

TOWN OF JAMESTOWN

**Regular Meeting of the Board of
Water and Sewer Commissioners**

Tuesday, January 18, 2000

A regular meeting of the Jamestown Town Council sitting as the Board of Water and Sewer Commissioners was called to order at the Jamestown Town Hall, 93 Narragansett Avenue at 7:02 PM by Commission President David J. Long. The following members were present:

Kenneth G. Littman, Commission Vice-President
Craig A. Amerigian
Bruce McIntyre

Also present were:

Maryanne Crawford, CPA, Town Administrator
Denise Jennings, Assistant Finance Director/Water and Sewer Clerk
Steven Goslee, Public Works Director
Arthur Christman, Fire Chief

Absent:

David Swain, Commissioner
A. Lauriston Parks, Esq., Town Solicitor

READING AND APPROVAL OF MINUTES

Commissioner Amerigian: On the last page, under unfinished business (continued) about half way down the page is says AMr. Kortmann: You would need to draw from the bottom of South Pond, I don't recall him saying that we would draw water for blending from the bottom of South Pond. Seems to me that you would draw from the top. Commissioner Littman: Correct. Motion by Commissioner Amerigian, seconded by Commissioner Littman to delete that statement from the minutes and to approve the minutes of 12/20/99 as amended. So unanimously voted.

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

Mr. Goslee: Pumping is down, reservoir is up two inches and is now at 34 inches. Rainfall was down for the month. Following a few question from the Commission regarding the history of the reservoir, Ms. Crawford stated that the Public Works Director and herself have been tracking the history of the reservoir for a number of years and that she would try to have the information for the next meeting on 02/22/00. Commissioner McIntyre: How are we doing with the pipeline grant? Ms Crawford: There is a communication in your packet. Do you want to address it now? Commissioner McIntyre: No. Commission President Long: Anything else? Mr. Goslee: We have addressed some of the issues that Dr. Kortmann raised last time. The water short circuiting around the damn has been corrected on the west side. Brush has been cut around the damn and we are trying to get the pump winterized, so that we can use it year round. Motion was made

and seconded to accept the pumping report. So unanimously voted.

LETTERS AND COMMUNICATIONS

1) Copy of memorandum to Don Gohmert, Watershed & Wetland Division, NHQ, Washington, DC from Joe DelVecchio, State Conservationist, RI re: Request for Emergency Watershed Program (EWP) Funding
Ms. Crawford: Mr. DelVecchio has reviewed our grant request and he feels that it is eligible for funding. I will follow up and report back to Commission.

2) Letter from the RI Department of Health re: desalinization
Mr. Goslee: The Water Study Committee requested that we inquire from the regulatory agencies on desalinization. I wrote a letter to June Swallow, at the RI Department of Health to see what would be required to put a desalinization plant online and this is her response. We met with RICRMC, Army Corps of Engineers and RIDEM last Thursday. They requested that we apply for a pre-application for a request for preliminary determination. Ms. Crawford: There are four permitting processes: RI Department of Health for water certification, Army Corps of Engineers, RIDEM and RICRMC. They strongly suggested that we apply for the request for preliminary determination application. Commission President Long: Can that be done by yourself or the Water Study Committee? Mr. Goslee: It is getting to the point where we need some outside help. The Committee should meet. They may have the expertise to address the application.

Commission consensus: Town Administrator to set up Water Study Committee meeting.

UNFINISHED BUSINESS

1) Status re: residential high users
Following short discussion, it was decided that letters should go out by certified mail to those customers who have not yet responded.

Commissioner McIntyre: We need an ongoing conservation campaign. I know there is more that we can do. Commissioner Amerigian: I don't think that people are aware that restrictions are still in place. I think that we could re-advertise to remind people. Ms. Crawford: We could re-advertise or put a notice on the water bills? Commissioner McIntyre: Campaign name could be ABeat the Peak. We could get the schools involved. Ms. Crawford: I will contact Dr. Gallo to see if she has any ideas and we can talk about it at the next Water Study Committee meeting. Could do block advertisement, meet with the school and do a notice on the water bills. Ms. Crawford stated that language could be added to the rules and regulations and that she would discuss this with the Solicitor and that she would report back to the Commission at the next meeting on 02/22/00.

2) Fort Wetherill
a) Memorandum of understanding with RIDEM
Ms. Crawford stated that she was working with the Solicitor on this issue.

b) Letter to Robert W. Sutton, Jr., Chief Planning & Development, RIDEM re: sewer road cut
Ms. Crawford: This is a draft letter to Mr. Sutton. Without these restrictions, we will not grant the road cut permit.

NEW BUSINESS

1) Application of Chris Atwood (Plat 7, Lot 7; 28 East Shore Road)
for water service connection
Chris Atwood: We hope to get approval of our application for water service connection. Currently there are two small

cottages on two small lots. We would like to remove the cottages and build one full time residence.

Engineer: The Atwoods came to me after their prior engineer Roger Anthony passed away. They would like to build one, three bedroom dwelling. Currently there are two cottages with one bedroom each. There is not enough room on the property for a well and a septic system.

Cheryl Atwood: The well water is not drinkable. It has sodium in it and is almost not acceptable for showering. Mr. Atwood: The sodium content is ten times higher than the usual. Engineer: Installing a well is not practical.

Commissioner Amerigian to the Public Works Director: How many houses on that stretch are on town water? Mr. Goslee: There are 3 houses. Two houses north of the property and one house south of the property.

Commissioner Amerigian: We want to be fair, but we also want to require people to jump through the same hoops. The Atwoods well is a dug well. There are probably drilled wells in the area.

Engineer: If we drill a well, I am convinced that we will hit salt water.

Commissioner McIntyre: They plan to merge the two lots for one residence. This could potentially be two hook-ups.

Commissioner Littman: Have you checked with the Building and Zoning Official to see if this is permitted? Mrs. Atwood: Yes, slightly with Mr. Brown. Engineer: We may have to go for a zoning variance. All hinges upon getting water.

Commissioner McIntyre: The Town does benefit by this merge. If we don't grant this, there is a possibility for two separate hook-ups. Mrs. Atwood: If we can't do this we will probably sell the property. Engineer: Once a house is built, water saving devices and appliances will be installed.

Motion by Commissioner McIntyre to approve the application of Chris Atwood for water service connection. No second.

Commissioner Littman: You don't think the policy regarding drilling of a well should be followed? Commissioner McIntyre: I think that the Town will benefit from this.

Commissioner Amerigian: I would like to have a better understanding of hook-ups granted in the past. I don't think this is similar to any that we have had before us in the past. Ms. Crawford: Need to make granting of hook-up contingent upon merging of lots.

Commissioner Littman: We should be consistent, although this is a unique piece of property. This is potential for two hook-ups; this would make it one. We should go along with this at this point.

Commission President Long: I agree with Commissioners Littman and McIntyre. It pains me not to have you drill a well, but this is a unique situation. We need to stipulate that the lots be combined.

Motion by Commissioner McIntyre, seconded by Commission President Long to approve the application of Chris Atwood for water service connection, subject to combining the two lots and that only one three bedroom house will be built. Motion so voted 3 in favor; Commissioner Amerigian opposed.

2) Water and Sewer Budget 2000-2001

Ms. Crawford: I will begin reviewing this in the next few weeks. I suggest a more aggressive rate structure. Some have said that our tiered rate structure is not aggressive enough.

Commissioner Amerigian: We can begin with the recommendations that have been made by Fay, Spofford & Thorndike. We need to get feedback on grants. Commissioner Littman: What is the time frame for the budget? Ms. Crawford: The fiscal year starts March 1; the new rate structure is based on June 1 through May 31.

3) Water Management Plan

Ms. Crawford: We are in the comment period. We will then go before the RI Water Resource Board.

4) Madden subdivision

Ms. Crawford: The Solicitor is at the Zoning Board of Review meeting at the Library.

Mary Meagher: I am here to represent my clients and also to speak for their attorney John Murphy, Esq. who is also at the Zoning Board of Review meeting. Ms. Meagher distributed a packet of information to the Commission and to the

Town Administrator. Ms Meagher: The Madden subdivision was on the Planning Commission agenda on 01/05/00 and was continued to tomorrow 01/19/00. I would be happy to explain what is going on or answer any questions.

Commissioner Amerigian expressed his concern regarding applications previously before the Commission for this same property. Ms Meagher stated that when Mr. Wright came before the Commission a year ago, the two wells that were drilled came up dry and at the time one water hook-up was requested. Commissioner Amerigian added that the subdivision presented by Mr. Wright was cut down from four lots to two. Ms. Meagher stated that four lots would be allowed by Zoning, but two lots would be less impact than four.

Ms Meagher stated that two septic systems would be situated on one lot; which is acceptable practice and that this issue was raised by Mary Brennan, Planning Commission member at the meeting on 01/05/00.

Discussion ensued regarding hydrofracting. Commissioner Amerigian: We should cover all of our bases, so that someone does not come back to us for water in the future. Ms. Meagher: The well was pumped 6 times during the period from October 6, 1999 and November 8, 1999. Commissioner Amerigian: We had very high rainfall during that period, which was during the drought. Ms. Meagher: End of the drought. Commission President Long: Your concern is that this well will not carry them over and they may come back at a later date. Can that be part of the stipulation of granting it? Ms. Meagher: You have already granted the water hook-up. Are you looking to rescind this water hook-up? Commissioner Long: No. Ms. Meagher: That is simply a well that we need in the subdivision regulations.

Ms. Crawford: Now that we are in this part of the conversation, I do have a lot of concerns with this particular issue, since we had granted this hook-up and the fact that the well had been hydrofractured. I have spent a lot of time talking to the Town Solicitor over the past few weeks. One of things we did talk about was revoking the water hook-up, that was already granted. We also talked about the subdivision as presently before the Planning Commission. My further concern as explained to the Solicitor was that if the subdivision is granted, we have a water hook-up and now we have a third or fourth party buying the property. We do not know the history, although we have heard from Ms. Meagher that the well may sustain. My concern is that a year or two down the line we have someone living in the house and they come back before the Board because their well is dry and they would like to hook-up. We are almost obligated to grant a hook-up. I asked the Solicitor if as part of the subdivision we could make a recommendation to the Planning Commission, that the subdivision state that this property never, under the current circumstances, be granted a water hook-up. This is language that I would have the Solicitor draw up for you in draft form and report back to you. This would be part of the subdivision and recorded at the Town Clerk's office, so that a future purchaser of that property knows what is going on. I would like to maintain the spirit of the Water and Sewer rules and regulations. Commissioner Amerigian: It is clear in the regulations, that we are not obligated to grant a hook-up.

Further discussion.

Ms. Meagher: We have a draft motion from the Planning Commission. We do not want to wait another 6 weeks. Commissioner Littman: That motion does not refer to any water restrictions. Ms. Meagher: Correct. You could direct your Administrator to communicate with the Planning Commission. Ms. Crawford: I would be more comfortable having the Solicitor draft the language. Commissioner Littman: We can make a recommendation, but they may not follow it. Ms. Crawford: Ms. Crawford: The Planning Commission is not going to move forward with this until they get an opinion from the Water and Sewer Commission.

Ms. Crawford: I could have the Solicitor draft language for the next Town Council meeting on 01/24/00. Commissioner Amerigian: I like that, but I would also like a summary of every hook-up we have granted, since adoption of new regulations and right prior to. Public Works Director will supply summary, which has already been done.

Motion by Commission President Long, seconded by Commissioner Littman to have the Town Solicitor draft up a recommendation to the Planning Commission regarding restricting this plat in the future to one water hook-up and that is not encumber upon the Town to grant another hook-up if their well on that lot fails. So unanimously voted.

Ms. Crawford: This language would be recorded with the subdivision at the Town Clerk=s office.

Commissioner Amerigian: Would like a transcript of this discussion at the 01/19/99 meeting. I do not how difficult this would be. We talked about something just like this at that meeting. There was more to the discussion than these minutes describe.

BILLS AND PAYROLL

Motion by Commissioner President Long, seconded by Commissioner McIntyre to approve bills and payroll. So unanimously voted.

ADJOURNMENT

John Doty: Will the brush be cut at the base of the damn? Mr. Goslee: Yes. Mr. Doty: When will it be chipped up? Mr. Goslee: It is too wet right now to get the chipper in there. We are waiting until it freezes up to get back in.

There being no further business before the Commission, motion by Commission President Long, seconded by Commissioner McIntyre to adjourn the meeting at 8:55 PM. So unanimously voted.

Attest:

Denise Jennings
Assistant Finance Director/Water and Sewer Clerk

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