

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

Monday, August 21, 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 7:02 PM by Commission President David J. Long.

The following members were present:

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

Also present were:

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

Absent:

William Kelly, Commissioner

PUBLIC HEARING

1) Municipal Water Conservation Measures

The Public Works Director reported that the reservoir level is still high and is about 1 foot below the spillway. Commission President Long suggested that the Commission review this matter again at the next Town Council meeting. Commission consensus: To discuss this matter at the next Town Council meeting on 08/28/06.

TOWN BUSINESS

Event License submitted by Bruce Whitehouse for 08/27/06:

Administrator Keiser stated that due to the timing of this event and the next regular Town Council meeting, he requested that the Council approve the Event License submitted by Bruce Whitehouse. Council consensus: To approve the application of Bruce Whitehouse for an Event License on 08/27/06.

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS

(None scheduled)

READING AND APPROVAL OF MINUTES

1) 07/17/06 (regular meeting):

Motion was made by Commissioner DiGiando, seconded by Commissioner Schnack to accept the 07/17/06 minutes. Motion so voted, 2 in favor; Commissioners Long and Szepatowski abstained. Commissioner Long and Szepatowki were not present at said meeting.

OPEN FORUM

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

REPORT OF TOWN OFFICIALS

- 1) **Pumping Report:**
 - Pumping was up, compared to the previous month (June), but was down compared to last year.
 - Rainfall was average for July.
 - North Reservoir is still up and is @ 51MG-usable storage, 60MG
 - South Pond is @ capacity-usable storage, 7MG.
- 2) **Town project reports:** (See Project Update Report dated July 2006)

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

LETTERS AND COMMUNICATIONS

- 1) Letter from Ed Gromada of 20 Lawn Avenue re: request for bill adjustment in the amount of \$783.66.

7:11 PM: Commission Vice-President DiGiando stated that his son is the owner of Atlantic Landscaping who installed the irrigation system for Mr. Gromada. Commissioner DiGiando removed himself from the Commission table.

Commission President Long stated that he is opposed to denying Mr. Gromada's request.

Commissioner Schnack stated that he is opposed to granting the request from Mr. Gromada for a bill adjustment, as the customer is in violation of the Rules and Regulations of the Board of Water and Sewer Commissioners, specifically Section 15A (1) stating that no customer shall connect an in-ground or underground irrigation or sprinkler system to the municipal water system.

Commissioner Szepatowski stated that she is opposed to denying Mr. Gromada's request.

The Public Works Director reported that we have 8 or 10 similar issues (with garden hoses etc.) per year, where customers get a \$800 or \$900 water and sewer bill and this water also did not go into the sewer system.

Nicholas DiGiando, owner of Atlantic Landscaping stated that he was not aware of the rule that it was illegal to connect an in-ground or underground irrigation or sprinkler system to the municipal water system. Commissioner Szepatowski stated that Mr. Gromada's irrigation system should be disconnected from the municipal water system immediately and recommended that Mr. Gromada be granted a little relief.

Commission President Long stated that he would like a little more time to review this matter. The Administrator suggested that the Commission proceed with caution on this matter, since there had been similar issues in the past and may have similar issues in the future.

Motion was made by Commissioner Schnack to deny the request from Mr. Gromada for a bill adjustment in the amount of \$783.66. The motion was not seconded. Commission President Long stated that he would like more time to review this matter and suggested that the issue be continued to the next Water and Sewer meeting on 09/18/06.

Following brief discussion, motion was made by Commissioner Szepatowski, seconded by Commission President Long to continue the request from Ed Gromada of 20 Lawn Avenue re: request for bill adjustment in the amount of \$783.66 to the next Water and Sewer meeting on 09/18/06 and to ask Mr. Gromada to disconnect the irrigation system from the municipal water system immediately. Motion so voted, 2 in favor; Commissioner Schnack opposed.

7:21 PM: Commissioner DiGiando returned to the Commission table. Commission President Long asked Commissioner DiGiando to get an opinion from Solicitor Parks regarding his participation on this matter.

UNFINISHED BUSINESS

1) Application of Gail Sheahan-Current Owner: Ruth Mason (Plat 8, Lot 322; 27 Luther Street) for utility service expansion/change of use (continued from 07/17/06).
Motion was made by Commissioner DiGiando, seconded by Commissioner Schnack 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 09/18/06, as requested by the applicant. So unanimously voted.

NEW BUSINESS

1) Resolution re: Proposed Water Treatment Plant and report by Fay, Spofford & Thorndike entitled "Wetland Mitigation Plan"
Administrator Keiser distributed and briefly described aerial photographs of the area where the existing Water Treatment Facility is located and also the area where the proposed treatment facility will be located. Administrator Keiser also briefly outlined the proposed "Wetland Mitigation Plan" and the actions taken recently with CRMC by the Conservation Commission. The Administrator reported that he has since met with Chris Powell to discuss this matter and that Mr. Powell has indicated that the Conservation Commission would like the Town to take into consideration and alternate plan to use the land near Zeek's Creek and the surrounding marsh lands. Administrator Keiser stated that a whole new plan would totally disrupt the timing of this project and suggested that the Town come to a compromise with the Conservation Commission. Administrator Keiser stated that he supports the CRMC application as submitted with the original "Wetland Mitigation Plan" as proposed by Fay, Spofford & Thorndike and that he and the Public Works Director recommend that the application go forward as planned and asked the Council to support the original plan. Administrator Keiser further stated that if there is a "Plan B", it can be explored. Brief discussion ensued regarding Administrator Keiser's presentation.

Commissioner Szepatowski expressed her concerns regarding the actions taken by the Conservation Commission and stated that the Conservation Commission should report to the Council prior to going to the state or any other entities and that the Conservation Commission should work with Town government, not against. Commission President Long and DiGiando also expressed their concerns regarding the actions taken by the Conservation Commission. Administrator Keiser stated that it may have been a timing issue with the Conservation Commission and that he will be sending out a notice to all Town departments regarding this communication issue.

Following continued discussion and clarification of a few items, motion was made by Commissioner Schnack, seconded by Commissioner DiGiando to direct the Town Administrator to formulate a letter for signature of the Town Council President in support of the Water Treatment Facility "Wetland Mitigation Plan" as proposed by Fay, Spofford & Thorndike. So unanimously voted.

2) Application of Edward Holland dba Hammett Court Properties (2 Hammett Court; Plat 9, Lot 183) for utility service expansion/change of use
Motion was made by Commissioner DiGiando, seconded by Commissioner Schnack to accept the withdrawal of the application of Edward Holland dba Hammett Court Properties (2 Hammett Court; Plat 9, Lot 183) for utility service expansion/change of use, as requested by the applicant. So unanimously voted.

BILLS AND PAYROLL

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

ADJOURNMENT

There being no further business before the Commission, motion was made by Commissioner Schnack, seconded by Commissioner DiGiando to adjourn the meeting at 7:45 PM. So unanimously voted.

Attest:

Denise Jennings
Water and Sewer Clerk

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