

## TOWN COUNCIL MEETING

October 27, 2008

At a regular meeting of the Jamestown Town Council was called to order at the Jamestown Town Hall in the Rosamond A. Tefft Council Chambers, 93 Narragansett Avenue at 7:02 p.m. by Council President Julio J. DiGiando. The following members were present:

Michael G. White, Vice President  
William A. Kelly  
Robert W. Sutton, Jr.  
Barbara A. Szepatowski

also present:

Bruce R. Keiser, Town Administrator  
Peter D. Ruggiero Town Solicitor  
Arlene D. Petit, Town Clerk  
Michael Gray, Town Engineer

present for GZA GeoEnvironmental, Inc.:

Edward Summerly, P.G., Principal  
Todd Greene, P.G., Senior Project Manager

### AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

- 1) GZA GeoEnvironmental, Inc. re: Presentation of the proposed 100% Closure Design for the former landfill

Town Engineer Michael Gray gave a slide presentation consisting of the following information:

#### HISTORY OF SITE INVESTIGATION

- GZA was selected to conduct Site Investigation in 1999
- Public work shop in December 1999 to review proposed studies with residents
- RIDEM approved the Work Plan and the study began November 2000
- Site Investigation completed and report (SIR) submitted to RIDEM in May 2002

#### SIR RECOMMENDATIONS FOR SITE CLOSURE

1. Increase the thickness of the soil cap over waste
  2. Re-grade portions of the Site to meet minimum drainage slope (3%) & maximum stable side slope requirement (3H:1V)
  3. Develop a long-term post-closure environmental monitoring program
  4. Re-Classify the Site's groundwater from GA to GB consistent with Rule 11 of RIDEM's Rules and Regulations for Groundwater Quality.
  5. Implement Stormwater management systems
  6. Protect the long-term effectiveness of the remedy by establishing an Environmental Land Usage Restriction for the property
- RIDEM issued a Remedial Decision Letter (approval letter) in April 2004

#### QUARTERLY ENVIRONMENTAL MONITORING PROGRAM

- GZA began the program in March 2002
- 25 sampling rounds completed to date

- As many as 13 groundwater sampling locations – with 8 in current program (December '05)
- Analytical testing program consists of:
  - 47 VOC parameters
  - 15 Inorganics
  - 5 Field screening parameters

#### ENVIRONMENTAL MONITORING PROGRAM FINDINGS

- No exceedances of State or Federal drinking water standards since December 2004 monitoring round
- 14 Quarterly Soil Gas Monitoring Stations
- Each Station tested for:
  - Methane
  - Oxygen
  - Carbon Dioxide
  - Lower Explosive Limit (LEL)
- LEL below regulatory standard of 25% at all locations

#### REMEDIAL DESIGN PROCESS

- RIDEM issues Remedial Decision Letter - April 2004
- GZA completes 30% Design - October 2004
- RIDEM approved 30% Design – December 2004
- Town elects to put DPW Facility at Landfill – June 2005
- GZA completes revised 30% Design – July 2005
- RIDEM provides comment on the revised 30% Design – September 2005
- 50% Design and Remedial Action Work Plan submitted – December 2005
- RIDEM 50% Design Comments Received July 2006
- Town elects to put DPW Facility at Taylor Point

#### LANDFILL CLOSURE DESIGN COMPONENTS

1. Increase the thickness of the soil cap over waste in thin areas
2. Re-grade portions of the Site to meet minimum drainage slope (3%) & maximum stable side slope requirement (3H:1V)
3. Design and implement Stormwater management systems

#### ADDITIONAL SITE IMPROVEMENTS

- Upgrades to Existing Stormwater Collection Swales and Culverts servicing North Main Rd.
- Roadway Surfaces and Entrance Improvements
- Compost Area Expansion
- Upper Paved Storage Area
- Metal Recycling Off-Load Deck Upgrades / Repairs

#### COST ESTIMATE

New Entrance: swales, culverts paving and earthwork	\$40,000.00
Eastern areas loam and seed	\$75,000.00
Western areas grading – loam and seed	\$17,500.00
Paving upper storage area	\$141,120.00

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Paving upper area access road	\$32,000.00
Compost area grading and construction	\$38,400.00
Storage area and compost stormwater management	\$51,000.00
Entrance water quality/detention pond	\$17,500.00
Building removal/tank removal	\$5,000.00
Sub Total:	\$413,344.10
Total with 20% Contingency:	\$496,012.92

In addition to the above, Mr. Gray provided a map of the proposed design.

Following are Council comments:

Questions were asked relating to finding an alternate place for material storage. This has been discussed in the past with no other place available.

In answer to questions relating to exceedances, Mr. Summerly stated that there have been no exceedances since 2004 based on the Drinking Water Standards.

Relating to concerns about compost runoff, Mr. Summerly stated that the compost pad will be registered and must have an 18'x24' gravel pad to compost on.

Following the review of the process for the proposed closure design of the former Jamestown landfill by the Town Engineer and following Council comments, it was moved by Councilor Szepatowski, seconded by Councilor White to move Open Forum to this point on the agenda. So unanimously voted.

The following audience members spoke: (comments are summarized by the clerk)  
All audience concerns were addressed by Mr. Summerly, Mr. Greene or by the Town Engineer, Michael Gray.

Raymond Iannetta, North Main Road

1. Mr. Iannetta noted that TP-107 thru 119 does not state that GZA observed the excavation of those test pits.
2. Mr. Iannetta commented that some of the test pits are labeled NW and questioned what that meant.
3. Mr. Iannetta provided several photographs indicating sites with trash, such as, automobile parts, old boiler, tires, and a trunk. There were also photographs of the sludge pits showing buried trash.
4. Mr. Iannetta stated his concerns with the compost pile changing the PH value at the landfill.
5. Mr. Iannetta stated that there have been MCL exceedances.

Patrick Bolger, Fore Royal Court

1. Mr. Bolger stated that he was surprised that the storage area was outside of the landfill and the map has been redrawn and areas reclassified.
2. Mr. Bolger indicated that the compost area was designated by DEM to be paved and now we're moving it off the landfill with no paving.

3. Mr. Bolger stated that he was very concerned that sludge area has been changed
4. Mr. Bolger asked how the ponds and swales are constructed and if the ponds are monitored for water quality prior to dispensing the water.
5. Mr. Bolger asked if well BA1 will be put back into the testing.
6. Mr. Bolger requested that he is given a copy of the test monitoring plan.

Leo Errara, Riptide Street

Mr. Errara stated that area residents have a concern that 147 Beach Avenue is being used as an animal shelter. Mr. Errara noted that this is not the first time he has brought this to the attention of the Town Administrator.

The Town Administrator stated that he would be handling this issue through a staff meeting with the Police Chief, Animal Control Officer, and Zoning Official.

Susan Little, North Main Road

1. Ms. Little asked what the gray dotted line that extends from the from TP33 all the way up to TP10 is.
2. Ms. Little requested information relating to what material is around TP12 and around the existing the roll-off area which is being used for metals and e-waste.
3. Ms. Little expressed her concern that the e-waste container is sitting in a ditch and asked if it would be raised.
4. Ms. Little asked if DEM allows the storing of transport trailers in the grass area.
5. Ms. Little asked if there would be a delineation as to the proposed hydrodynamics separator catch basin and how often would the catch basin be serviced; noting the importance of a log indicating each inspection and change of filter.
6. Ms. Little inquired if the cost of moving the trees and the installation of a chain link fence around the entire site was included in the cost estimates.
7. Ms. Little asked if there is a plan to move the test wells located at the compost site and the proposed street to the perimeter of the site. In addition Ms. Little suggested putting a monitoring well in the southeast corner.

Ellen Winsor, East Shore Road

1. Ms. Winsor commented on the map that shows extra acreage being found
2. Ms. Winsor stated that there were two engineering firms that found MCL leakage in an area on the Vieira farm property; however, it was not related in one of the GZA presentations.
3. Ms. Winsor stated that there should be additional monitoring wells in that area.
4. Ms. Winsor asked how many man hours for town employees would be required to accomplish the remediation of the landfill and what the cost to the town would be. In addition, Ms. Winsor asked if there were any additional unknown costs.

Steven Jepson, Columbia Lane

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1. Mr. Jepson expressed his concern on the proximity of abutting homes to the stormwater retention ponds and the water runoff onto those properties.
2. Mr. Jepson asked why the stopped testing GZ1 when there are properties within 1,000 feet that might be affected.

Norma Willis, North Main Road

1. Ms. Willis that just this year in the first quarter report there was an acetone exceedance which was double the standard; although, she found it interesting that it is not considered an exceedance under the EPA MCL standard.
2. Ms. Willis commented that it is difficult to find laboratory related information in appendix D.
3. Ms. Willis reviewed a report of a previous walkover, relating areas that trash was found and questioned why there hasn't been significant digging and testing in those areas.
4. Ms. Willis stated that the purpose of properly closing the landfill is so the rainwater does not go into the waste and surge into the underlying ground water. Ms. Willis asked why those gravel areas are not being paved. DEM said that to close the landfill you must pave and vegetate.
5. Ms. Willis stated that there are wetlands on the east, west and south side that must be considered and protected.
6. Ms. Willis indicated that in one DEM report, the landfill was to be totally fenced for the closure.

Representative Bruce J. Long

Representative Long hand-delivered a letter regarding his concerns relating to the closing of the landfill.

Daniel O'Neill, Summit Avenue

1. Mr. O'Neill questioned where the compost would drain to and addressed his concerns as to who was determining the consequences of the humic acid as a byproduct of the composition of the organic material.
2. Mr. O'Neill stated that the large shed is visible.
3. Mr. O'Neill addressed his concern that the compost operation has been moved up to Holly Street, close by the boundary of abutting property and possibly interfering with house plans.

Rosemary Woodside, Skysail Court

1. Ms. Woodside asked why the closure plan does not use the current standards in Rhode Island for covering the landfill.
2. Ms. Woodside asked that the thirty-year monitoring begin when the landfill is considered closed.
3. Ms. Woodside expressed her concern with contaminants being emitted from the e-waste container.

**It was the consensus of the Council** that the proposed landfill closure plan be put on the November 10, 2008 Council agenda for the consideration of approval.

Council President DiGiando asked for a four minute break. at 9:26 p.m..

The Council returned at 9:30 p.m.

### **COUNCIL SITTING AS ALCOHOLIC BEVERAGE LICENSING BOARD**

*All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.*

None

### **CONSENT AGENDA**

*An item on the Consent Agenda need not be removed for simple clarification or correction of typographical errors. Approval of the Consent Agenda shall be equivalent to approval of each item as if it had been acted upon separately.*

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the Consent Agenda as amended. So unanimously voted. The Consent Agenda consisted of the following:

- 1) Adoption of Council minutes:
  - a) October 14, 2008 (regular session)
- 2) Bills and Payroll
- 3) Minutes from Boards, Commissions and Committees:
  - a) Jamestown Board of Canvassers (8/20/2008)
  - b) Affordable Housing Committee (3/11/2008)
  - c) Library Board of Trustees (9/2/2008)
  - d) Fort Getty Master Plan Committee (2/20/2008, 9/10/2008)
  - e) Jamestown Harbor Commission (2/13/2007, 3/12/2008, 4/9/2008, 5/14/2008, 6/11/2008, 7/9/2008, 8/13/2008, 9/17/2008)
  - f) Jamestown Planning Commission (9/17/2008, 10/1/2008, 10/15/2008)
- 4) CRMC Notices:
  - a) Amended Calendar – October 2008
- 5) Proclamations & Resolutions from other Rhode Island cities and towns
  - a) Town of Portsmouth re: Resolution opposing Medicaid Reform/Rhode Island Global Consumer Compact Waiver Application
- 6) Abatements/Addenda of Taxes

### **EXECUTIVE SESSION ANNOUNCEMENT**

*The Town Council may seek to go in Executive Session to discuss the following items:*

None

### **COUNCIL, ADMINISTRATOR, SOLICITOR, COMMISSION/COMMITTEE COMMENTS & REPORTS**

- 1) Town Administrator Report as follows:
  - a) Emergency Medical Services

One of the adopted Town Council goals is to conduct a review of the delivery of emergency medical services to the community. Consistent with this directive, the Police

Chief, Fire and EMS officials and I have had several meetings recently to discuss local emergency medical services capacity and licensure level. Based on our discussions, I am proposing that the Town Council establish an ad-hoc EMS Planning Committee to evaluate the level of EMS licensure appropriate to Jamestown's needs. The Committee will also examine our current approach to service delivery and make recommendations to enhance coordination, communications, training, and response time capability.

Members of the Planning Committee should include the Police Chief (or designee), the JEMS Director, one JEMS member, the Fire Chief (or designee), a Town resident, a Town Council member, and the Town Administrator.

Comments:

The Council discussed the need for a long-term plan and additional comments and recommendations on how to proceed with determining the need for advanced life support (ALS) through the services of JEMS. It was the consensus of the Council that consideration be given to the ad-hoc EMS Planning Committee as recommended by the Town Administrator. The committee should consist of the following members:

Council Liaison – Julio J. DiGiando

Police Chief

JEMS Director

JEMS Member

Fire Chief

Town Administrator

Citizen at-large

The Town Administrator noted that Jamestown and Block Island are the only communities without ALS service.

It was the consensus of the Council that discussion will be continued regarding the need for ALS service and a long-term plan for JEMS.

b) RI Energy Aggregation Program

The Rhode Island League of Cities and Towns re-solicited bids for bulk purchase of electricity on Monday, October 20<sup>th</sup>. Eleven suppliers submitted proposals. The League negotiated with the two most competitive offerors and was able to secure a 3-year fixed price commitment at \$.0941 per kwh. This rate is 24.1% lower than the standard offer price of \$.124 per kwh.

c) Cumulative Impacts

The RI Department of Environmental Management is prepared to meet with the Council to discuss the development of cumulative impact regulations. If the Council is agreeable, we will make this an agenda item for the next meeting on November 10<sup>th</sup>.

The Town Administrator informed the Council that the meeting with RIDEM has been changed to a December Council agenda.

Other information submitted to the Council by the Town Administrator follows:

### Fort Getty Master Plan Committee

Following a Council discussion on plans for keel boat storage at Fort Getty as proposed by FAST, the Town Administrator noted that the Fort Getty Master Plan Committee is prepared to meet with the Town Council to review portions of the plan.

### Highway Facility

The Town Administrator informed the Council that the Purchase and Sale Agreement will be on the next Town Council agenda for the meeting of November 10, 2008.

## **PUBLIC HEARING**

None

## **ORDINANCES AND RESOLUTIONS**

None

## **COMMUNICATIONS AND PETITIONS**

- 1) Letter from Weaver's Cove Energy updating progress of proposed Offshore Berth Project

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Weaver's Cove Energy. So unanimously voted.

- 2) Letter from Kate Petrie, Jamestown Arts Center re: 44 Southwest Avenue

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the letter from Kate Petrie, Jamestown Arts Center and to put it on a Council agenda. So unanimously voted.

- 3) Letter from Jamestown Housing Authority re: requesting that the Town Council forgive the PILOT for the years 2008 and 2009

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the request from the Jamestown Housing Authority and to put it on the November 10, 2008 Council agenda for considerations. So unanimously voted.

## **LICENSES & PERMITS**

*All approvals for licenses and permits are subject to the resolution of debts, taxes and appropriate signatures as well as, when applicable, proof of insurance.*

- 1) Exhibition License with Vendors Application  
Special Olympics RI, Inc.  
33 College Hill Rd., Warwick, RI  
Penguin Plunge  
January 1, 2009  
9:00 a.m. to 2:00 p.m.

*NOTE: Applicant working with Chief Tighe to coordinate event*

The Council asked the Town Administrator for an estimate of cost to the Town for off-island sponsored events such as the Special Olympics Penguin Plunge. Council



discussion related that several charity events held in Jamestown started years ago as local events, and have now become state-wide, drawing participants from many areas. The Council discussed the financial burden on the Jamestown taxpayer for hosting these events

It was moved by Councilor Szepatowski, seconded by Councilor White to approve the exhibition license for the Special Olympics Penguin Plunge on January 1, 2009 at Mackerel Cove from 9:00 a.m. to 2:00 p.m. with the additional request that the Town Administrator negotiate any payments to the Town for services. So unanimously voted.

### **OPEN FORUM**

- 1) Scheduled request to address  
Previously addressed.
  - a) Representative Bruce J. Long, legislative update
  - b) Norma Willis re: landfill wells
  - c) Kate Petrie re: Jamestown Arts Center location
- 2) Non-scheduled request to address

### **APPOINTMENTS AND RESIGNATIONS**

None

### **UNFINISHED BUSINESS**

None

### **NEW BUSINESS**

- 1) GZA GeoEnvironmental, Inc. re: Second Quarter 2008 Environmental Monitoring Report – Former Jamestown Landfill

It was moved by Councilor Szepatowski, seconded by Councilor White to accept the Second Quarter 2008 Environmental Monitoring Report from GZA GeoEnvironmental, Inc. So unanimously voted.

### **ADJOURNMENT**

It was moved by Councilor Szepatowski, seconded by Councilor White to adjourn the regular Council meeting at 9:55 p.m. So unanimously voted.

Attest:

Arlene D. Petit  
Town Clerk

c: Town Council Members (5)

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Town Administrator  
Town Solicitor  
Administrative Circulation