

Tiverton Wastewater District (TWWD)
Meeting held at the North Tiverton Fire District Office (241 Hilton St)
Board Meeting Minutes
September 15, 2014

- Meeting Time:** Meeting called to order by Chair Leroy Kendricks at 6:00PM
- TWWD Board present:** Leroy Kendricks (LK); Chris Nearpass (CN); Paul Northrup (PN); John Christo (JC); Jeff Stearns (JS); Michelle Tepfenhart (MT) (*left at 7:28*)
- TWWD personnel:** Lisa Andromalos (LA) (*left at 7:10*); Nan Godet (NG); John Lincourt (JL)
- Guests:** Tom Dalglish (TD), Sakonnet Times; Patricia Aguiar (PA), Bay St Neighborhood Association LLC (*left and returned*); Frank Aguiar (FA), Bay St; John Roney (JR), Riverside
1. LK asked for approval of September 2, 2014 minutes; CN moved; JS seconded; minutes approved with the following amendments:
 - a. JC asked that the words ‘Draft’ be placed before Board Meeting Minutes until approved; and that the date of the to-be-approved minutes be added
 - b. JC pointed out that (see f. iv.) he informed the Board about the September 10th neighborhood meeting, and he recommended (only) that a DEM representative be asked to attend
 - c. There being no other discussion, the motion carried
 2. PA asked to be put on the agenda as she had questions for the Board. There followed a discussion about what could and could not be discussed and voted on, according to the Open Meetings Law (Rhode Island General Law 46-42)
 - a. LK asked for clarification of the Open Meeting Law; cannot vote on item not previously published as on the agenda
 - b. LK asked for motion to add PA to the agenda for purposes of this meeting; JC moved; CN seconded the motion to move PA’s presentation up on the agenda before item 2; motion carried
 - i. PA read her petition (see appended item A); asked for a discussion of the TWWD FAQs, with regard to potential loans
 - ii. LK called for clarification of the various loans (e.g., home equity loans, TIF, etc.); discussion followed between PA, LK/JL
 - c. PA said that TWWD cost estimates were not accurate, that TWWD does not yet have sufficient data (LK disagreed with this point)
 - d. PA asked about insurance coverage; existing insurance could be used by the Town for contamination issue; discussion followed concerning accuracy of septic system installation-costs; and, concerning costs regarding undeveloped but developable lots and connections
 - e. PA said that it was the contamination at Bay St that brought issues before the Town Council; discussion followed concerning contamination issue; **she is concerned that TIF bond funds are not being used to support the sewer line installation in the north end of Tiverton.**
 - f. JC asked PA to put questions/issues in writing and submit to the TWWD Board
 - i. LK said that the neighborhoods should also put their concerns before the Town Council; TWWD is not an adversary; TWWD is in “investigative mode” and will discuss postponing the vote. LK/MT again requested that PA submit her concerns in writing
 - ii. LK asked that the meeting move on and requested a copy of PA’s petition
 3. Treasurer’s Report (see appended item B)
 - a. Cash Position and Projection:
 - i. The final monies (\$75K) are due from Town to TWWD
 - ii. First draft of cash flow projection is done and has been distributed to Board (see appended item C)
 - iii. **PN/LK/LA to meet at Bank to set up check-signing and on-line access** to account (LA has on-line access)
 - b. Accounting:
 - i. LA to speak to Mark Abrahams (MA); she has a broad list of things that need to be done; can work with QuickBooks on-line
 - c. Community Development Block Grants (CDBG):

- i. The Town Council has said that all sewer funds will be transferred to TWWD, but, the resolution states that written consent is required from the State of RI. **The Town Administrator is to write that letter.**
 - ii. JC asked about contracted money; **JL said looking for contract from AECOM**; PN said that the stipulation was that ‘funds should be used in a timely manner’
 1. LK said that there are funds still available from 2011 as well as 2012, 2013; however, when the funds were requested, they were requested for specific locations;
 - a. LK said that there are two steps:
 - i. TWWD must be sure of the funds it has
 - ii. TWWD must re-examine its priorities and possibly re-allocate funds
 2. LK spoke to Christian Belden (CB) of the Church Community Housing
 - a. LK the locations can be changed if a request is put in
 - iii. PN The first thing to do is to have the Town Administrator have the funds transferred to TWWD; then write for an extension
 1. **PN to speak to CB**
 2. JL defined the present boundaries for the grant; LK TWWD needs to see if that can be expanded
 3. PN since the funds are ‘reimbursable’, how does TWWD find the advance money?
 - a. **PN to investigate setting up low-interest loan**; CN asked if this can be done with SRF; PN it’s a possibility; JL said would have to be on the project priority list; PN said will follow up
 - iv. PN Town is responsible for in-kind services; JL most in-kind has been in personnel (e.g., paving, prep-work, etc.)
- d. Pension Plan:
- i. PN met with John Annensen (JA) on September 11, to discuss options for JL; JA suggested 401A or 457 Plan, both written for government employees (for which TWWD qualifies)
 1. LK asked that PN make a detailed recommendation at the next meeting
 2. PN spoke to Zach Saul (ZS) of the State Retirement System who said there is no significance to JL’s 10th anniversary date; LA asked for clarification; brief discussion followed between PN/LA/JL; PN briefly reviewed MERS Plan (Municipal Employees’ Retirement System), and said contribution at 8.5% seems high
 - ii. LK asked that JL’s health insurance be on the next Town Council’s agenda
4. General Manager’s Report:
- a. LA New office is now officially open; work completed under budget; there are still a few things to be done
 - b. New billing software is up and running; the first bills have been printed for N. Tiverton and will be mailed later this week; total billing = ~\$62K; discussion followed regarding moving to monthly billing for a large outstanding bill
 - i. LA There is one additional 2014 billing; in 2015 there will be three billings; 2016 look at monthly billing (must look at costs and calculation)
 - ii. PN asked about printing the bills; brief discussion followed regarding printing
 - iii. LA Still waiting for Stone Bridge readings; may have to go to estimated billing; discussion followed
 - c. Collection (see report appended, Appendix D)
 - i. LA to set up payment plans for those bills seriously in arrears; will stress that TWWD does not want to go to liens
 - d. LA setting up an office-and-accounting-practices handbook, and an employee handbook (the latter based on Paul St. Laurent’s handbook for North Tiverton); TWWD sent edible arrangement as thank you

- e. Bill paying (*this was discussed later in the meeting, when LA had to leave*): LK suggested regular bills would not need separate approval; **LA and LK to put together a recommendation to the board for bill-paying**
5. Operations Report (see Appendix E):
 - a. JL/CN joint inspection of TWWD pump stations resulted in a task-list for JL; electrician Tom DeCosta (TD) will be assisting JL to do electrical inspections of pump stations (9/26/2014);
 - b. Pump Stations: Hurst is running well; it is the oldest station and has some rust, may clean up or replace control boxes depending upon TD recommendation
 - c. Collection System: JL has identified two manholes on Souza Rd needing repair (sinking); quote from J & A Landscaping; discussion followed regarding the sinking problem and ‘intrinsic controls’ and ‘intrinsic barriers’; PN suggested JL establish rotating contractor call list
 - i. JL need police detail during repairs; MT bid process?; LK generally, if the cost is under \$5K, municipalities use ‘best judgment’; LK will set up a bidding process for TWWD later on
 1. **CN made a motion that TWWD contract J & A Landscaping to repair two manholes at a cost of \$3,530; seconded by JS; discussion followed; motion passed unanimously**
6. Voting (Agenda Item 3):
 - a. LK: based on recent occurrences, recommends postponing the mailing/return (9/22 & 9/30); he identified two issues:
 - i. Uncertainty regarding Bay St (possible TIF funding; remediation costs not to TWWD) and Robert Gray; LK to meet with attorneys and Town Administrator, but feels that the residents will have more power; LK spoke to USDA and said that vote will be postponed; MT asked that TWWD reconvene on the topic
 - ii. Riverside Dr: LK walked Poplar St; LK reviewed neighborhood concerns (one of main concerns regards voting without knowing future financing
 1. LK The Riverside Dr issue is one of information
 - a. LK suggests canvassing the neighborhood and recommends developing a ‘community task force’ (TWWD to reach out to a few neighborhood people; have meetings; task force then reports accurate information to neighborhood)
 - b. LK recommends postponing the Riverside Dr vote until clear and accurate information is out
 - b. LK Opened up discussion for comments: CN asked: how postponement effected the engineering (LK regardless of the calendar date, and how that might affect construction, TWWD should postpone until residents have accurate information); and interest on the loan (LK/MT not affect interest)
 - i. JR asked about the eligibility criteria; JR agrees with PA that TWWD does not have adequate data yet; why not require inspections? (CN responded); LK stated that it is the intent of TWWD to redefine who is eligible to vote in the next legislative session
 - ii. JS suggested inserting footnotes in the FAQ to cite where information comes from; to ask AECOM for cite information
 - iii. JS asked if the school meeting were off the table; LK said that since the vote will be postponed, he would rather have the school meeting closer to the vote
7. LK asked for motion to push USDA and loan agreement to the next meeting; CN moved; PN seconded; motion passed
8. Marketing and website: LK There has been favorable response; web address: twwd.org
 - a. LK asked that board members funnel corrections or information through NG
 - b. CN asked about letterhead; NG in Drop Box

LK asked for motion to adjourn the meeting; CN moved; JS seconded; motion passed unanimously; meeting adjourned at 7:30PM

Subsequent informal discussion followed on the date for next meeting, **Next meeting 1st Monday: October 6th, 5:30PM at a place to be determined.**

Previous Action Items:

1. LA to send Budget to PN ✓
2. NG to send FAQs to LK and TP ✓
3. PN to contact Zach Saul re migrating JL pension ✓
4. LK to request DEM enforcement facts for FAQ ✓
5. Someone to visit Poplar St (LK ✓)
6. NG to post approved minutes on website (pending)
7. TP to change contract wording on Hooper St
8. Members to look at By-Laws (in Drop Box ✓)
9. LA to provide report on checks and banking ✓

Action items:

1. NG to amend minutes of previous meeting ✓
2. PN to speak to Christian Belden of Church Community Housing about loans
3. PN to investigate low interest loans
4. PN to make detailed recommendation to Board at next meeting regarding JL pension
5. LK to fill out form, provided by JL, to put JL health insurance on next Town Council Agenda
6. LA/LK to put together a recommendation regarding bill-paying (e.g., what is a 'regular' bill and what circumstances constitute 'special case' needing approval)
7. PN/LK/LA to meet at bank to set up check signing and on-line access
8. LK to ask Town Administrator to write letter to Sec. State requesting letter of consent to transfer Town sewer funds to TWWD
9. JL to ask AECOM about Hooper St contract
10. JL to contract with J & A Landscaping to repair sinking manholes on Souza St
11. JL to start a rotating contractor call- list
12. LK to look into redefining eligible voters
13. JS to ask AECOM for footnote information for FAQs (to cite where information comes from)

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Pursuant to the terms of R.I.G.L. § 42-46-6 Notice. – (a) All public bodies shall give written notice of their regularly scheduled meetings at the beginning of each calendar year. The notice shall include the dates, times, and places of the meetings and shall be provided to members of the public upon request and to the secretary of state at the beginning of each calendar year in accordance with subsection (f).

(b) Public bodies shall give supplemental written public notice of any meeting within a minimum of forty-eight (48) hours before the date. This notice shall include the date the notice was posted, the date, time and place of the meeting, and a statement specifying the nature of the business to be discussed. Copies of the notice shall be maintained by the public body for a minimum of one year. Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. School committees may, however, add items for informational purposes only, pursuant to a request, submitted in writing, by a member of the public during the public comment session of the school committee's meetings. Said informational items may not be voted upon unless they have been posted in accordance with the provisions of this section. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.