

**REGULAR MONTHLY MEETING OF THE
LINCOLN BOARD OF WATER COMMISSIONERS
NOVEMBER 9, 2005**

The regular monthly meeting of the Lincoln Board of Water Commissioners was held on November 9, 2005 at the Lincoln Water Commission Office. Commissioners Kelly, Goldberg, Kay and Conklin were present. Commissioner Smith was absent. Also present was Water Superintendent John S. Faile.

In attendance at the start of the meeting were Mr. Carlos Taraktzian and Attorney Michael Kelly.

Mr. Taraktzian served each Board member and the Superintendent with a complaint in the Victoria Arocho versus Lincoln Water Commission law suit and left the meeting. He will serve Commissioner Smith at another time and place.

Chairman Kelly called the regular monthly meeting to order at 5:45PM.

Attorney Kelly was granted this position on the agenda. The Law Offices of Michael A. Kelly represent E.A. McNulty of the Sables Road, Lantern Road Subdivision. This is a seventeen (17) lot subdivision. Since this is a complicated development, there were concerns on the part of the Water Commission relative to overland easements that

may be difficult to maintain. The developer requests water to the development with the following conditions:-

1. Making the development a condominium style development with a homeowners association as the sole customer
2. The homeowners association will be responsible for fee collection
3. One curbside master meter will assess the entire property
4. The homeowners Association will be responsible for maintenance of all lines
5. A written legal agreement will be executed.

Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, it was VOTED: To authorize the Superintendent to contact an attorney to review and/or draw a contract that will protect the Lincoln Water Commission. The developer will reimburse the Lincoln Water Commission for any expenses incurred. APPROVED.

Upon motion of Commissioner Goldberg, seconded by Commissioner Conklin, it was VOTED: To accept the minutes of the previous monthly meeting.

MONTHLY REPORT OF THE SUPERINTENDENT

Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, it was VOTED: That the Superintendent's Report for the month of October is accepted and ordered placed on file. APPROVED.

MONTHLY FINANCIAL REPORT

Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, it was VOTED: To accept the Financial Report for the month of October and ordered placed on file for audit. APPROVED.

CREDIT REPORT

The Credit Report for the month of October will be placed on file.

CAPITAL ACCOUNTS

The Board was presented with the monthly statement of investments, encumbrances, and amounts available for

ACCOUNT ADJUSTMENT REPORT

Upon motion of Commissioner Kay, seconded by Commissioner Conklin the account adjustment report will be placed on file. APPROVED.

MONTHLY INVOICES

Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, Accounts Payable in the amount of \$146,960.26 and Direct Payments in the amount of \$52,530.72 are approved for payment. APPROVED

ABATEMENTS

Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, abatements in the amount of \$15.95 were approved for Arthur Fletcher of 20 River Road and William Gagne of 398 Great Road for

senior abatements of surcharges. APPROVED.

CORRESPONDENCE

The Superintendent presented the Board with a copy of documentation supporting the Lincoln Water Commission request for reimbursement for the US Environmental Protection Agency.

The Board was also presented with information of a main break that occurred on Monday, October 24th at the Highland Falls Condominiums on School Street, Albion. The Superintendent presented the Board with a request to hire Pare Engineering to design and prepare construction drawings for the project of replacing the pipe in the bridge and canal area. The Superintendent then informed the Board that the price Pare Engineering requested for this project was much too high and he withdrew the request. The project will be done in house at a much less expensive price.

OLD BUSINESS

Two of the Administrative Changes that were researched were postage and payroll. Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, it was VOTED: That the Superintendent is authorized to rent a postage machine and sealer and that PAYCHEX be hired to prepare a weekly payroll for the Commission. APPROVED.

The Superintendent informed the Board that the executed Union Contract has been received by the office.

The Superintendent showed the Board a picture of the anticipated high service area water tank. The tank is 117 feet high and he has applied to all necessary agencies for the proper permits and approvals. It is intended that the bid will go out in the spring and construction will start in the summer of 2006.

NEW BUSINESS

Upon motion of Commissioner Goldberg, seconded by Commissioner Conklin, it was VOTED: TO authorize the superintendent to purchase valves from Washburn Garfield in the amount of \$11,205 and to purchase pipes and fittings from Independent Pipe and Supply for \$11,723 and retrofit the Manville Tank with LWC staff and the painting contractor. APPROVED.

There was no Safety Report for the month of October, 2006.

Reservations will be made for an annual Holiday dinner immediately following the December 14, 2005 meeting.

Upon motion of Commissioner Goldberg, seconded by Commissioner Kay, it was VOTED: TO adjourn to Executive session in accordance with RIGL 42-26-5a (1) – 9 to discuss litigation matters at 6:50PM.

Upon motion of Commissioner Kay, seconded by Commissioner Conklin, it was VOTED: To seal the minutes of the closed session in accordance with RIGL 42-26-7c.

Upon motion of Commissioner Conklin, seconded by Commissioner Goldberg, it was VOTED: To return to the regularly scheduled meeting.

Upon motion of Commissioner Goldberg, seconded by Commissioner Conklin, it was VOTED: That all information relative to the Victoria Arocho legal matter is forwarded to Attorney McKinnon and those incidents of unauthorized use of water is dealt with as they occur.

Upon motion of Commissioner Kay, seconded by Commissioner Conklin, it was VOTED: To adjourn at 7:20PM. APPROVED.