

TOWN OF JAMESTOWN

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

Tuesday, February 22, 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 Philomenian Library, 26 North Road at 7:03 PM by Commission President David J. Long. The following members were present:

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

Also present were:

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

Absent:

A. Lauriston Parks, Esq., Town Solicitor
Steven Goslee, Public Works Director

READING AND APPROVAL OF MINUTES

Motion by Commission President Long, seconded by Commissioner Littman to accept the minutes of 01/18/00. Motion so voted, 4 in favor; Commissioner Swain abstaining. Commissioner Swain stated that he was not present at said meeting.

REPORT OF TOWN OFFICIALS

1) **Pumping Report:**

Ms Crawford: Mr. Goslee is out at south pond. They having been working out there all day. He may make it back in time for the meeting. We have included in your packet, information regarding the useable storage capacity of the reservoir. Consumption for the month of January is slightly higher this January compared to last January. That could be contributed to the deep freeze we had. We did discover a number of leaks from residents that did not secure their property for the winter. Rainfall was down.

Commissioner McIntyre: It looks like we are not going to get the funds for the pipeline for south reservoir. Ms. Crawford stated that the grant application for funding was rejected and that she had since met with some people and had contacted Mr. Sams, Director of the RI Water Resource Board. Ms Crawford: It was suggested that Jamestown, as well as North Kingstown, pursue some congressional representatives to see if they can assist us in getting this grant application approved. This we have already initiated. Mr. Sams also suggested that we talk to the

Governor=s liaison in Washington, DC. Commissioner McIntyre: It=s time to plan on not getting this money. We do not have a plan in place to get JR3 online. Ms. Crawford: With the JR3 application, we are through with the 45 day comment period. I have a call into RIDEM and I am awaiting their response. Commissioner McIntyre: We do not have a plan b in place.

Commissioner Amerigian: Mr. Goslee said that there are things that we can do as soon as the weather warms up. Are they working on the spillway at south pond? Ms. Crawford: They have been working there for the past week and through the weekend. Commissioner Amerigian: What are they doing? Ms. Crawford: I was hoping that Mr. Goslee could make it here this evening to explain this to you. They have been working on the spillway and are trying to get the pipeline hooked up. Commissioner Amerigian: The modification of the spillway? Ms. Crawford: Yes. Commissioner Amerigian: This was something that would allow us to utilize a higher percentage of south pond water. That is if the pond responds in the way that the consultant anticipated it would respond. Every time the pond spills over clean water is lost. This can be implemented this season. Commissioner Swain: In looking at this pumping report, it looks like the reservoir level is below average for this time of year. The rain/snowfall is below average, yet our consumption is average or slightly above. Commissioner McIntyre is right, we need to get some other plans in place. Commissioner McIntyre: How quickly can we get an answer out of RIDEM? Ms. Crawford: We can have an answer relatively quick. After the 45 day comment period, they then review all of the comments and get back to us. That is what I have been trying to track down. The only other thing I could suggest at this point, is to see if we can go on North Kingstown water again for a period of time while the reservoir rises. If we do this, we could have a full reservoir going into the busy season. Commission President Long: We do have a few other plans, but will not have as big of impact as the pipeline. Commissioner McIntyre: People have a right to ask questions and we have an obligation to answer questions. Ms. Crawford: I do anticipate having an answer on JR3 within the next month and I will also contacted North Kingstown to see if they will allow us to go on their water for a period of time while the reservoir rises. Commissioner Amerigian: Going on North Kingstown water will help but will not solve the problem. Ms. Crawford: They have restrictions. They do not sell water from June 1 through September 1. Commission President Long: We can place this on the next Town Council agenda for 02/28/00.

Following further discussion, motion by Commissioner Amerigian seconded by Commissioner Swain to place this issue (going on North Kingstown water) on the next Town Council agenda for 02/28/00. So unanimously voted.

Motion by Commissioner Swain, seconded by Commission President Long to accept the pumping report. So unanimously voted.

2) Copy of memorandum from the Water and Sewer Clerk to the Library Director re: 2000 **meeting schedule** Motion by Commission President Long, seconded by Commissioner Littman to accept the communication from the Water Clerk. So unanimously voted.

Commission consensus: Clerk to schedule alternate location for the Board of Water and Sewer meeting on 07/17/00; the Library conference room is not available.

LETTERS AND COMMUNICATIONS

1) Letter from **William Marsh** re: location of **wells**

Motion by Commission President Long, seconded by Commissioner Littman to accept the communication from William Marsh. So unanimously voted.

William Marsh, member of the Cedar Hill Association: Are you pursuing this? The newspaper is the first that I have heard of this. Commission President Long: We threw out the idea at the Water Study meeting. Ms. Crawford: The Solicitor sent letters to property owners. Commission President Long: We will be discussing this at the next Water Study Committee meeting. Commissioner Littman: This was just an option that was discuss and something we are exploring. Commission President Long: The Solicitor does not recommend that we pursue this option.

2) Memorandum from William ABucky≅ Brennan re: **South Pond Watershed Protection**

Motion by Commission President Long, seconded by Commissioner Amerigian to accept the communication from William ABucky≅ Brennan. So unanimously voted.

Commissioner McIntyre: Mr. Brennan makes a number of interesting points. Commissioner Amerigian: Mr. Brennan you are mistaken on point one. We had a watershed protection study done by a non-profit organization and that sight was of concern, but I wouldn=t say that they considered it a major potential hazardous source. Their primary concern was the fuel tanks that were there and if that fuel got spilt. If the facility is being dismantled and taken away from there, than that danger goes away.

Mr. Brennan: The transformers are still there and they have oils inside them. They should not be in the watershed. Maybe it is a possibility that the Town could strike up a discussion with the utility company on acquiring the property. Ms. Crawford: The electric company did do an environmental study and an evaluation recently when they took the generators out. We have also spoken to them about acquiring that property and the electric company is not interested in selling that property, in case they need a substation in the future.

7:25 PM: Mr. Goslee arrived at this point.

Commissioner Amerigian: Can we get a copy of that study? Ms. Crawford: Yes. Commission President Long to Mr. Brennan: Several of your points are worth looking into. Ms. Crawford are there any other ideas in there that the Town has already addressed in one form or another? Ms. Crawford: The Public Works Director and I have spoken about the signage and also about reducing the salt that RIDOT is using when they sand and salt the roads. RIDOT has been hesitant to do that because they find that reducing the salt does not treat the roads as quickly as they would like and this causes accidents. We can pursue it again with the new director of RIDOT and we can see if we can get some signage. I will follow up with a letter to RIDOT. Commissioner Swain: Can we make the signs? Ms. Crawford: With state property they usually put the signs up themselves. Motion by Commissioner Amerigian, seconded by Commission President Long to ask the Town Administrator to communicate with RIDOT regarding the replacement of signs making all people aware that, that is a watershed area and reduced salt will be used in that area. So unanimously voted.

Commission President Long: Any other comments? Commissioner Swain: The agriculture issue, could we get the Conservation Commission involved? Motion by Commissioner Swain, second by Commission President Long to forward that item to the Conservation Commission for their comment. So unanimously voted.

Commissioner Swain: The storm water pumping station issue, is the pumping station working? Ms. Crawford: I am not sure what the problem is there. When we have heavy rain it does overflow. Commissioner Swain: Can you add that to your letter to RIDOT? Ms. Crawford: Yes.

3) Letter from James A. Donnelly, Esq. re: **Rainbow Car Wash**

Motion by Commission President Long, seconded by Commissioner Littman to accept the communication from James A. Donnelly, Esq. So unanimously voted.

Commissioner McIntyre: That was a letter of request. He was requesting a meeting. Commissioner Littman: There was a response from our Solicitor.

UNFINISHED BUSINESS

1) **Fort Wetherill** Aquatic Resource Center re: Memorandum of understanding

Ms. Crawford: This is the memorandum of understanding that the Commission asked me to work on with the Solicitor. It

is pretty complete as to what we discussed. I have one additional comment and that has to do with item #3 "the public restrooms shall be retrofitted". I want to clarify that this would be the public restrooms that are already there and the new ones. If there are no additional questions I will have the Solicitor finalize this. Commissioner Amerigian: It looks okay to me. Commissioner Swain: Item #7, ADEM shall designate an individual, do we know who this individual will be and will we be responded to? Ms. Crawford: They will let us know who it will be. Commissioner Amerigian: We want them to be aware of their consumption. We had stated previously that if their consumption turns out to be much higher than what they anticipated they would have to come back to the Commission. Commission President Long: We can add that they should report to the Town Administrator.

Ms. Crawford: We do get pumping reports on a daily basis. During the deep freeze when Mr. Goslee saw that consumption had gone up compared to other days, he started driving around to check for leaks. We do respond if there is an increase in consumption that is unusual in nature. Commission President Long: Add to item #7, A and that they should report to the Town Administrator and add to item #3, A (old as well as new).

Motion by Commission President Long, seconded by Commissioner Littman to have the Administrator send this letter (memorandum of understanding) with the discussed amendments. So unanimously voted.

2) **Residential high usage**

Ms. Crawford: Certified letters were sent out as requested by the Commission. Two customers have responded. One customer stated that she still thinks that it was caused by the broken water line and leaking toilet. The second customer stated that she has put in water saving devices since our first letter. We will see what happens. The third customer lives out of state and has not yet responded. I recommend that we monitor their consumption monthly by reading their meter during the peak season, to see if in fact their consumption does go up again and follow up with them. If it is high, we will then knock on their door and ask for an explanation.

Commissioner Amerigian: You can monitor monthly? Ms. Crawford: At any time, the clerk can write up a work order for the laborers to read the meter. If we see the usage escalate, we can follow up.

Ellicott Wright: Under what authority, do you have to do something? You might consider to give yourself the authority to turn off their water, for example those users over 50,000 gallons. Ms. Crawford: I will talk to the Solicitor to see how we could pursue something like that. Commissioner Amerigian: We already do have some authority. We should talk to the Solicitor to see how to approach this. Discussion ensued on the stronger steps that the Commission could take.

Commission President Long: I would hope that the fact that these people have gotten letters throughout the winter and that the town is knocking on their door would have some effect on them to try to cut down. I would hope that it could be resolved that way. I think having the Solicitor checking into this now would help.

NEW BUSINESS

1) Application of **Conanicut Marine Services** (CMS) (Plat 8, Lot 166; 20 Narragansett Avenue) for change and expansion of use

John A. Murphy, Esq. representing Conanicut Marine Services: There are existing connections for both water and sewer at this location. Your regulations do provide for matters to be brought to your attention when there is a change of use. This building was historically a gas station. It provided car washing services and car storage services and recently its primary use was for car storage. It will become a support facility for the Conanicut Marina and it will have two uses in the building. On the front of the building the second story will be a small apartment with one bathroom. The first floor which is the commercial portion, will have a total of 5 toilets, 2 showers and 2 washing machines. Those will be for the use of the CMS customers. Those facilities are provided now to a certain degree with town water at the CMS location on

East Ferry and it would be shifted to this new location. The mixed use of the building is something that is consistent with the comprehensive plan.

There is a real call for apartments in the business district. Mr. Munger is here to answer any questions. It would be better to have the sewer connection come in from Knowles Court, rather than the front like it is now. The water connection is okay. Conanicut Marine Services is drilling a well to try to augment their own water supply. That building is also amendable to a cistern collecting roof water and as part of their overall water conservation program they are considering installation of cisterns down at the marina property at East Ferry.

Mr. Munger: Our guest count will not change with this request. This facility on Narragansett Avenue as you know, currently provides parking in the back of the building.

Further information was then provided by Mr. Murphy regarding previous zoning applications of CMS. Mr. Murphy: This facility will be simply to accommodate existing customers of CMS and we are not seeking to increase the number of customers. Commissioner Amerigian: Are the facilities at the existing building at East Ferry going to be removed? Mr. Murphy: No, they will have a choice where they could go. Mr. Munger: Those are for the convenience of those using the dock facility. We do not have a facilities at the boat yard location. The one that we have is very compact and is at the East Ferry location. Mr. Murphy: The change in this building is something that the Planning Commission under its development plan review jurisdiction, is going to be considering and one of the places we have stop and make a presentation to the Board of Water and Sewer Commission. Commissioner Littman: When will the Planning Commission be considering the plan? Mr. Munger: March 1. Commissioner Amerigian: When you first applied to build a building, didn't you say at that time your shower facilities were inadequate? Mr. Munger: Yes and that is why we are here. Commissioner Amerigian: If your facilities are inadequate and you are creating more facilities, then potentially more water will be used. Do the old facilities have water saving devices? Mr. Murphy: All water conservation measures presented previously have been put in place and all in the new facility will be.

Discussion ensued regarding the current zoning application and outside legal representation. Ms. Crawford stated that the Solicitor was currently reviewing this issue and that she would have information for the next meeting. Commissioner McIntyre: If the Town is not taking a position, then I do not see this as an issue. There is nothing to research. Ms. Crawford: Turner Scott, Esq. called and specifically asked that question and I turned it over to the Solicitor.

Mr. Murphy: We are not seeking to increase customers. Commissioner Swain: Any rough estimate of usage? How much do you consume at East Ferry? Mr. Munger: About 80,000 gallons at East Ferry. Mr. Murphy: Water saving devices have been put in and we are trucking water from the Scituate reservoir. We are willing to dump Scituate reservoir water into the town reservoir. We fill the tank approximately 8 times during peak. The Town would result in more water than our customers use. Commissioner Amerigian: I am concerned about that.

Dorsey Beard of Blueberry Lane referred to the CMS application for expansion before RICRMC. She stated that 400 feet of additional dock space would create more customers.

Darcy Magratten, 19 Walcott Avenue: You need to take a look at water usage records.

Mr. Murphy: We are drilling a well, proposing a cistern for East Ferry and this location and will be using water saving devices. Mr. Munger: We have a well at the boat yard and already have a cistern in use. We do not use any town water for the boat washing at the boat yard. Commissioner Amerigian: How is consumption going to be here? Mr. Munger: The well for this location is underway, but early results are not good. The well may only provide a minimal supply. It may only provide water for the apartment.

Commission President Long: I am encouraged by what you are trying to do and you say you are not adding boats, but I am a little uncomfortable deciding tonight. Commissioner Amerigian: I feel the same way. It might be worth putting some kind of proviso on the usage, between the 2 facilities.

Mr. Murphy: Would like to have this resolved before the Planning Commission meeting on 03/01/00. You could maybe address this at your next Town Council meeting? Commissioner Amerigian: I don't have a handle on what kind of impact this will have. Commissioner Littman: We may want to have water consumption leveled? Mr. Munger: I could replumb the existing facility at East Ferry to run strictly of a cistern?

Motion by Commissioner McIntyre, seconded by Commissioner Swain to approve the application of Conanicut Marine

Services (CMS) (Plat 8, Lot 166; 20 Narragansett Avenue) for change and expansion of use upon the finding that they have shown that they meet the criteria that are set forth in the regulations.

Commissioner Amerigian: How do we evaluate if he meets that criteria? Commissioner McIntyre: He has demonstrated what the water usage is for the year and what they expect to use. He is augmenting the supply with both a well and cistern. Commissioner Amerigian: Mr. Goslee are you certain about these numbers presented? Mr. Goslee: For the current building at 20 Narragansett Avenue, yes. Commissioner Amerigian: What about East Ferry? Mr. Goslee: I am not sure. Mr. Murphy: Mrs. Munger is leaving to go get the water bills for East Ferry.

Motion by Commissioner McIntyre was withdrawn. Commission Consensus: Discussion to continue when Mrs. Munger returns.

2) **Rehabilitation of the Sewer Treatment Plan**

Ms. Crawford: Just want to update Commission on where we are going with this. Mr. Goslee and I plan to meet with RIDEM about our facilities plan. Once we speak with them we will have some kind of idea on what we need to do with that plan. We will then hire an engineer to assist us with this project. Commission President Long: How long will it take? Ms. Crawford: We are hoping to have a meeting within a week or two. Commissioner Swain: How are we going to go about deciding which of the two companies that gave presentations to choose? Ms. Crawford: I need to talk to the Solicitor regarding the bidding law. If we do not have to go through the bidding process, I would suggest setting up a committee consisting of myself, the Public Works Director and a member of the Commission to interview the two companies and then report back with recommendations. Ms. Crawford: I will talk to the Solicitor. Commissioner Amerigian: Will this be included in this years water and sewer budget? Ms. Crawford: The engineering side of the project will be considered.

3) **Meeting with the Conanicut Island Land Trust**

Commission President Long: Is there a date set? Ms. Crawford: No, is that the route you would like to go? Commissioner Amerigian: I was at their last meeting and they were amenable to meeting with the Commission. I think that it would make more sense to try to get on their agenda and attend their board meeting. Commissioner Swain: The issue we are going to discuss is? Commissioner Amerigian: For them to get a better understanding of their position regarding the subject as previously discussed with Mr. Marsh from Cedar Hill Association and them getting a better understanding of where the Town is in terms of what we are trying to accomplish. It makes sense to talk to them about what their concerns are. Commission President Long: I would like to talk to them also about working with them in other ways. Commission Consensus: Clerk to send letter requesting to be placed on the next agenda of the Conanicut Island Land Trust, with response regarding meeting date due back to Town Council for their meeting on 03/15/00.

4) **Water rates**

Ms. Crawford: Attached are the current water rates. What I am hearing from the Commission is that this year you would like to set some high rates for those with high consumption during the peak season. I need some direction from the Commission on which direction you would like to go. I could come back with a few different scenarios. Commissioner Amerigian: We would like to get a feeling for how much revenue those scenarios would generate. One of the things we are trying to do is budget for a lot of these items that relate to north and south pond, as well as some engineering work to look closer at desalinization. I think that it would make sense to shift more of the burden on heavy users. Ms. Crawford: You want to maintain these high rates strictly for the one quarter which we currently have for the September billing? Commission President Long: Are there any high users throughout the year? Ms. Crawford: I'm sure there are high users all the time. Commissioner Swain: Why was that one quarter pulled out? Ms. Crawford: That=s our peak consumption time. Commissioner Amerigian: Last year, we had a document that showed rates for water districts in Massachusetts and tiered rate structures are quite common. Some of them get very punitive and have four tiers. We thought that implementing this tiered rate structure for one quarter would be the first step. Mr. Wright (former Commissioner): We did it not only to raise money, but to discourage use. Commissioner Swain: I can see extending this into other quarters. Commission President Long: You could have one set of tiered rates for the peak and one set of tiered rates for the off season. Commissioner Swain: We should go heavier on the rates and more towards the higher users.

Commission consensus: Administrator to report back at the next meeting on 03/20/00 with a proposed rate structure that would be for all four quarters.

5) Telecommunications lease with Sprint Spectrum, L.P. re: Howland Avenue **water tower**
Ms. Crawford: Sprint Spectrum, L.P. would like to put an antenna on the water tower. They will have to go before the Zoning Board of Review for a variance. I recommend that you refer this to myself and the Solicitor to draft a lease and I will report back at the next meeting on 03/20/00. Motion by Commission President Long, seconded by Commissioner Littman to ask the Administrator to work with the Solicitor to draft a lease with Sprint Spectrum, L.P. and report back to the Commission on 03/20/00. So unanimously voted.

BILLS AND PAYROLL

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

NEW BUSINESS continued

1) Application of **Conanicut Marine Services** (CMS) (Plat 8, Lot 166; 20 Narragansett Avenue) for change and expansion of use

Mr. Murphy presented water bills for East Ferry to Commission Present Long. Mr. Murphy: The total usage for Conanicut Marine Store (has the toilets and the showers) for 1999, was 32,800 gallons. This is less than a house. With this information, I would ask that you consider our request for approval of the service that we have proposed for 20 Narragansett Avenue. Conanicut Marine Service has showed itself to be a good citizen as far as water conservation. Motion by Commissioner McIntyre, seconded by Commissioner Swain to approve the application of Conanicut Marine Services (CMS) (Plat 8, Lot 166; 20 Narragansett Avenue) for change and expansion of use upon the finding that the application meets the criteria set forth in the regulations. So unanimously voted.

TOWN BUSINESS

1) Memorandum from the Jamestown **Conservation Commission** re: letter to RIDEM (continued from 02/14/00 Town Council meeting)

Ms. Crawford: This is the Conservation Commissions public comment on the well application. The 45 day comment period has ended. Commission President Long: Is this their right? It would have been nice if Mr. Powell could have come to us before commenting on something like this. Commissioner Amerigian: Maybe we should have a joint meeting with the Commission to see what their concerns are? Talk about how their concerns effect or impact our consideration on the use of wells and also the siting of wells. Maybe there is a position we can both live with.

Commission President Long: A meeting with them would be a start. Commission consensus: Clerk to send memorandum to the Conservation Commission requesting a joint work session and to report back at the next meeting on 03/20/00.

ADJOURNMENT

There being no further business before the Commission, motion by Commission President Long, seconded by Commissioner McIntyre to adjourn the meeting at 9:13 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
Town Clerk