

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

Monday, July 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 Melrose Avenue School, Music Room, 76 Melrose Avenue at 7:01 PM by Commission Vice-President Julio DiGiando.

The following members were present:

William A. Kelly
Michael F. Schnack

Also present were:

Bruce Keiser, Town Administrator
Steven J. Goslee, Public Works Director
J. William W. Harsch, Town Solicitor
Denise Jennings, Water and Sewer Clerk

Absent:

David Long, Commission President
Barbara A. Szepatowski, Commissioner

PUBLIC HEARING

1) Proposed draft of the amendments to the Rules and Regulations of the Board of Water Commissioners

7:02 PM: Commission Vice-President DiGiando opened the public hearing.

Administrator Keiser reported that Amendment 1 and 2 would be to bring this section in line with the recently adopted amendment in April, specifically section 14A & 14B.

Amendment 1-Subsection (d) and (e) of Section 13A is hereby amended as follows:

URBAN SEWER DISTRICT

13A. Urban Sewer District. All requests for sewer service connections and extensions within the urban district must be reviewed and approved as outlined below.

Applications for sewer connections shall meet the following requirements:

d. Payment of ~~\$1,500~~ \$3,000 per dwelling unit or per commercial unit to the Town of Jamestown, Sewer Division.

Applications for sewer extensions in the urban district shall meet the following requirements:

e. Payment of ~~\$1,500~~ \$3,000 per dwelling unit or per commercial unit to the Town of Jamestown, Sewer Division.

Amendment 2-Subsection (d) of Section 13B is hereby amended as follows:

RURAL SEWER DISTRICT

13B. Rural Sewer Districts. All requests for sewer service connections and extensions within the rural district must be reviewed and approved as outlined below.

Applications for connections shall require the following:

d. Payment of ~~\$1,500~~ \$3,000 per dwelling unit or per commercial unit to the Town of Jamestown, Sewer Division.

Administrator Keiser stated that the purpose of the remainder of the amendments is to set the surcharge for those who are not in compliance with the retrofit program and to update the sections.

Amendment 3-Subparagraph 5 of Rule 15A is amended to read as follows:

CONSERVATION

5. Any customer alleged to have violated any of subsections 1 through 4, of Section 15A or any of subsections 1 through 4 of Section 15B of the Rules and Regulations, may be required to appear at a show cause hearing before the Commission. Notice of the show cause hearing shall be mailed to the customer by first class mail at least fourteen (14) days before the hearing. The notice shall set forth the time, date and place of hearing and the subsection or subsections alleged to have been violated. The hearing shall be open to the public. Violations shall be established upon proof to a preponderance of the evidence before the Commission, as found by a majority vote of all members of the Commission, that the customer has violated the aforementioned Rules and Regulations. If the Commission finds that there has been a violation of the Rules and Regulations, the burden shall be upon the customer to show cause, by a preponderance of the evidence satisfactory to a majority of the Commission, why the customer's water service should not be discontinued or, as an alternative to discontinuance, temporarily suspended upon such terms and conditions as the Commission deems appropriate.

Amendment 4-Subsection 3 of Section 15 B is amended to read as follows:

3. Existing Toilets, Faucets, Showerheads and Clothes Washers.

a. Sale. No interest in improved real property connected to the municipal water system shall be conveyed for consideration unless and until all toilets, faucets and showerheads therein meet or exceed the low-flow standards established and published by the board from time to time.

Non-Sale. ~~Within five (5) years of the date May 17, 1999~~ All toilets, faucets and showerheads in all improved real property connected to the municipal water system shall meet or exceed the low-flow standards established and published by the board from time to time set forth in the following in Table A, below. The Owner of any improved real property which is not in compliance with the requirement shall be billed an addition Fifty Dollar (\$50.00) charge for each quarter during which the noncompliance continues.

<u>Plumbing Fixture or Fixture Fitting</u>	<u>Maximum Flow Rate or Quantity**</u>
<u>Water Closet</u>	<u>1.6 gallons per flushing cycle</u>
<u>Urinal</u>	<u>1.0 gallons per flushing cycle</u>
<u>Shower Head</u>	<u>2.5 gallons per minute at 80 psi</u>
<u>Lavatory, private</u>	<u>2.2 gallons per minute at 60 psi</u>
<u>Lavatory, public</u>	<u>0.5 gallons per minute at 80 psi</u>
<u>Lavatory, public, metering</u>	<u>.25 gallon per metering cycle or self-closing</u>
<u>Sink faucet</u>	<u>2.2 gallons per minute at 60 psi</u>

**Consumption tolerances shall be determined from reference standards.

Within ten (10) years of the date May 17, 1999, all clothes washers in all improved real property connected to the municipal water system shall meet or exceed the water efficiency standards established and published by the board the from time to time.

Amendment 5-That unnumbered Section of the Rules entitled “**RETROFIT FINANCIAL INCENTIVE PROGRAM**” is hereby deleted in its entirety.

Amendment 6-These amendments shall be effective on the date on which they are adopted.

William Munger, Owner of Conanicut Marine Services suggested that the tie-in fee be set higher than \$3,000 to off set some of the expenses. Administrator Keiser stated that this was already addressed with the recently adopted amendment in April, specifically section 14A & 14B.

7:06 PM: Commission Vice-President DiGiando closed the public hearing.

Commissioner Kelly referred to Amendment 3-Subparagraph 5 of Rule 15A and suggested that notice of the show cause hearing shall be mailed to the customer by certified mail rather than first class mail. The Solicitor stated that generally everything is sent by regular mail now. The Solicitor further suggested that the wording be left as is and if the Commission chooses, administratively certified mail can be used for this purpose.

Following clarification of a few items, motion was made by Commissioner Kelly, seconded by Commissioner Schnack to adopt the amendments as presented. So unanimously voted.

2) Proposed Municipal Water Conservation Measures for Summer 2006 (Public hearing continued from the 07/10/06-Town Council meeting) Commission Vice-President DiGiando stated that the public hearing was closed at the last meeting held on 07/10/06.

Administrator Keiser reported that the municipal water restrictions regarding lawn irrigation, house washing, boat washing and residential car washing automatically go into effect on June 1st and that the proposed measures would be an easing of the restrictions.

The Public Works Director stated that due to the significant rainfall over the past few months, there is an adequate supply of water and he suggested that the Commission ease up on the restrictions. The Solicitor stated that this is only a temporary suspension of the regulations. Commissioner DiGiando stated that this temporary suspension covers the period from August 1st

through August 31st and expressed his concerns regarding the period from September 1st through October 31st. The Administrator suggested that the period from September 1st through October 31st could be discussed at the next Water and Sewer meeting August 21st depending upon the water supply.

Commissioner DiGiando asked the Public Works Director what his thoughts were on this matter and also if he supported the proposed temporary suspension of the regulations and easing of conservation measures as proposed by Solicitor Harsch. The Public Works Director stated that the reservoirs are still at capacity and that we have not yet had to start transfer pumping.

Following clarification of a few items, motion was made by Commissioner Kelly, seconded by Commissioner Schnack to temporarily suspend the limitations on municipal water use for the period from July 18, 2006-August 31, 2006 as follows:

- No customer shall use water furnished by the municipal water system for house washing, boat washing, or residential car washing on weekends or Monday holidays and may only use water furnished by the municipal water system for house washing, boat washing, or residential car washing on the weekdays as follows:
 - Properties with a legal address with an even number may wash cars, boats and houses on even days of the month.
 - Properties with a legal address with an odd number may wash cars, boats, and houses on odd days of the month.

Commissioner Schnack asked for clarification regarding what restrictions were currently in effect.

Administrator Keiser stated that the water restrictions regarding lawn irrigation, house washing, boat washing and residential car washing automatically go into effect on June 1st and that the proposed measures would be an easing of the restrictions.

Motion so unanimously voted.

Commission consensus: To advertise for a public hearing at the next Water and Sewer meeting on 08/21/06, for purpose of considering a change to the municipal water conservation measures.

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None scheduled)

READING AND APPROVAL OF MINUTES

1) 06/19/06 (regular meeting):

Motion was made by Commissioner Kelly, seconded by Commissioner DiGiando to accept the 06/19/06 minutes. Motion so voted, 2 in favor; Commissioner Schnack abstained. Commissioner Schnack was not present for a majority of said meeting.

OPEN FORUM

1) Scheduled requests to address:

(None scheduled)

2) Non-Scheduled requests to address:

William Munger, Owner of Conanicut Marine Services expressed his disappointment regarding his having to continue to use a water tanker truck for boat washing.

Mary Ann Joyce of 90 Howland Avenue stated the following:

- She lives 20 feet from where the new water tower is being constructed.
- She was awakened by loud noise on a Saturday morning at 7:00 AM and it generally is noisy on a daily basis.
- Tractor trailer trucks and other vehicles park in front of her house and sometimes block her driveway.
- Would like the construction workers to have a little more consideration for those in the neighborhood.

Commission Vice-President DiGiando stated that he understood her situation and suggested that she meet with the Town Administrator.

Discussion ensued regarding water conservation measures for commercial properties. Commission consensus: To continue discussion on this matter to the next Town Council meeting on 07/24/06. The Solicitor stated that if instructed by the Town Administrator he will draft language for the Council. Commission Vice-President DiGiando asked the Administrator to work with the Solicitor regarding this matter.

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

- Pumping was up, compared to the previous month (May) and will continue to rise for the month of July.
- Rainfall was up.
- North Reservoir is @ capacity-usable storage, 60MG
- South Pond is @ capacity-usable storage, 7MG.

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

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

LETTERS AND COMMUNICATIONS

(None scheduled)

UNFINISHED BUSINESS

(None scheduled)

NEW BUSINESS

1) Application of Donald C. Bresnan (10 Coronado Street; Plat 8, Lot 598) for utility service expansion/change of use.

Mr. Bresnan reported that prior to July 2003 the property was used as mixed use (one residential unit and one office unit) and that in July 2003 he applied for an application for expansion/change of use, to change the property from mixed use to commercial use only (two office units) and that the application was approved by the Commission. Mr. Bresnan stated that he would like to sell the property and is considering changing the property back to a mixed use condominium and selling

each unit separately.

The Public Works Director reported the following:

- The applicant proposes to revert this property to its previously approved use which was mixed use.
- The applicant must show to the satisfaction of the Commission that the change of use will use no more than the current average for the last 3 years, or the single family/2 family average and the existing average for the last 3 years was 18,000 gallons.
- The single family average is 37,000 gallons and a duplex average is 28,000 gallons.
- Each unit must be metered individually.
- No fees are required.

Following clarification of a few items, motion was made by Commissioner Kelly, seconded by Commissioner Schnack to approve the application of Donald C. Bresnan (10 Coronado Street; Plat 8, Lot 598) for utility service expansion/change of use as proposed. So unanimously voted.

2) Application of Gail Sheahan-Current Owner: Ruth Mason (Plat 8, Lot 322; 27 Luther Street) for utility service expansion/change of use.

Gail Sheahan stated that she proposes to change the use of 27 Luther Street from a single family use to a mixed use (1st floor-Adult Daycare, 2nd Floor as two single bedroom apartments) and that she based her calculations for water usage on what would be allowed for commercial use. Ms Sheahan further stated that she has an application before the Planning Commission. Ms. Sheahan briefly described that services that she would provide.

The Public Works Director reported the following:

- The applicant must show to the satisfaction of the Commission that the change of use will use no more than the current average for the last 3 years, or the single family/2 family average and the existing average for the last 3 years was 28,000 gallons.
- The applicant has proposed a consumption of 74,000 gallons per year.

Discussion ensued regard the applicants proposed usage and usage of other municipal water customers with similar uses.

Following discussion and clarification of a few items, motion was made by Commissioner Schnack, seconded by Commissioner Kelly to continue the application of Gail Sheahan-Current Owner: Ruth Mason (Plat 8, Lot 322; 27 Luther Street) for utility service expansion/change of use to the next Water and Sewer meeting on 08/21/06. So unanimously voted.

Commission Vice-President DiGiando suggested that the applicant meet with the Public Works Director to discuss her application.

Administrator Keiser suggested that Town staff do independent research on similar uses and contact other daycare centers on their daily use.

Commission consensus: The Town will supply information to the applicant regarding water usage for similar uses on the municipal water system.

BILLS AND PAYROLL

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

seconded by Commissioner Kelly to approve the Sewer Bills and Payroll. So unanimously voted.

TOWN BUSINESS

(None scheduled)

ADJOURNMENT

There being no further business before the Commission, motion was made by Commissioner Schnack, seconded by Commissioner Kelly to adjourn the meeting at 8:30 PM. So unanimously voted.

Attest:

Denise Jennings
Water and Sewer Clerk

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