

**TOWN OF JAMESTOWN  
TOWN COUNCIL MEETING  
for  
TOWN, WATER AND SEWER MATTERS**

Monday, April 16, 2007

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 7:00 PM by President David J. Long.

The following members were present:

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

Also present were:

Thomas Tighe, Chief of Police/Acting Town Administrator  
Peter D. Ruggiero, Town Solicitor  
Steven J. Goslee, Public Works Director  
Denise Jennings, Water and Sewer Clerk

Absent:

Bruce Keiser, Town Administrator

**AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS**

(None scheduled)

**READING AND APPROVAL OF MINUTES**

- 1) 02/05/07 (public hearing)
- 2) 02/05/07 (executive session)
- 3) 02/20/07 (regular meeting)
- 4) 03/19/07 (regular meeting-cancelled due to lack of quorum)

Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to accept the 02/05/07 public hearing minutes, the 02/05/07 executive session, the 02/20/07 regular meeting minutes and the 03/19/07 regular meeting minutes.

The Commission asked the Town Solicitor for clarification regarding approval of the 03/19/07 (regular meeting minutes-cancelled due to lack of quorum). Solicitor Ruggiero stated that it would be okay to accept the minutes since there was no meeting and no action taken. Motion so unanimously voted.

**OPEN FORUM**

- 1) Scheduled requests to address:

(None scheduled)

- 2) Non-Scheduled requests to address:  
(None)

### **REPORT OF TOWN OFFICIALS**

The Public Works Director reported the following:

- 1) **Pumping Report:**
- Pumping was up for the month of March and was due to 7 days of flushing of the mains.
  - Rainfall was above average for the month of March and is expected to be above average for the month of April.
  - Color level has decreased slightly.
  - North Reservoir is @ capacity, usable storage-60MG
  - South Pond is @ capacity, usable storage-7MG.
- 2) **Town project reports:** (See Project Update Report dated March 2007)

#### **Storm damage:**

The Public Works Director reported the following:

- We had 5 inches of rain today.
- The Wastewater Treatment Facility ran at 100 % today.
- There were two minor waste water overflows due to the storm, which have since receded.
- The Water Treatment Plant was without electrical power today (04/16/07), while a main line was being repaired. During that time the plant was running by generator.
- Several trees are down at the reservoir and will be cleared this week.

The Commission asked for clarification on a few items as reported by the Public Works Director.

### **LETTERS AND COMMUNICATIONS**

(None)

### **UNFINISHED BUSINESS**

- 1) Application of Stephen Masso (Plat 7, Lot 99; 15 Weeden Lane) for **utility (water) service connection** (cont. from 02/20/07)

The Public Works Director reported that when this application was last discussed on 10/16/06 the Commission had requested that the applicant supply a copy of a water quality report and that this report has not been submitted as of this date.

John A. Murphy, Esq. attorney for the applicant distributed a copy of a map showing the location of the property. Attorney Murphy stated the following:

- He has outlined the boundaries of the lot in blue and also that he has outlined the 100 foot radius (in yellow) which is required for a well. This radius exceeds the lot lines.
- There will not be 100 feet between the well and proposed septic system and there is no way to lawfully put the systems 100 feet away from each other.
- Surrounding lot numbers 174, 146, 49 and 6 all have town water.
- The applicant has owned the property since 1997.

Attorney Murphy asked Mr. Masso if he used the well for drinking water. Mr. Masso stated that he did not. Attorney Murphy asked the applicant if he had a failed septic system. Mr. Masso stated that he did have a failed septic system. Attorney Murphy asked the applicant if he planned to use

the existing well for his yard and gray water. The applicant believed that he would.

Attorney Murphy referred to the application of Mr. Masso and the portions completed by the Town Planner and the Fire Chief which state the following:

- Goal #1-Provide a high quality of public services to the community that protect the health, safety, and welfare of all residents. (Town Planner)
- A single 1" line will not reduce fire protection in this area. Other hook-ups off this line (if any) will need to be reviewed further. (Fire Chief)

Attorney Murphy asked Jeffrey Campopiano, P.E. if there are RI Department of Health regulations prohibiting a well and septic system from being less than 100 feet from each other. Mr. Campopiano stated that there are regulations prohibiting this.

Commissioner Schnack stated that the Commission has asked for a copy of a water quality report and as of this date the report has not been submitted. Commissioner Schnack asked the applicant if his existing well produced potable water. Attorney Murphy reported that potable means, in compliance with state regulations and in this situation a variance would be needed. Attorney Murphy further stated that it is impossible to get a lawful well on this lot, due to the shape of the lot and it is also close to round swamp.

Commissioner Szepatowski stated that it would have been easier and cheaper for the applicant to provide a water quality report rather than highering an attorney and bringing back his engineer. Commissioner Kelly agreed.

Commission President Long stated that on 10/16/06 the Commission gave a clear, reasonable request for questions to be answered and that he was baffled as to why the questions were not answered. Commission President Long further stated that he believes that the applicant can get a variance from the RIDOH for a well and that the Commission does not have to grant Mr. Masso's application. Commission President Long that he also agrees with Commissioner Szepatowski and asked the applicant to submit a water quality report. Attorney Murphy requested that the application to be continued to the next Water and Sewer meeting so that he could confer with his client.

Motion was made by Commissioner Schnack, seconded by Commissioner Kelly to ask the applicant to submit a water quality report prior to the agenda deadline of 05/17/07 and to continue the application of Stephen Masso (Plat 7, Lot 99; 15 Weeden Lane) for utility (water) service connection. So unanimously voted. Commission President Long noted that if the report is not filed prior to the agenda deadline the application will not be placed on the 05/21/07 meeting agenda.

2) Application of Frank Henderson (Plat 8, Lot 322; 27 Luther Street for utility (**water and sewer**) **service expansion/change of use** (cont. from 02/20/07)

Commission consensus: To continue the application of Frank Henderson (Plat 8, Lot 322; 27 Luther Street for utility (water and sewer) service expansion/change of use to the next Water and Sewer meeting on 05/21/07, as requested by Attorney Quentin Anthony.

3) Review of **Town Office site (44 Southwest Avenue)** for future disposition. (*per Councilor Kelly*) (cont. from 02/20/07) Commissioner Kelly reported that an appraisal was done and stated that the Town should move quickly on this matter. Commissioner Kelly stated that he would like to get a report from the Town Planner. Commissioner Szepatowski stated that the report should come from the Town Administrator and suggested that this matter be continued to the next Water and Sewer meeting on 05/21/07. Motion was made by Commissioner Kelly, seconded by Commissioner Szepatowski to ask the Town Administrator to get a status report from the Town Planner and to continue this matter to the next Water and Sewer meeting on 05/21/07. So

unanimously voted.

### **NEW BUSINESS**

(None)

### **BILLS AND PAYROLL**

Motion was made by Commissioner Kelly, seconded by Commissioner Szepatowski to approve the Water and Sewer Bills and Payroll dated 03/19/07. So unanimously voted. Motion was made by Commissioner Kelly, seconded by Commissioner Szepatowski to approve the Water and Sewer Bills and Payroll dated 04/16/07. So unanimously voted.

### **TOWN BUSINESS**

#### **Storm damage:**

Acting Town Administrator Tighe reported the following:

- North Road was shut down today (04/16/07) between 5:00 am and 2:00 pm while a main electrical line was being repaired.
- Power was out during this time period to the Water Treatment Plant and the outage also extended into the Shoreby Hill area.
- A portion of the seawall and sidewalk on Conanicus Avenue has washed out and traffic is currently down to one lane. A private contractor has been hired by the State to temporarily repair the site.
- Conanicus Avenue will be closed on Tuesday, 04/20/07 and traffic will be re-routed down Bryer Avenue through Shoreby Hill while the repairs are being made.
- The bid for permanent repairs will go out this summer.

Councilor Kelly expressed his concerns regarding emergency coverage to the Beavertail area during flooding (Mackeral Cove) at high tide. Acting Administrator Tighe stated that a plan is already in place for the Public Works crew to clear the roadway, if needed.

### **ADJOURNMENT**

There being no further business before the Commission, motion was made by Commissioner Schnack, seconded by Commission President Long to adjourn the meeting at 7:36 PM. So unanimously voted.

Attest:

Denise Jennings  
Water and Sewer Clerk

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