented and thanked his colleagues on the commission and their patience and assisting him while being Chairperson of the sewer commission.

MARSHFIELD COMMONS

Mr. Carpenter stated that Marshfield Commons wants to tie into the Ironstone sewer district. Neighborhood Blackstone Valley Development wants to put up 18 two-family houses in that area.

Mr. DeCelles asked what the recommendation from the administration is.

Mr. Carpenter stated this was suppose to go to the town council for approval and slipped by the commission in the transition when Mr. Alvarez left the town and it was suppose to go to the last town council meeting for approval. He had submitted everything to Mr. Geremia for his recommendation and making sure that the Ironstone Mechanic Street pump station could handle the flows etc.

Mrs. Paul commented that the regular sewer commission meeting that was originally scheduled for January 19th was indeed moved up to January 12, 2011 so this could be on the next town council agenda, but due to inclement weather on January 12th, (a major snow storm) the regular sewer commission meeting was rescheduled back to its original date and time here on January 19th.

Mr. Connolly reviewed the letter received from Mr. Geremia addressing flows and if the system has the capacities and interested in learning more about e.d.u.'s and the finance side of it and asked Mr. Carpenter if he had those numbers.

Mr. Carpenter indicated that they would be 1.5 e.d.u.'s per dwelling and stated that there are 18 houses going up.

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Mr. Nordstrom questioned why would he think that they would be 1.5 e.d.u. per house?

Mr. Carpenter indicated that they are 2-family housing.

Mr. Nordstrom stated that it was just for phase 1A and 1B. He thinks that each of those units are 1 e.d.u. so it would be 18 e.d.u.'s. He asked if they were rental units.

Mrs. Sheridan referred to a letter dated September 9, 2010 from Mr. Geremia on page 3 of the letter, #7 and read if it was a rental property or owned by different owners, it would greatly affect the number of e.d.u's.

Mr. Nordstrom asked if Mr. Carpenter if they were rental units.

Mr. Carpenter indicated that yes they were going to be rental units.

Mr. Nordstrom commented that he wants to make sure that the council and administration are all on the same page.

Mr. Connolly asked if there has been any calculations done for the project as of yet?

Mr. Carpenter stated that no, not at this time.

Mr. DeCelles asked what action is being requested from the commission this evening.

Mr. Nordstrom stated that under the sewer use ordinance the superintendent is suppose to come before the sewer commission and the sewer commission would make a recommendation to the town council for the sewer usage charges based on the administrations recommendation. He also stated that the assessment is based on the Ironstone district assessment as written in the ordinance.

Mr. Carpenter stated that they have been paying the assessment already on those two plat and lots, and paid up to \$4,000.00 of that Ironstone district. He asked if that would be credited towards their new assessment.

Mr. Kane informed the commission that he had become aware of this the middle of last year. He was asked to investigate this by the administrator and by the Planning Board. He brought a letter to the sewer commission and the commission recommending that the letter be sent to the Planning Board and it contained what the commission agreed on as an appropriate assessment by the four part formula and the flat fee assessment crediting what the users had already paid. He indicated that there was a problem from the paper records from Ironstone of what people had paid up to 2001 year which are missing and were in the basement of town hall. What they have for assessments was put into the computer in 2001. This was not their original assessment it was the balance of their assessment the day the computer system went on-line. So he indicated that they don't know what their original assessment was unless someone of the town can ask owners of the current properties for their original bills and if they have them going back that far. This is a comprehensive project and he was reiterated that by several individuals including the town solicitor that this falls under the Planning Board by state law. Under a comprehensive plan, the Planning Board acts as Planning Board, Zoning Board and sewer and water authorities. They were told

to stay out and he presented the sewer commission's recommendations. He was told that the sewer commission's letter was received and an individual on the board dismissed the letter as being inaccurate and nothing else was said. He shared with the commission that the sewer commission did their part. He commented that the town is giving it back to the sewer commission when the sewer commission isn't suppose to have a place in it and could be violating state law and he urged the sewer commission to see the town solicitor's opinion. He stated that they figured out their assessments and was conveyed to the appropriate board in the town that is handling this project. It is 18 residential units, there is no community building, it is just low income housing.

Mr. Pendergast requested from the commission that this matter be tabled before it goes to the town council and before any decisions are made and that there are too many questions that unanswered and he doesn't feel comfortable with making any decisions.

Mr. Phil Godfrin, Consultant to the Neighbor Works Blackstone River Valley. He thinks what is before the commission is a request for a recommendation to the town council for the appropriateness of this sewer tie-in only. They have a meeting with the

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Planning Board on February 3, 2011 for preliminary approval. As part

as the preliminary approval the Planning Board looks for correspondence from the town council as to whether this project will be serviced with municipal sewers. The plans were submitted to Geremia and Associates and a recommendation was sent back to the sewer commission. He asked to rely on Mr. Geremia's letter, he stated that all of the information that the commission needs to make a decision is in Mr. Geremia's letter and stated that this property is part of the Ironstone district and as such will be assessed accordingly and according to the formula. That assessment can not be determined until the value of the buildings is known. He feels that what is before the commission tonight is this sewer tie-in for 38 units appropriate and that is the recommendation that is being asked of the sewer commission for a recommendation and an opinion to the town council.

Mr. Nordstrom replied that he disagrees with Mr. Godfrin. He indicated that the sewer commission has to sign off on the assessment, the user charge, the capacity and all of the technical issues. He feels that it is difficult to make decisions that just came before them now even though the letter was dated in October. He indicated that there are still lots of questions to be answered before making any decisions.

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom to table with discussion.

Mr. Connolly stated that he has been in contact with the town administrator and they have a meeting scheduled with the town administrator, a couple members of the commission, and the town council on Tuesday, January 25 to discuss these issues and determine common procedures for moving forward and maybe settle of the issues at that time.

Mrs. Sheridan and Mr. DeCelles requested more information and a recommendation from the administration.

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom and voted unanimously on a 4-0 aye vote to table until further information is received and a recommendation is given from the administration.

STOP & SHOP GAS STATION-Sewer Tie-In

Mr. Carpenter informed the commission that Mr. Bob Ericson, Planning Director approached him and Mr. Wilcox on December 14, 2010 and asked Mr. Wilcox for an approval letter stating that Stop and Shop Gas Station is eligible to tie into the sewer system.

Mr. Carpenter explained to the commission that a sewer was placed behind the Mezza Luna and Carrier's Furniture buildings three years ago to tie into the Stop and Shop existing sewer main. Both Mezza Luna and Carrier's were supposed to tie in at that time but they decided to tear down Carrier's Furniture and didn't tie into that building. There is no tie-in. At that point they were eligible to tie-in then. He isn't sure if they are they eligible to tie-in now by providing

them with a letter.

Mr. Nordstrom informed them to go to the wastewater regulations and find out the capacity, what is the assessment and how many edu's is it. He feels that the information would have to come from both Mr. Wilcox and the Mr. Carpenter to be recommended to the commission.

Mr. Carpenter informed the commission that an eight (8) inch line is already there.

Mr. Nordstrom stated that they could figure out the calculation themselves by looking at the plans and figuring out how many pumps they are going to have.

Mr. Carpenter stated that the owners of Mezza Luna owned the entire development and had sold that lot to Stop and Shop where Carrier's Furniture use to be to put the gas station. He indicated that their engineers had met with Mr. Alvarez awhile back.

Mr. DeCelles would like to see something from the owner of that sewer line giving authority to Stop and Shop to tie into it since the owners of Mezza Luna own the line. Mr. DeCelles believes that you can not have multiple owners on the same sewer line.

Mr. Nordstrom stated that after that gentleman came to the sewer commission and Geremia made the calculations on the assessments

and edu's, he put the sewer line in and then tore the building down.

Mr. Carpenter indicated that on the permit it said future tie-in. It was suppose to all get tied in but then they revised the plans in 2007.

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MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 4-0 aye vote to table to have the staff come back with information when they have their meeting on Tuesday with the administrator.

**MR. GREGORY VAN PELT-5 PARK DRIVE - Request for a Hardship
Mr. Van Pelt wasn't present.**

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 4-0 aye vote to table.

Mrs. Paul informed the commission that she had been in contact with him and that he was going to attend the meeting.

WATER/SEWER PROPOSED F/Y 2011 BUDGETS- Mr. Connolly

Mr. Nordstrom attended the December 6 town council meeting on another matter and the council had a revised budget for the Water and Sewer Department that the town council approved. The only item

that changed was a line item but the bottom line didn't change stayed the same.

Mr. Kane indicated that the council approved the budget that included the 2007 general obligation bond principals and interest that was not provided originally from the finance department to Mr. Alvarez which therefore did not get to him and the operating budget was changed back to 80/20% split between the water and sewer departments and sewer being 80% and that did not change the bottom line of the sewer budget so the operating user fee stayed the same.

Mr. Connolly stated that it has already been approved so it doesn't need the sewer commission's recommendation.

Mr. Kane stated that certain line items were reduced to take back into account the 80/20% split to keep the operating budget at the same allotment. Some capital line items and some operating line items were reduced.

CORRESPONDENCE AND COMMUNICATIONS

Mr. Connolly informed the commission that the town council already approved the SCADA Improvement invoice for payment #5 for \$8,720.00.

Mr. Nordstrom stated that it was "approved back in December of 2009 and it was approved by the town council on December 21, SCADA

system change order motion by Mr. Biron, seconded by Dr. Benoit and voted unanimously on a roll call vote to approve payment to Fall River Electrical Association for improvements #1 Removal of existing MTU in the amount of \$620.00 and #2 (Installation of the PLC at the Repeater St.) in the amount of \$1,200.00 for a total of \$1,820.00 that will be paid from the Sewer Department budget and reimbursed from the Water Department. Additionally, it was voted unanimously on a roll call vote to approve Improvement #3 (Install Conduit and Wire for Pump Control at Five Stations) in the amount of \$6,900.00 that will come from the Sewer Department budget and the total amount is \$8,720.00.” This has already been approved that was discussed last month.

MOTION by Mr. Nordstrom, seconded by Mr. DeCelles and voted unanimously on a 4-0 aye vote to place the following items on file: Correspondence received from Mr. Carpenter regarding the SCADA improvements correspondence for payment request of \$8,720.00.

OLD BUSINESS

Mr. DeCelles wants to make sure that Mr. Carpenter has everything that he is supposed to have before paying the final SCADA invoice due to him.

Mr. Carpenter had asked them about training and they said there was nothing in the contract. It was done as things were installed and trained Mr. Alvarez and not him.

Mr. Nordstrom drafted a letter to Ms. Samuelian and Ms. Mary McCaffrey and those are two individuals who did not connect to the sewer system and ran it by Mr. Kane when he was Chair at the time. Both property owners are solely responsible for the maintenance of their existing on-site system so if their systems fail they will be required to get permits from RIDEM for replacement of their system, but should their system fail and somehow the owners of the other property would finally given them permission that they could approach the sewer commission again and would be considered part of the district and they would pay the same assessment as the those residents that are in Phase 1A and 1B.

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There was some discussion on who sends out letters to these resident's.

Mr. Nordstrom stated that the question can be asked at the meeting that will be held with the administrator next week.

NEW BUSINESS

No New Business

OPEN FORUM PURSUANT TO RIGL SECTION 42-46-6 (d)

Mrs. Diane Wojcik, of 7 Lincoln Drive asked what the meeting is about

that will be held next week and who will be present at the meeting and if the public is invited.

Mr. Connolly stated that the town administrator called the meeting which will be held on Tuesday, January 25.

Mr. Bob Thurber of 20 Brian Avenue asked about the issue that they are having on corrosion in the electrical boxes and wanted to know if that was a problem with all of the installations or has it been rectified and also asked about the status on the 10-year maintenance agreement that was suppose to be added to the 5-year warranty on the grinder pumps with F.R. Mahoney.

Mr. Carpenter indicated that they are still waiting to hear from F.R. Mahoney on the corrosion in the electrical boxes. There are nine (9) that were affected and they came out and took pictures and he is still waiting to hear back from them. He indicated that there is one box that is definitely going to get replaced. They are unsure of what the problem is. He stated that it maybe the silicone that the electrician's put in it but they are still not sure of what the issue is. He has not heard anything regarding the warranty.

Mr. Kane stated that the 10-year maintenance plan is now an administrative function because it is something the administrator will have to work out with F.R. Mahoney. As far as the electrical boxes, he received a letter from F.R. Mahoney that clearly stated that they

were under warranty regardless and that came from the President of F.R. Mahoney and asked for them to check into it.

Mr. Wilcox indicated that he has a letter dated June 16 that states the rear entry only on the electrical boxes and that it was ok and they will warranty the complete installation of that box.

Mr. Nordstrom stated that the initial response was that would void the warranty and Mr. Alvarez informed them that they were told by their company that it was ok to do that.

Mr. Wilcox stated that the letter was filed with him and was directed to Ms. Paulette Hamilton from the President of F.R. Mahoney. He indicated that there are nine 9 boxes as of today and that the inspections are not done as of yet and 18 more to go for the month of January. Out of the 9 there appears to be only one water issue, out of the 8 remaining the tech believes that the silicone that was used for sealing the connection either the rear is a gassing issue and once the box is closed it is curing and that gas affecting the metal in the box and they are looking into that.

ADJOURN

MOTION by Mr. DeCelles, seconded by Mr. Nordstrom and voted unanimously on a 4-0 aye vote to adjourn the meeting at 8:23 pm. The meeting adjourned at 8:23 pm.

Respectfully Submitted,

Patricia A. Paul

Commission Secretary