

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

Monday, April 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 7:04 PM by Commission Vice-President Julio DiGiando.

The following members were present:

William A. Kelly
Michael F. Schnack
Barbara A. Szepatowski

Also present were:

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

Absent:

David J. Long, Commission President

PUBLIC HEARING (cont. from 03/20/06)

- 1) Proposed draft of the amendment to the Rules and Regulations of the Board of Water Commissioners
 - a) Modifications to the amendment submitted by Solicitor Parks related to minimum installation fee and waiver of fee for affordable housing

7:05 PM: Commission Vice-President DiGiando opened the public hearing.

URBAN WATER DISTRICT

Subsection I of Section 14A is hereby amended as follows:

I. Within the Urban Water District requests for water connections to single or two-family residential uses shall be granted by the Commission subject to the payment of a ~~\$2,000~~ \$3,000 connection fee for each unit, or such fee as is established by the Commission from time to time, as well as an installation fee which shall be based on the amount of time and material incurred by the water department in performing the installation. The minimum installation fee shall be \$1,850 for services installed on town roads and \$3,300 for services installed on state highways. The Commission will consider, on a case by case basis, requests to waive the installation fee with respect to connections which will service low or moderate income housing as defined in Section 45-53-3 of the Rhode Island General Laws, as amended from time to time. Said connection fee shall be placed in the capital reserve fund for the purpose of making future improvements to the public water system while the installation fee shall be placed in the operating account to cover the actual installation expenses incurred.

Within the Urban Water District requests for water extensions to single or two-family residential uses will be allowed under the following conditions:

a. That the owner, at his expense, shall extend a municipal water main in a street in accordance with the specifications approved by the Public Works Director. All cost associated with the extension including but not limited to engineering, materials and labor shall be the responsibility of the owner.

b. That the above described extension of water shall be designed and constructed consistent with the improvement of the municipal system and in accordance with generally accepted water and sewer distribution practices and approved by the Public Works Director, and shall be required for the purpose of insuring that the distribution and quality of water delivered to existing customers shall not be impaired.

c. All pipe and materials shall conform to AWWA specifications. The size of the pipe shall be a minimum of eight (8) inches or as outlined in the Fay, Spofford and Thorndike report of fire flows, whichever is greater. No recycled pipe or materials are to be used.

d. Extensions shall be looped and not allow for dead ends if feasible. If no public way is available to loop a line, the line shall be extended to the midpoint of the property requesting the extension.

e. That a performance bond with surety in an amount satisfactory to the Commission shall be required to insure the proper construction and completion of the extension.

f. That any service connection is subject to the payment to the Commission of ~~\$2,000~~ a \$3,000 connection fee or such connection fee as is established by the Commission from time to time, per a dwelling unit or per commercial unit.

g. Applicant shall install or replace existing plumbing fixtures with water efficient fixtures as specified in Rule 15 for new and existing construction and the standards adopted pursuant thereto.

h. Prior to service, all lines shall be chlorinated, flushed, pressure tested and water quality tested.

i. The Jamestown Fire Chief must be consulted as to the necessity of fire hydrants. A hydrant must be placed at the end of any dead-end street.

j. Consistency with system capacity as determined by the Commission.

k. That any service connection is subject to the payment of an installation fee which shall be based on the amount of time and material incurred by the water department in performing the installation. The minimum installation fee shall be \$1,850 for services installed on town roads and a \$3,300 installation fee for services installed on state highways. The Commission will consider, on a case by case basis, requests to waive the installation fee with respect to connections which will service low or moderate income housing as defined in Section 45-53-3 of the Rhode Island General Laws as amended from time to time.

Said fee shall be placed in the operating account to cover the actual installation expenses incurred.

SERVICES

20. When an applicant applies for service, except in conjunction with new main extensions, the Commission or its agent will furnish, install, own and maintain such new service connection. ~~The Commission applicant will bear the cost of the service connection pipe and curb stop and their installation but will make a charge to the applicant. The applicant will also be charged~~ for tapping the main, furnishing and installing the corporation cock and curb box, and for the costs of excavation, backfill and removal and replacement of paving, walks, curbs, etc., necessarily incurred with respect to new services. Such charges shall be assessed in the form of an installation fee which shall be based on the amount of time and material incurred by the water department in performing installation. The minimum installation fee shall be \$1,850 for services installed on town roads and \$3,300 for services installed on state highways. Said installation fee shall be utilized to cover the actual installation expenses incurred. The Commission will consider, on a case by case basis, requests to waive the installation fee with respect to connections which will service low or moderate income housing as defined in Section 45-53-3 of the Rhode Island General Laws as amended from time to time.

The Commission briefly reviewed the modifications submitted by Solicitor Parks related to minimum installation fee and waiver of fee for affordable housing.

7:09 PM: Following no additional questions from the Commission, Commission Vice-President DiGiando opened the public hearing to the public. There were no comments from the public.

7:10 PM: There being no further questions from the Commission or the public, Commission Vice-President DiGiando closed the public hearing.

Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to approve the proposed amendment to Subsection I of Section 14A entitled Urban Water District of the Rules and Regulations of the Board of Water Commissioners as presented.

Commissioner Kelley asked the Solicitor for clarification as to when the adopted amendment would take effect. The Solicitor stated that the amendment goes into effect upon adoption by the Commission. The Solicitor further stated that if the Commission has a completed application before them, the Commission can allow the applicant to pay the fees prior to the adopted amendment. Motion so unanimously voted.

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None scheduled)

READING AND APPROVAL OF MINUTES

1) 03/20/06 (regular meeting):

Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to accept the 03/20/06 minutes. 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:**

- Pumping was up slightly.
- Rainfall was down for the month of March.

The Public Works Director further reported that this was the driest March on record and stated that we could be heading into a dry summer.

- North Reservoir is just about @ capacity-usable storage, 60MG
- South Pond is just about @ capacity-usable storage, 7MG.
- Anticipate starting transfer pumping this week.

The Public Works Director pointed out the changes in his graphs, as requested by the Commission. The Commission briefly reviewed and discussed the changes.

Commissioner Kelley expressed his concerns regarding the lack of rainfall. The Public Works Director stated that he will reassess the matter within the next month.

2) **Town project reports:** (See Project Update Report dated March 2006)

Wastewater Treatment Plant:

Commissioner Schnack asked the Public Works Director if there were any violations or exceedances for the month of March. The Public Works Director stated that there were none.

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

LETTERS AND COMMUNICATIONS

(None scheduled)

UNFINISHED BUSINESS

1) **Effluent filter** for the golf course (cont. from 03/20/06)

Commission consensus: To continue this matter to the next Water and Sewer meeting on 5/15/06.

2) Application of Donald Muir (Plat 7, Lot 73; 44 East Shore Road) for **new water service extension and connection** (cont. from 03/20/06)

- a) Memorandum dated 04/10/06 from Attorney Kehoe
- b) Request for continuation to 05/15/06 from Attorney Kehoe

Motion was made by Commissioner Szepatowski, seconded by Commissioner Schnack to continue the application of Donald Muir (Plat 7, Lot 73; 44 East Shore Road) for new water service extension and connection to the next Water and Sewer meeting on 5/15/06, as requested by

Attorney Kehoe. So unanimously voted.

NEW BUSINESS

- 1) Jamestown **Wastewater Treatment Facility** Evaluation Inspection, January 2006 (violations and exceedances)

Previously discussed. The Public Works Director stated that he had enclosed for the Commission's information a copy of a letter that he had sent to Warren M. Towne, P.E., Supervising Sanitary Engineer, RIDEM in regards to the Compliance Evaluation Inspection performed in January.

- 2) Application of Raymond and Karyne Bazzano dba Preston RE LLC (10 Narragansett Avenue; Plat 8, Lot 169) for **utility service expansion/change of use.**

Bruce McIntyre, Esq. stated that he was present to represent Raymond and Karyne Bazzano. Attorney McIntyre further stated that representatives from Northeast Engineers and Consultants were also present. Attorney McIntyre stated that his client is proposing the change his property from a 10 unit apartment building to a new 10 unit condominium. Attorney McIntyre reported the following:

- Historically, usage is down for this building. Current usage is approximately 14,000 gallons per unit, per a year.
- Applicant is looking for change of use and expansion of current building.
- Applicant will have an application before the Planning Commission on 05/03/06 for Development Plan Review.

Commissioner DiGiando reported that the applicant has proposed to change the 10 unit apartment building to a 10 unit condominium, which results in 16 bedrooms total. Commissioner DiGiando asked Mr. Bazzano if he believes that he will keep the total water usage under 145,000 gallons per year. Mr. Bazzano stated that he does.

An engineer from Northeast Engineers and Consultants briefly described the proposed usage for the new building. Discussion followed, regarding the average annual single family usage (37,000 gallons).

Commissioner Szepatowski asked for clarification regarding the number of washing machines currently in the building and proposed. Mr. Bazzano stated that the building currently has one washing machine and one is proposed. Commissioner Szepatowski stated that she expects for sale purposes, that those purchasing the units each will want a washing machine. Mr. Bazzano stated that 6 of the 10 units will be sold affordably. Commissioner Szepatowski suggested that Mr. Bazzano readdress the washing machine issue.

Discussion continued regarding the average annual single family usage and the need for an average for similar condominium locations. Commissioner DiGiando suggested that an average be gathered for the Jamestown Bayview Condominium (53 Conanicus Avenue) and from other condominiums similar in size. Mr. Goslee suggested using Harborview Condominiums (73 Conanicus Avenue) also. Mr. Goslee stated that numbers can be forwarded to the applicant next week, for their review prior to the next Water and Sewer meeting in May.

Mr. Bazzano expressed his concerns regarding the average annual usage for the condominium located at 53 Conanicus Avenue and stated that some of the residents are seasonal and that this may lower the annual average. The Commission stated that this matter will be taken into consideration when gathering the numbers. Discussion followed regarding affordable housing.

Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to continue the application of Raymond and Karyne Bazzano dba Preston RE LLC (10 Narragansett Avenue; Plat 8, Lot 169) for utility service expansion/change of use to the next Water and Sewer meeting on 05/15/06. So unanimously voted.

BILLS AND PAYROLL

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

TOWN BUSINESS

(None scheduled)

EXECUTIVE SESSION

- 1) **Executive Session** Announcement
 - a) Pursuant to RIGL 42-46-5 (a)(2) (*litigation*)

Motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to enter Executive Session at 7:45 PM pursuant to RIGL 42-46-5 (a)(2)(*litigation*). The vote was, Commissioner Schnack, aye; Commissioner DiGiando, aye; Commissioner Szepatowski, aye; Commissioner Kelly, aye. Motion so unanimously voted.

The Commission returned to regular session at 8:45 PM.

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

Motion was made by Commissioner Schnack, seconded by Commissioner Kelly to ask the Town Administrator to follow up on the items as previously discussed in Executive Session and to schedule a joint work session of the Town Council with the Planning Commission and the Zoning Board of Review. So unanimously voted.

ADJOURNMENT

There being no further business before the Commission, motion was made by Commissioner Schnack, seconded by Commissioner Szepatowski to adjourn the meeting at 8:48 PM. So unanimously voted.

Attest:

Denise Jennings
Water and Sewer Clerk

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