

Tiverton Wastewater District (TWWD)  
Meeting held at the Sakonnet Bay Manor, 1215 Main Road  
Board Meeting Minutes  
October 6, 2014  
FINAL – Approved by BOD 10/20/14

**Meeting Time:** Meeting called to order by Chair Leroy Kendricks at 5:30PM

**TWWD Board present:** Leroy Kendricks (LK); Chris Nearpass (CN); Paul Northrup (PN); John Christo (JC), *left mtg at 6:43PM*; Jeff Stearns (JS)

**TWWD Board absent:** Michelle Tepfenhart (MT)

**TWWD personnel:** Nan Godet (NG); John Lincourt (JL)

**TWWD personnel absent:** Lisa Andromalos (LA)

**Guests:** Tom Parece (TP), AECOM; Stephen Serzan (SS), Riverside Dr. neighborhood

1. LK asked for approval of September 15, 2014 minutes; CN moved; JS seconded; minutes unanimously approved with the following amendments:
  - a. *JC asked that clarification be added to text with regard to Bay St neighborhood's (Pat Aguiar) concerns over Town's dispersal of TIF bond funds and sewer installation costs*
  - b. *JC pointed out items in text which should be carried forward as Action Items; and that even completed Action Items should be included in minutes*
  - c. *JC noted that in instances where motions pass, the wording should either read "unanimously", or list individual names for or against. In this regard, JC asked that NG check the wording in the Open Meetings regulations (JC to send Town's document to NG)*
  - d. *Clarification of JS seconding a motion (affirmative)*
  - e. *JC also asked that the TWWD website information be put on the agenda going forward; LK suggested that that information is on the stationary*
  - f. *JC said that at the end of each meeting, normally state the time and place of the next meeting*
  - g. *TP pointed out that the minutes should follow the rules and regulations of the Open Meeting Law*
2. LK asked that we move Stephen Serzan (SS) up in the Agenda; CN so moved; JS seconded; motion passed unanimously
  - a. SS passed around a marked map (Appendix A)
  - b. SS explained that he has a house with cesspool; discussion followed on possible affirmative votes for the sewer project; of 13 parcels, SS felt that 7 would vote positively
  - c. LK said that it's possible, given push-back from the Bay St neighborhood, that the sewer project may pick up more of Riverside than originally planned
  - d. SS gave NG contact information
  - e. LK asked if SS would be willing to help with neighborhood canvassing and listed the positive outcomes of the project (road-paving; installation opportunities for other utilities; etc.); SS replied 'yes'
3. LK reminded Board Members that the Treasurer's Report (PN); Business Manager's Report (LA); Superintendent's Report (JL), were requested and emailed in advance of the meeting. LK asked if there were any questions regarding these reports.
  - a. JS asked about AR over the year and how much it would be
  - b. JL commented on LA's handling of collections, and her positive attitude regarding lien letter recipients
    - i. Discussion followed regarding large outstanding balances
  - c. JC asked about Treasurer's Report
    - i. Questioned PN regarding the Bay St 2010 census tract and CDGB funds
    - ii. JL stated that Bay St CDGB limits are State to Hooper; and Main to Fish
      1. PN said the area is determined by the Census
      2. CN said not allowed to break up Census tract areas
      3. LK: would like to think that there is some room to appeal the limits of the project area; JL said that the appeal would be based on "boots on the ground"

4. LK said he would like to take available monies and use to benefit low to moderate income residents; the total money available was \$290K; LK there was \$22K from 2011; LK more available from 2012
  5. TP said that USDA did break down of the data for private property work
  6. PN to check with USDA about data break-down to find out what is available; PN to follow up with USDA (Joanne Demars) and Church Community Housing
- d. General Manager's Report, questions:
- i. JS asked if we write off income in arrears older than one year
  - ii. PN replied that old receivables from the Town (prior income) was put into the Budget as ~\$12K; the amount is actually more than that and LA is working on recovering income past due; PN TWWD has not written anything off yet
  - iii. JC with regard to Stone Bridge, can we use the old software to estimate bills? LK TWWD can send out estimated bills and can reconcile when get the actual readings
- e. Superintendent's Report, questions:
- i. CN asked about the longer running times at Hurst Ln pump station; JL said the time is not significant
  - ii. LK asked if pumps should be pulled and serviced? CN asked if there are any adjustments to be made and what type of pumps; brief discussion followed on Ebara pumps;
  - iii. LK asked if there should be a regularly scheduled inspection of pumps; question of spare; JL said all different sizes; CN and JL said pumps replaced when there is a problem
  - iv. TP said pumps' performance can be compared; look at timing, wetwell drain down test, etc.
  - v. CN asked if there can be flow readings; JL said can get flow readings from Mill St, Hurst Ln, Industrial Way, Schooner; JL recommended calibrating all of the meters (Mill St pump Station not zeroing out)
  - vi. JC asked if can run a totalized flow; CN said can compare flow, water bills to flow
  - vii. LK asked where Black Bird Station is; JL to go to Town Hall to see if the easement has been recorded; LK asked JL to expedite
    1. PN asked if, when Black Bird is turned over, all the piping is coming; JL stated 'no', only some
  - viii. CN asked if wet well cleanings were scheduled yet with Love Sanitation; JL replied will set up
  - ix. CN asked about weed growth; JL replied that there has been some re-growth, tree cut back; CN asked about easement; JL replied that was waiting for leaves to come off the trees towards the end of October; LK asked that CN and JL discuss later
  - x. JC asked about scheduling to clean the main interceptor along Bay St.; JL replied that there is nothing scheduled, very little in the bottom of the interceptor; a periodic inspection should be done; JS asked if TWWD can 'camera' that?; TP said he and JL replied that spoken about 'camera-ing' and periodic inspections; TP suggested maybe doing 1/3 of the system, and then start the cycle again; CN suggested preventative jet routing
  - xi. TP said he talked to JL about any possible additional maintenance equipment; brief discussion followed
  - xii. JC asked JL if the inspection along the RR tracks were scheduled for next year? JL replied that that is normally done at the end of October
  - xiii. JC asked about manhole in Bay St area; cannot see the manhole, which is off the road; CN said that can be taken care of when the easement is done
  - xiv. LK asked for any other questions; there were none
4. Voting Procedures and Canvassing:
- a. LK met with Town Administrator, Town Solicitor, Town Engineer; TP and JL there, and the Bay St attorney was there...spoke about the contamination issue in the Bay St area...LK told the Bay St residents that their charge would be approximately \$130 per month; this cost will not address the contamination issue
    - i. LK had a meeting with the Town regarding this contamination issue:
      1. Approximately \$375K has been slated to deal with the public areas of contamination (street, anything that is paved); Town is willing to pay most of that money to take care of remediating the street

- a. JC said that this is not Town money...1/2 million dollars given to the town for soil settlement, not general fund money
  - b. PN asked if this money were safe-guarded; LK replied affirmatively, this cannot go into the General Fund
  - c. LK Town is only responsible for public space; homeowners are responsible for the private space; there are two possible sources of funding to aid with this: \$250K to take care of contamination in green space and private space, after remediation is done; the other possible source of funding is the insurance policy, which is ambiguous; it is unclear whether the \$50K deductible is per property or for the aggregate; Bay St lawyer Tony (Anthony Muri) would be prepared to argue that it should be the aggregate, should the sewer vote go through; LK said that Bob Hoffman (BH) did a good job identifying the properties
    - i. LK said that TWWD must calculate how much the remediation will cost to see if the \$375K will cover it; and an approximate cost of what it will be in the private sector
    - ii. JL to speak to BH about what has to be done with soil above and below the snow fence; soil management discussion followed
  - d. JC question: the Simpson land, bordering Judson, Church and the water...what will TWWD do when the pipe goes in? what happens with the south side of Judson St? TP replied that every property would have at least one stub; big properties could tie-in directly to a manhole
    - i. CN said that developments can pay the cost of sewers
    - ii. JS said that there are low end and high end costs with regard to contaminated soils issue and sewers in that area: do you want to put 'bad' soils back into a trench? Or do you want to establish a 'clean corridor'? the higher numbers would come from tipping fees to get rid of the contaminated soils; TP said AECOM would work out costs both ways; JS replied that there would be four (4) numbers (public and private/clean fill and partial)
      1. JS recommends 'clean corridor'; LK said TWWD cannot charge any soil remediation charges to residents; TP said to minimize risk, would establish a clean corridor
      2. LK said TWWD must find the costs; may have to postpone Bay St until know the costs
      3. JC pointed out that there may be an opportunity to sell some of the fill
      4. TP to estimate costs for all 4 (see above); PN asked for clarification of where monies are; LK replied monies can only be used for remediation of soil; JC said that the monies for this are in escrow
5. LK asked for vote on hiring special consultant: BGP Strategies for marketing/communication strategies
    - a. LK temporarily delayed the vote since Board had not read email concerning hire
  6. Approval of bills: no bills to go through
    - a. CN then asked about request to get boards for generators; JL said that RalCo came down and tried to fix the two boards...could not be fixed; next step is to purchase and install new boards; quote of \$1,818.71 (LK asked how much the boards cost; JL replied that the boards are most of the cost)
      - i. LK asked for motion: CN moved that JL be authorized to contract with RalCo to repair the generators at a cost of \$1818.71 not to exceed \$2,000.00; JS seconded; motion passed unanimously
  7. LK asked NG about monitoring the TWWD website; NG replied that she is making changes/additions with the help of the web designer

8. Old Business: LK listed old action items; those outstanding were:
  - a. PN to look into CDBG funding; investigating with bank to see if TWWD qualifies for a low-interest loan; will follow up
  - b. USDA agreement; LK asked NG if there were any documents to vote on; NG asked about compliance document, brief discussion followed
  - c. JL reported that he did go to the last Town Meeting (regarding his health insurance); was not discussed but will be at the next meeting (Monday, October 13<sup>th</sup>) (*JC left the meeting at this point*); JL said may go to Cobra in the interim; LK asked JL to pursue and talk to Town
  - d. LK asked about status of PPG; PN said that the USDA required a resolution from TWWD regarding the \$31,450.00 or 74.99% of the actual costs; TP and Steve Levy (SL) both confirmed invoices. PN sent in the plan with signatures, but JD from USDA requires a specific agreement
    - i. Need a motion which says, 'The Board of the Tiverton Wastewater District, formerly known as the Tiverton Wastewater Commission hereby authorizes ...'
      1. CN said that PN could not put that into a formal motion because now; CN made the motion, JS seconded; discussion followed; motion passed unanimously (PN to send NG specific wording which must then be sent to JD...Appendix B)
9. New Business:
  - a. PN looked at two (2) pension plans for JL: 457B and 401A (*SS left the meeting at this point*); LK asked for highlights and recommendation from PN
    - i. 457 and 401 very similar; the biggest difference is in in service distributions and the fees; 401A has early withdrawal penalty; set up fees similar
    - ii. PN recommends 457; will cost TWWD nothing except contribution for JL (TWWD contributes max of 5% and JL contributes 7% = 12% of salary); PN to give NG paperwork; PN recommended 66 as retirement age; leave of absence allowed;...details in Appendix
      1. PN also recommended allowing part-time employees be given opportunity for this pension plan (TWWD cap at 5% ; employee some % of gross); limit definition of part-time (for purposes of plan) to be in excess of 1000 hours per year
      2. LK asked for discussion; general agreement to provide plan for part-time employees, as defined (1000 hours or more); LK asked for motion: CN moved to accept the Treasurer's recommendation regarding pensions; JS seconded; motion passed unanimously (*JC was not present*)
  - b. PN shut-off policy: TWWD might base its shut-off policy on that of North Tiverton Fire District (NTFD); shut-off notices should go out first week of November for list of delinquents
    - i. LK asked that the issue be place on the next Agenda; the TWWD must follow PUC procedures regarding who and when shut-offs can take place (LK to send PN the PUC information); JL has a shut-off form, and JL must be present when shut-off occurs
    - ii. Issue to be further discussed at the next Board Meeting (October 20<sup>th</sup>); LK to send PN PUC procedures
  - c. PN: NTFD sewer fee waiver; discussion followed; LK pointed out that TWWD uses the NTFD building for meetings at no charge; PN recommended waiving; LK asked for a motion to that effect: CN moved to waive the first NTFD sewer bill; JS seconded; motion carried unanimously. LA to draft letter for LK to sign granting the waiver of the first bill and thanking them for their support (*JC not present*)
  - d. PN suggested that, since LA's husband had put in many hours of work to get the new TWWD office ready, the TWWD Board give them a gift certificate; discussion followed; LK asked NG to use the TWWD debit card to obtain a \$100 gift certificate for a specified local restaurant
  - e. LK: Noel Berg (NB) has today tendered his resignation from the Board effective immediately; LK asked that LA or NG draft a letter for LK's signature, accepting his resignation with regret and thanking NB for his long service
  - f. By-Laws: LK asked to table the discussion for the time being, and that the file be saved for future discussion
  - g. LK asked about moving the Board Meeting dates to the 2<sup>nd</sup> and 4<sup>th</sup> Mondays; or, to end meetings at 6:45 or 7PM, and leave on 1<sup>st</sup> and 3<sup>rd</sup> Monday; consensus was to leave as is for the time being; TWWD will eventually change to one (1) meeting per month

- h. LK again raised the issue of marketing strategies: BGP Strategies can help to distribute an accurate sewerage message; LK recommended hiring BGP for three (3) months at \$3K per month (from October – January); discussion followed regarding BGP scope of work; LK called for a motion to approve the hiring of BGP Strategies as special consultants, for three months, the amount not to exceed ~\$9K; JS so moved, CN seconded; motion carried unanimously
    - i. BGP to be on the Agenda as special consultants next meeting
  - i. CN raised the issue of legislative action (to change eligibility requirements for voting); LK to speak to attorney about amending the legislation in order to allow property owners to vote, while still addressing the issue of commercial properties; discussion followed; Agenda Item at the next Board Meeting to cover voting; JL to calculate what % of the property owners can vote now
    - i. CN said that he would pick up the ballots from the printer's
  - j. LK: a building permit was required to put up the TWWD signs at the new office location; LK paid and would like to be reimbursed for the expense (submitted paperwork to NG for LA)
  - k. LK: a deposit was required to establish a bank account for TWWD, for which LK paid; he would like to be reimbursed for the expense
10. LK asked for a motion to adjourn; CN so moved; JS seconded; motion carried unanimously...meeting adjourned at 7:30PM

Next TWWD Board Meeting to be held on October 20, 2014 at 5:30PM, Location TBD

Action Items:

1. PN to check with USDA about data break-down to find out what is available
2. PN to follow up with USDA and Church Community Housing about loans; look into CDBG funding
3. JL to go to Town Hall, to see if the easement has been recorded (for Black Bird Station)
4. JL to set up schedule for wet well cleanings, with Love Sanitation
5. JL to look into any additional maintenance equipment TWWD might need
6. TP to calculate how much remediation will cost, to see if the available funds will cover, for all four costs: public/private & clean fill/partial
7. JL authorized to contract with RalCo to repair generators at specified cost
8. JL to pursue health insurance talks with Town
9. PN to send NG specific wording on TWWD resolution to be sent to JD
10. LK to send PUC procedures to PN
11. LA to draft a letter for LK to sign allowing NTFD to waive first sewer bill and thanking them for their help
12. LA or NG to draft a letter for LK's signature thanking Noel Berg for his years of service
13. LK to speak to TWWD attorney about amending the TWWD legislation (to allow property owners to vote)
14. CN to pick up ballots from printer
15. LA to see to LK reimbursements
16. NG to place on the next meeting's Agenda:
  - a. Shut-off notices policy
  - b. BGP services

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**SUBMITTED BY: LISA ANDROMALOS, GENERAL MANAGER**

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.