

As amended 01/17/06

TOWN COUNCIL MEETING
for
TOWN, WATER AND SEWER MATTERS

Monday, December 19, 2005

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Philomenian Library, Conference Room, 26 North Road at 6:31 PM by Commission President David J. Long.

The following members were present:

Julio DiGiando, Vice-President
William A. Kelly
Michael F. Schnack
Barbara A. Szepatowski

Also present were:

Police Chief Thomas Tighe, Interim Town Administrator
Jennifer Azevedo, Assistant Town Solicitor
Denise Jennings, Water and Sewer Clerk

Absent were:

Steven J. Goslee, Public Works Director

EXECUTIVE SESSION

1) Pursuant to RIGL 42-46-5 (a)(2) (*lititgation*)

Motion was made by Commissioner Schnack, seconded by Commissioner Kelly to enter Executive Session at 6:32 PM pursuant to RIGL 42-46-5 (a)(2) (*lititgation*).

The vote was, Commissioner Long, aye; Commissioner DiGiando, aye; Commissioner Kelly, aye; Commissioner Schnack, aye; Commissioner Szepatowski, aye. Motion so unanimously voted.

The Commission returned to regular session at 7:12 PM .

The following members were present:

Julio DiGiando, Vice-President
William A. Kelly
Michael F. Schnack
Barbara A. Szepatowski

Also present were:

Police Chief Thomas Tighe, Interim Town Administrator
Steven J. Goslee, Public Works Director
J. William Harsch, Esq., Town Solicitor
Jennifer Azevedo, Assistant Town Solicitor
Lisa Bryer, Town Planner
Denise Jennings, Water and Sewer Clerk

Motion was made by Commissioner Kelly, seconded by Commissioner DiGiando to seal the minutes of the Executive Session. The vote was, Commissioner Long, aye; Commissioner DiGiando, aye; Commissioner Kelly, aye; Commissioner Schnack, aye; Commissioner Szepatowski, aye. Motion so unanimously voted

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None scheduled)

READING AND APPROVAL OF MINUTES

1) 10/25/05 (public hearing):

Motion was made by Commissioner Kelly, seconded by Commissioner Schnack to accept the 10/25/05 (public hearing) minutes. Motion so voted, 3 in favor; Commissioners Long and Szepatowski abstained. Commissioners Long and Szepatowski were not present at said hearing.

2) 11/21/05 (regular meeting):

Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to accept the 11/21/05 (regular meeting) minutes. Motion so voted, 3 in favor; Commissioners DiGiando and Kelly abstained. Commissioners DiGiando and Kelly were not present at said meeting.

OPEN FORUM

1) Scheduled requests to address:

(None scheduled)

2) Non-Scheduled requests to address:

(No requests)

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

- o Pumping was down slightly compared to last year and may be due to the toilet retrofit program.
- o Rainfall was up for the month of November
- o North Reservoir is @ capacity-usable storage, 60MG
- o South Pond is @ capacity-usable storage, 7MG.

2) **Town project reports:** (See Project Update Report dated November 2005)

LETTERS AND COMMUNICATIONS

(None scheduled)

UNFINISHED BUSINESS

1) **Effluent filter at the golf course** (cont. from 11/21/05)

The Town Administrator stated that Solicitor Parks is working with Joseph Mistowski (Lessee) regarding this matter. Commission consensus: To continue this matter to the next Water and Sewer meeting on 1/17/06.

2) **Impact Fees** (cont. from 11/21/05)

The Commission briefly discussed the report from David Bebyn, CPA of Bacon & Edge Consulting, LLC dated 11/18/05. The Public Works Director suggested that the Commission follow the report as recommend by Bacon & Edge Consulting and increase the impact fee from \$2,000. to \$3,000 per unit. Discussion ensued regarding the cost to install a new service on a state road vs. a town road and also regarding the location of the water main on the street. The Public Works Director suggested that there be a flat fee, no matter which side of the street the water main is located on. Commission President Long agreed. Solicitor Harsch stated that the Commission would be required to have a public hearing to change the fees in the Rules and Regulations of the Board of Water Commissioners. Commission consensus: To ask Solicitor Harsch to draft language for a proposed amendment to the Rules and Regulations of the Board of Water Commissioners based on the recommendation of the consultant, David Bebyn, CPA of Bacon & Edge Consulting and to report back to the Commission at the next Water and Sewer meeting on 01/17/06. Commission President Long stated that upon review of the proposed amendment, the Commission will then schedule a public hearing.

3) Application of Donald Muir (Plat 7, Lot 73; 44 East Shore Road) for **water service extension** (Cont. from 11/21/05)

a) Request for reconsideration of application filed on 10/05/04 (cont. from 11/21/05)

b) Letter dated 12/14/05 from Donald Muir

Mr. Muir referred to his letter dated 12/14/05 and stated that he has obtained an opinion from Ronald Gagnon, PE, Chief of RIDEM and that Mr. Gagnon recommends that Mr. Muir be connected to the municipal water supply.

The Public Works Director referred to his memorandum dated 12/14/05 and stated that the applicant must show to the satisfaction of the Commission that the extension will not impair the available resources of the urban district and also is required to give evidence that the land will not produce sufficient water utilizing wells. The Public Works Director further stated that there are 3 basic ways that one could show that a use would not impair the urban district.

1. Increase the supply of water to the system.
2. Decrease the demand on the system.
3. Condemn a current use and transfer that use to the proposed use.

The Public Works Director stated that the current average yearly use is 37,975 gallons and that an increase in supply or decrease in demand equal to this amount, would result in no impact to the urban district. Discussion ensued. The Commission asked for clarification of a few items as reported by the Public Works Director.

The Public Works Director suggested that the applicant purchase low-flow washing machines to decrease the demand on the system and that these washing machines could be supplied to a location such as the Pemberton Apartments or the buildings owned by Church Community Housing on Conanicus Avenue.

Following further discussion, it was the consensus of the Commission to ask Mr. Muir to meet with the Public Works Director to discuss Mr. Goslee's suggestion regarding low-flow washing machines and to continue the application to the next meeting on 01/17/06.

4) **Contracts** with Vollmer Associates LLP re: **Sewer Rehabilitation Project** (cont. from 11/21/05)

The Commission briefly discussed the contracts as presented. The Town Administrator stated that the contracts have been reviewed by the Public Works Director and the Solicitor, the cost is justifiable and it is recommended that these contracts with Vollmer Associates LLP be approved.

Following clarification of a few items, Commission President Long stated that this item is scheduled for discussion during an executive session later this evening and suggested that a vote on this matter be tabled until after the executive session. Commission consensus: To table a vote on this matter until after the executive session.

NEW BUSINESS

1) Memorandum from the Water and Sewer Clerk re: Retrofit Financial Incentive Program
The Commission briefly discussed the memorandum from the Water and Sewer Clerk. Commissioner Schnack stated that the incentive program ended on November 29, 2005 and suggested that no further money be made available, that a certified letter be sent to each customer not in compliance and that a fee be assessed on each billing until the customer is in compliance. Discussion ensued regarding Commissioner Schnack's suggestions. Commissioner DiGiando suggested that the Public Works Director and the Solicitor get together to draft a certified letter. Commission consensus: To ask Solicitor Harsch to draft a certified letter for the Commission's review at the next Water and Sewer meeting on 01/17/06 and to ask the Solicitor to draft the necessary amendments to the Rules and Regulations of the Board of Water Commissioners pertaining to this matter as discussed by the Commission.

BILLS AND PAYROLL

Motion was made by Commissioner DiGiando, seconded by Commissioner Szepatowski to approve the Water Bills and Payroll. So unanimously voted. Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to approve the Sewer Bills and Payroll. So unanimously voted.

TOWN BUSINESS

1) **Unfinished Business:**

a) **Town Hall** (cont. from 11/28/05 meeting)

i. Discussion with Architect William Burgin

William Burgin, Architect gave a brief presentation on the proposed plan for the new Town Hall.

ii. Approval of preliminary scheme

Following discussion and clarification of a few items as presented by Mr. Burgin, it was the consensus of the Council to allow William Burgin, Architect to move forward with the formal documents.

1) **New Business:**

a) **Approval of EMS Incentive Payment**

Councilor Schnack removed himself from the Council table.

Following clarification of a few items, motion was made by Councilor DiGiando, seconded by Councilor Szepatowski to approve the EMS incentive payment in the amount of \$29,998. So unanimously voted.

Councilor Schnack returned to the Council table.

b) **One day Peddler License** request from Central Baptist Church (01/01/06)

Motion was made by Councilor DiGiando, seconded by Councilor Szepatowski to approve the One day Peddler License request from Central Baptist Church. So unanimously voted.

- c) Award bid for **Topographic Survey for Ft. Getty** to Whale Rock Engineering in an amount not to exceed \$7,500.

Motion was made by Councilor Szepatowski, seconded by Councilor DiGiando to award the bid for the Topographic Survey for Ft. Getty to Whale Rock Engineering in an amount not to exceed \$7,500. So unanimously voted.

- d) Award bid for **Pemberton Ave. sidewalk** to KM Gladding Excavating Inc. in an amount not to exceed \$6,500.

Motion was made by Councilor DiGiando, seconded by Councilor Schnack to award the bid for Pemberton Ave. sidewalk to KM Gladding Excavating Inc. in an amount not to exceed \$6,500. So unanimously voted.

New Town Administrator:

Council President Long stated that he was pleased to announce that the Council has chosen Bruce Keiser of South Kingstown as the new Town Administrator.

2) **Executive Session:**

- a) Pursuant to RIGL 42-46-5 (a)(2)(*contract negotiations*)

Motion was made by Commissioner DiGiando, seconded by Commissioner Szepatowski to enter Executive Session at 8:45 PM pursuant to RIGL 42-46-5 (a)(2) (*contract negotiations*).

The vote was, Commissioner Long, aye; Commissioner DiGiando, aye; Commissioner Kelly, aye; Commissioner Schnack, aye; Commissioner Szepatowski, aye. Motion so unanimously voted.

The Commissioner returned to regular session at 9:21 PM.

Motion was made by Commissioner Schnack, seconded by Commissioner DiGiando to seal the minutes of the Executive Session. The vote was, Commissioner Long, aye; Commissioner DiGiando, aye; Commissioner Schnack, aye. Commissioner Kelly left the meeting at 9:05 PM. Motion so unanimously voted.

Unfinished Business cont. (Water and Sewer):

Contracts with Vollmer Associates LLP re: **Sewer Rehabilitation Project** (cont. from 11/21/05):

Motion was made by Commissioner DiGiando, seconded by Commissioner Schnack to approve the contract with Vollmer Associates LLP for the Sewage Pumping Station Rehabilitation Project in an amount not to exceed \$45,000. So unanimously voted.

Motion was made by Commissioner DiGiando, seconded by Commissioner Schnack to approve the contract with Vollmer Associates LLP for the Sewer Pipeline Rehabilitation Project in an amount not to exceed \$30,000. So unanimously voted.

Motion was made by Commissioner DiGiando, seconded by Commissioner Schnack to approve the contract with Vollmer Associates LLP for the Wastewater Treatment Plant Upgrade in an amount not to exceed \$25,000. So unanimously voted.

ADJOURNMENT

There being no further business before the Commission, motion was made by Commissioner DiGiando, seconded by Commissioner Schnack to adjourn the meeting at 9:26 PM. So unanimously voted.

Attest:

Denise Jennings
Water and Sewer Clerk

xc: Commission Members (5)
Town Administrator
Town Solicitor
Public Works Director
Town Clerk