

(As amended May17, 2004)

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

Monday, April 19, 2004

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 7:15 PM by Commission President Kenneth G. Littman. The Commission President stated that the Town Council would hold a work session with John Hannigan from Vollmer Associates, LLP to discuss the Highway Facility Project following the water and sewer matters.

The following members were present:

Julio DiGiando
Claire W. Ferguson
Guy Settipane

Also present were:

Maryanne Crawford, CPA, Town Administrator
Steven J. Goslee, Public Works Director
Christina D. Collins, Finance Director
J. William W. Harsch, Esq., Town Solicitor
Denise Jennings, Water and Sewer Clerk

Absent:

David Long, Vice-President

AWARDS, PRESENTATIONS AND ACKNOWLEDGMENTS:

1) **Rate Study Report** (see attached for full report)

Presentation by David Bebyn, CPA, Bacon & Edge, P.C.

Commission President Littman stated that the Commission has received a Rate Study Report that was conducted by David Bebyn, CPA from Bacon & Edge, Certified Public Accountants. President Littman stated that information was forwarded to the Commission about the rate structure and the future rate structure to address some of the capital needs of the water system. The Commission President then introduced David Bebyn, CPA from Bacon & Edge, P.C.

Mr. Bebyn stated that the report submitted is an interim report, to present the findings to date. Mr. Bebyn referred to Schedule 1 entitled "Comparative Balance Sheet" and briefly explained the schedule, specifically the review of the Water Divisions standing regarding cash and funds due to other funds. Mr. Bebyn reported that this standing appears to be improving and may be due to the rate increases in the past.

Mr. Bebyn then referred to Schedule 2 entitled "Summary of Proforma Projections at Test Year Rates" and briefly described the capital projects and the Water Divisions needs for the future. He further stated that this schedule includes projections for the Water Divisions operating budget, capital needs and

current and future debt service needs. Mr. Bebyn stated that most notably, in 2006 the Water Division would have capital projects specifically the Treatment Facility-Membrane Filtration, the additional Water Tower and water main cleaning and lining and that this in itself will run approximately 4.5 million dollars for Membrane Filtration and the additional Water Tower and an additional 1 million dollars for the cleaning and lining of the pipes. Mr. Bebyn reported that with Schedule 2 there would be a requirement for substantial rate increases.

Mr. Bebyn then referred to Schedule 3 entitled “Summary of Proforma projections with New Debt & at New Rates” and stated that this schedule would present a few options on how to fund these capital projects, one specifically is in fy 2006 there is debt that will be brought on board to help fund the Treatment Facility and the requirements needed at this point, approximately 6 million dollars. Mr. Bebyn recommend that there be increases required in about 26% in 2006, 2008, 2010 & 2012 to get the Water Division through the period to fy 2019. Mr. Bebyn stated that if it is the decision of the Board to have an increase every year; he has also given option 2 which there would be increases required in about 15.5% for each year through 2011.

The Commission asked for clarification on several items as reported by Mr. Bebyn. The Town Administrator gave further clarification and a status report on the current debt schedule and the steps required to get items to our State Representatives and on the ballot in November. Short discussion followed. The Commission President thanked Mr. Bebyn for his presentation.

Commissioner Settipane asked for clarification regarding the projected numbers in the report, the status of getting final project numbers and the steps to be taken next. Ms. Crawford reported that once the funding is approved the Town will move forward with the engineering and begin the bidding process for designing the program. Ms. Crawford stated that she and the Public Works Director had met with Chris Yannoni from Fay, Spofford and Thorndike last week to firm up the numbers, which have not yet been forwarded to the Commission. Commissioner Settipane asked the Town Administrator to provide the final numbers to the Commission prior to the next meeting with Bacon & Edge. Ms. Crawford stated that she would forward the information to the Commission.

2) Letter dated 11/05/03 from Lorraine Joubert, Director, URI NEMO and Clay Commons, RI Health Source Water Protection Coordinator re: **Source Water Assessment Program** results

a) Presentation by Lorraine Joubert

Commission President Littman stated that the Commission has received the Jamestown Source Water Assessment and Wastewater Needs Analysis Report that was conducted by the URI Cooperative Extension, Nonpoint Education for Municipal Officials program, in collaboration with the RI Department of Health, Office of Drinking Water Quality. The Commission President then introduced Lorraine Joubert, Director, URI NEMO.

Ms. Joubert gave a brief presentation on the Source Water Assessment Program and a summary of the results of the assessment as follows:

- The quality of public drinking water supplies is excellent overall and that all standards are being met.
- Drinking water sources are susceptible to contamination from routine land use activities.
- Many local water resources are showing signs of human impact.
- Projections reveal that threats to safe drinking water quality are likely to increase; especially as

high land values and strong growth pressures make development of even marginal sites profitable.

- Findings show that the future water quality depends on the combined actions of all those who live and work in source water areas.

Ms. Joubert stated that public education is very important and recommended that summary fact sheets and the full report be made available to the public. Ms. Joubert stated that she has provided the full report in hard copy and also on a compact disc. Ms. Joubert further stated that training workshops are offered by the RI Department of Health and URI and that she encourages Town Officials to attend.

Following clarification on a few items as reported by Ms. Joubert, Commission President Littman thanked Ms. Joubert for her presentation.

A full copy of the Jamestown Source Water Assessment and Wastewater Needs Analysis Report is available at the following locations:

- Town Office, 44 Southwest Avenue (hard copy and on compact disc)
- Town of Jamestown Municipal Website

READING AND APPROVAL OF MINUTES

1) 03/15/04 (regular meeting)

Commissioner Settipane stated that he would like to see more detail in regards to the presentation made by Dr. Barosh and Frohlich pertaining to the integrated investigation of groundwater, specifically the detail including the discussion regarding possible groundwater contamination. Short discussion ensued regarding this matter. The Town Administrator suggested that a copy of the report supplied by Dr. Frohlich be attached to the minutes. Commissioner Settipane stated that the report would be helpful, but that he still would like to see the detail regarding the discussion regarding possible groundwater contamination. The Commission President stated that he believed that this matter was not identified in Dr. Frohlich's written report.

Commission consensus: To ask the Clerk to review her notes and/or listen to the tape and to include more detail including the discussion regarding possible groundwater contamination and to continue this matter to the next Water and Sewer meeting on 05/17/04.

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

Mr. Goslee reported the following:

- Pumping was down slightly for the month of March, compared to last year.
- Rainfall has been up for the last few weeks, but down overall. Mr. Goslee expressed his concerns regarding the rainfall trend.
- North Reservoir is @ capacity.
- South Pond is @ capacity.
- The color level remains steady, but is climbing due to heavy rainfall.

2) **Town project reports**

Town Wells:

Mr. Goslee reported the following:

- JR1 and JR3 will be placed online approximately May 1st.
- JR5 is the well being used for the RO Pilot. Mr. Goslee briefly described the quality of the

water and its yield.

North/South Pipeline:

Mr. Goslee reported the following:

- The pipe portion of the project is complete.
- The engineering drawings and specifications are complete.
- The draft of the 2004/2005 Water Budget includes funds for the costs related to the completion of the project.

Aeration System:

Mr. Goslee reported that the system has been placed back online. Mr. Goslee briefly described the aeration process.

Beavertail Road water line replacement:

Mr. Goslee reported the following:

- The project will resume shortly. There are only a few days of work that remain.
- The water table has been extremely high in the vicinity of the terminus of the project.

Treatment Plant:

Mr. Goslee reported that the Town is in its third month for the new testing protocols. Mr. Goslee briefly described the process for the monthly testing and the filter performance.

Reverse Osmosis Pilot Study:

Mr. Goslee reported the following:

- The RO Pilot study is complete.
- Fay, Spofford and Thorndike will have a final report in approximately one month.

Distribution System:

Mr. Goslee reported that the Water Department is currently installing seasonal meters and repairing old steel services that have been disturbed and in conflict with the sewer project.

Transfer Pumping:

Mr. Goslee reported that transfer pumping has been halted until North Pond level is below the spillway.

Sewer Plant Rehabilitation:

No action taken.

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

LETTERS AND COMMUNICATIONS

- 1) Letter dated 11/05/03 from Lorraine Joubert, Director, URI NEMO and Clay Commons, RI Health Source Water Protection Coordinator re: Source Water Assessment Program results
 - a) Presentation by Lorraine Joubert
Previously addressed.

UNFINISHED BUSINESS

(None scheduled)

NEW BUSINESS

1) Approval of Professional Services Agreements with Vollmer Associates, LLP, subject to the Town Solicitor's review

Laszlo Siegmund of Siegmund and Associates, Inc. asked to address the Commission on this matter. The Commission President stated that it was his understanding that there may be some negotiations going on with Attorney's and recommended that Mr. Siegmund use caution.

Solicitor Harsh stated that this situation with Siegmund & Associates, Inc. is in the hands of Mr. Siegmund's Attorney and the Town's Attorney. The Solicitor stated that he could not advise Mr. Siegmund. The Solicitor recommended to the Commission the following:

1. Not to take public comment on this type of situation.
2. Due to possible claims, the Commission should discuss this matter with the Town's Attorney in executive session.

The Solicitor recommended that Mr. Siegmund place his remarks in writing and submit them to his Attorney or if he prefers he can submit them to the Town Administrator.

The Commission President stated that Mr. Siegmund's request, puts the Commission in an awkward position and it is inappropriate to discuss this issue in open forum and further stated that he would not entertain comment as recommended by the Town Solicitor.

Mr. Siegmund stated that he would not be able submit something written in the next five minutes, prior to the Commission's action on the service agreements for Sanitary Sewer Pipeline and Manhole Replacement Project and Sewage Pumping Station Rehabilitation Project. Mr. Siegmund further stated that he would not be asking any questions and that he would not be expecting any response from the Commission on his comments.

8:10 PM: Commissioner Settipane recused himself and stepped away from the Commission table.

Mr. Siegmund stated that issue has gone way too far and should not have gotten to this point. He further stated that this issue is not in litigation.

The Commission President stated that this an awkward situation and that the Town wants to handle this issue in an appropriate way and that the Commission has to rely on what the Town Solicitor is advising.

The Solicitor stated that it is inappropriate to discuss this matter in open session and that he would be happy to speak to Mr. Siegmund's attorney this evening or in the morning.

Mr. Siegmund again asked to address the Commission on this matter. The Commission President stated that Mr. Siegmund could not address the Commission.

8:17 PM: Commissioner Settipane returned to the Commission table.

Norma Willis of 1191 North Main Road asked for clarification on the Siegmund issue. Commission President Littman stated that approval of Service Agreements with Vollmer Associates are on the agenda this evening and that these Service Agreements with Vollmer Associates are to replace Siegmund & Associates.

Commissioner Settupane asked the Solicitor if it would be appropriate for him to be involved in the discussion regarding the approval of the Professional Services Agreements with Vollmer Associates, LLP. The Solicitor stated that it would be appropriate to participate, but would be best approached cautiously.

8:21 PM: Commissioner Settupane stated that he thought that it was best that he recuse himself from discussion and stepped away from the Commission table.

a) **Approval of Professional Services Agreement with Vollmer Associates, LLP for the Sanitary Sewer Pipeline and Manhole Replacement Project:**

The Town Administrator briefly described the Sanitary Sewer Pipeline and Manhole Replacement Project and the Sewage Pumping Station Rehabilitation Project and gave an update on the status of each project.

Following short discussion and clarification of a few items, motion was made by Commissioner DiGiando, seconded by Commissioner Ferguson to approve the Professional Service Agreement with Vollmer Associates, LLP for the Sanitary Sewer Pipeline and Manhole Replacement Project, subject to the Town Solicitor's review. So unanimously voted.

b) **Approval of Professional Services Agreement with Vollmer Associates, LLP Sewage Pumping Station Rehabilitation Project:**

Motion was made by Commissioner DiGiando, seconded by Commissioner Ferguson to approve the Professional Service Agreement with Vollmer Associates, LLP for the Sewage Pumping Station Rehabilitation Project, subject to the Town Solicitor's review. So unanimously voted.

8:31 PM: Commissioner Settupane returned to the Commission table.

2) **Water Budget** fy 2004/2005

The Town Administrator stated that she had mailed out a draft of the budgets last week with the detail on the capital improvement budget. The Commission asked for clarification on a few items. Commissioner Settupane asked the Town Administrator if there is a line item on the budget to reimburse the Public Works Department for labor and equipment used by the Water Department. The Town Administrator stated that this was not included. Short discussion followed. Commissioner Settupane stated that he could not review the budget until this item is placed on the budget. The Commission President stated that he thought that this was a fair request. The Town Administrator stated that she would have that information and the revenue side of the budget for the next Water and Sewer meeting.

Commission consensus: To continue discussion on this matter to the next Water and Sewer meeting on 05/17/04.

3) **Sewer Budget** fy 2004/2005

No action taken. Commission consensus: To continue this matter to the next Water and Sewer meeting on 05/17/04.

4) **Application of Catherine A. Goode-DeVellis (Plat 8, Lot 86; 27 North Road) for expansion/change of use.**

The applicant was not present at said meeting. The Public Works Director reported that the applicant must provide calculations for their anticipated water usage. Mr. Goslee stated that the applicant has not provided these calculations. The Town Administrator suggested that this

application be continued to the next Water and Sewer meeting. Motion was made by Commissioner DiGiando, seconded by Commission President Littman to ask the applicant to provide calculations for their anticipated water usage, to continue this application to the next Water and Sewer meeting on 05/17/04 and to ask the applicant or her representative to be present at said meeting. So unanimously voted.

BILLS AND PAYROLL

Following clarification of a few items and a request by Commissioner Settiane for detailed information regarding labor distribution, motion was made by Commissioner DiGiando, seconded by Commissioner Ferguson to approve the Water Bills and Payroll. Motion so voted, 3 in favor; Commissioner Settiane abstained.

Motion was made by Commissioner DiGiando, seconded by Commissioner Settiane 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 DiGiando, seconded by Commissioner Settiane to adjourn the regular meeting at 8:52 PM. So unanimously voted.

Attest:

Denise Jennings
Water and Sewer Clerk

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