

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

Tuesday, January 17, 2006

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 7:01 PM by Commission President David J. Long.

The following members were present:

Julio DiGiando, Vice-President
William A. Kelly (arrived @ 7:04 PM)
Michael F. Schnack
Barbara A. Szepatowski

Also present were:

Bruce Keiser, Town Administrator
Police Chief Thomas Tighe, Interim Town Administrator
A. Lauriston Parks, Esq., Town Solicitor
Steven J. Goslee, Public Works Director
Denise Jennings, Water and Sewer Clerk

Commission President Long stated that Solicitor Parks has another commitment this evening and has requested that discussion pertaining to Municipal Court legislation be addressed as the first item of business. Commission consensus: To discuss Town Business first as the first item of business.

TOWN BUSINESS

1) **Municipal court legislation** approval

a) Draft of Municipal Court Legislation from Solicitor Parks

Solicitor Parks distributed a new draft of the Municipal Court Legislation to the Council stating that the previous version had a typographical error. Following brief discussion and clarification of a few items, motion was made by Councilor Szepatowski, seconded by Councilor Schnack to ask Solicitor Parks to submit this legislation to our local representatives for both the house and the senate and that Mr. Parks be the individual that works with the representatives to have this legislation passed and that he continue to make any changes to the regulations. So unanimously voted.

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None scheduled)

READING AND APPROVAL OF MINUTES

1) 12/19/05 (regular meeting):

Commissioner Schnack referred to Page #4 of the minutes and stated that he recused himself from the discussion and vote pertaining to the JEMS incentive payment and that he did not abstain. Commissioner Schnack also referred to Page #1 of the minutes and stated that the title for Jennifer Azevedo should be changed from Town Solicitor's Assistant to Assistant Town Solicitor. The Commission agreed.

Motion was made by Commissioner DiGiando, seconded by Commissioner Szepatowski to approve the 12/17/05 minutes as amended by Commissioner Schnack. So unanimously voted.

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.
 - o Rainfall was up slightly for the month of December.
 - 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 December 2005)

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

LETTERS AND COMMUNICATIONS

- 1) Copy of Memorandum dated 01/10/06 from the Public Works Director to the Town Administrator re: **Bid opening-Water Distribution Improvements** to Narragansett Ave., Howland Ave., Green Lane and High Street

The Public Works Director reported that the bid opening was held for the Water Distribution Improvements to Narragansett Ave., Howland Ave., Green Lane and High Street and that the low Bid came in at approximately \$1.6 million. He further reported that only \$900,000 was allocated for this portion of the project and recommended that the Commission reject all of the bids and re-bid the project to include only the Narragansett Avenue portion of the project. The Public Works Director stated that he would like to get the Narragansett Avenue portion of the project completed by this summer, prior to the Sidewalk Restoration Project and that he needs to coordinate and schedule a meeting with RIDOT so that some of the work is not done twice. The Public Works Director stated that for the remainder of the project, some of the work can be done in house. The Commission expressed their concerns regarding doing some of the work on Narragansett Avenue twice and asked if there was a way to resolve this matter. The Town Administrator reported that he had met with the Public Works Director and the Deputy Public Works Director today to discuss this matter. The Town Administrator stated that currently the Public Works Director is working with the Maintenance Division of RIDOT and who are the ones that are demanding that the two projects are kept separately. Administrator Keiser further stated that if he needs to talk to a higher division of RIDOT he will and if need be he will contact the Director of RIDOT to make sure that this work will not be done twice. Administrator Keiser stated that he will work with the Public Works Director and his Deputy to resolve this matter. Commission President Long stated that if the Administrator has any additional information prior to the next Water and Sewer meeting that it be placed on a Town Council meeting agenda. Following clarification of a few items, motion was made by Commissioner Kelly, seconded by Commissioner DiGiando to authorize the Public Works Director to re-bid the Water Distribution Improvement project and to narrow the scope of the project to Narragansett Avenue only. So unanimously voted.

UNFINISHED BUSINESS

1) **Effluent filter at the golf course** (cont. from 12/19/05)

The Public Works Director stated that Solicitor Parks is working with Joseph Mistowski (Lessee) regarding this matter. Commission consensus: To ask Solicitor Parks for a status report and to continue this matter to the next Water and Sewer meeting on 2/21/06.

2) **Impact Fees** (cont. from 12/19/05)

The Commission briefly reviewed a communication submitted by Solicitor Harsch. Commission President Long stated that it is not clear if a public hearing is required for this regulation change. Commission President Long further stated that he would like additional input from Solicitor Harsch regarding the need for a public hearing and enabling legislation. Administrator Keiser stated that he would contact Solicitor Harsch regarding this matter and update the Commission during his report at the next Town Council meeting. Commission Consensus: To ask the Administrator to discuss this matter with Solicitor Harsch and to update the Council at the next Town Council meeting on 01/23/06 and to also continue this matter to the next Water and Sewer meeting on 02/21/06.

3) **Application of Donald Muir (Plat 7, Lot 73; 44 East Shore Road) for water service extension** (cont. from 12/19/05)

Commissioner Szepatowski stated that she had met with the applicant personally to discuss his application. Commissioner Schnack stated that he has been reviewing this matter and that upon his review he requests that the application be denied. Commissioner Schnack distributed a communication regarding his findings to the Commission, Public Works Director and the Town Administrator. Commissioner Schnack briefly outlined his communication. The Commission reviewed and discussed the communication submitted by Commissioner Schnack. Commissioner Szepatowski requested that this application be continued to the next Water and Sewer meeting, so that the Commission has time to review the information submitted by Commissioner Schnack.

Mr. Muir expressed his concerns regarding the information submitted by Commissioner Schnack.

Commission President Long stated that he does not like to have documents handed to him the night of a meeting and be required to make a decision the same evening. Commission President Long further stated that he would like more time to review the information submitted by Commissioner Schnack and that he would like to continue the application to the next meeting Water and Sewer meeting on 02/21/06. Discussion ensued regarding a way to augment or offset water usage. The Commission President stated that the applicant must demonstrate that he can not get water and that he has exhausted all options to get water. Following brief discussion, it was the consensus of the Commission to ask the Town Engineer and the Public Works Director to review the communication submitted by Commissioner Schnack and to continue this matter to the next Water and Sewer meeting on 02/21/06.

4) **Retrofit program** (cont. from 12/19/05)

The Commission briefly reviewed the draft of letter submitted by Solicitor Harsch. Commission President Long referred to paragraph 4 of the letter and stated that the sentence including "the Board is considering assessing a surcharge", should be changed to "the Board will assess a surcharge". The Commission agreed. Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to approve the letter as amended by Commission President Long and to address the letter to all customers who are not in compliance with the Retrofit Program. So unanimously voted.

NEW BUSINESS

1) **Demolition of outbuilding** (former Red Cross supply closet) located at **44 Southwest Avenue**

The Commission briefly discussed the demolition of the outbuilding located at 44 Southwest Avenue. Following clarification of a few items, motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to allow the Public Works Director to move forward with the demolition of the outbuilding (former Red Cross supply closet) located at 44 Southwest Avenue. So unanimously voted.

BILLS AND PAYROLL

Electric Bills:

Commissioner Schnack referred to several of the National Grid bills (electric) and asked the Public Works Director if the Town was doing everything possible to conserve energy. The Public Works Director stated that with the Sewer Rehabilitation Project the pump stations were upgraded with energy efficient motors and further stated that everything else is already energy efficient. Commissioner Schnack stated that in Connecticut one can go off the Grid and use their own generators to conserve energy. Commissioner Szepatowski expressed her concern regarding going off the Grid and the ability to go back on without penalty. Brief discussion followed. Administrator Keiser suggested that he contact the RI League of Cities and Town to investigate this matter. Commission Consensus: To ask the Administrator and the Public Works Director to investigate potential money saving energy options and to continue this matter to the next Water and Sewer meeting on 02/21/06.

Following clarification of a few items, 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 DiGiando, seconded by Commissioner Szepatowski to approve the Sewer Bills and Payroll. So unanimously voted.

TOWN BUSINESS

- 1) **Municipal court legislation** approval
a) Draft of Municipal Court Legislation from Solicitor Parks
Previously discussed.

ADJOURNMENT

There being no further business before the Commission, motion was made by Commissioner DiGiando, seconded by Commissioner Kelly to adjourn the meeting at 8:06 PM. So unanimously voted.

Attest:

Denise Jennings
Water and Sewer Clerk

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