

PORTSMOUTH WATER AND FIRE DISTRICT
1944 East Main Road, Portsmouth, Rhode Island

Administrative Board Meeting Minutes
March 20, 2018

OPENING BY CHAIRMAN AND ROLL CALL

The Administrative Board Meeting was called to order at 7:00 PM by Philip Driscoll.

Present – Frederick Faerber, Michael Nott, Andrew Kelly (arrived later in the meeting), Philip Driscoll, Allen Shers and Theodore Czech

Absent – Ronald Molleur

Also Present – Jessica Lynch, Nathan Lister and David Fox

GUESTS

Linn Freedman, Sunset Ln, re: Water Main Extension Appeal

Mr. Faerber, seconded by Mr. Shers, made a motion to:

- **Approve a hydraulically designed dead-end water main extension for 0 Sunset Lane which is to be installed on the North side of the road per the Town of Portsmouth Land Development and Subdivision Regulations including a new hydrant at the corner of Water Street and Sunset Lane as requested by the Fire Marshall and a new water service connection for 18 Sunset Lane, based on a determination that it meets the criteria for such a main and that the easement request has been denied.**
- **Water main extension predicated on final approval of plans by District Staff.**

Dr. Freedman noted that this has been a long and arduous process; it goes back a year and a half. Dr. Freedman has done his best to work with the Board and wants to continue to work with the Board because he wants water service for his lot. He believes he has a solution to the problem; he agrees with the motion made by the Board but his concern is with the other house on the road that is connected with a spaghetti-line. He also noted that the road is complicated; it is narrow and unfortunately the Borges' have landscaping, a fence and a stone wall on the Town property where the water line would normally go. Dr. Freedman presented a plan designed by Northeast Engineers of Sunset Lane for the Board to view. Mrs. Lynch presented pictures of Sunset Lane for the Board to view

Dr. Freedman noted that he was originally willing to extend the water main to their home but it was going to benefit the Town to put the loop-in. He noted that an agreement was made in the original motion that the Town (PWFD) would do the work and take on the liability for the water main extension and loop-in and the Freedman's would pay for it. He again would agree to pay to have the work done by the District. The Freedman's are not comfortable taking on the responsibility or liability to deal with the Borges' water service. Mr. Lister noted that this job isn't any different than other water main extensions and it is not typical for the District to perform this work. He also noted that it was offered as a training exercise for the loop-in but that this isn't any different from a small water main extension. Mrs. Lynch noted that there is no benefit to the District to do the work. Dr. Freedman noted that the complicated part of the extension is tying in the other property; he noted he was told that the loop was the easy part. Dr. Freedman noted that the extension is still 450 feet, the only difference now is the absence of the additional extension of the loop.

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Mrs. Lynch noted the difference is that the original motion included installation of a six-inch line which is more of a learning exercise as opposed to the installation of a two-inch line. Dr. Freedman noted that he is not an engineer, but agrees with Mrs. Lynch. He noted that Sunset Lane is still a narrow street dealing with two existing water services. Mr. Nott corrected Dr. Freedman that the Portsmouth Water and Fire District is not part of the Town. Mr. Driscoll asked which two existing lines Dr. Freedman was referring to; Dr. Freedman thought that the Borges' daughter's property was also going to be tied in. Dr. Freedman further explained that their engineer, Lynn Small, noted that the water line could go straight down Sunset Lane on the north side to avoid the Borges' property. Mr. Nott asked which side of the street the telephone poles are on. Mrs. Lynch noted they are on the south side of the street. Dr. Freedman noted that he does understand that they have to stay away from National Grid. Mr. Driscoll asked Mr. Lister if he saw a problem putting the water line down the street. Mr. Lister responded it was not a problem. Mr. Driscoll also asked Mr. Lister if he had a problem tying in the Borges' home to the line. Mr. Lister responded that it is not a problem to tie them in; in fact, it would be a great benefit to tie them in. Mr. Lister noted that the Borges' serviceline was installed in 1965; it's a known problem area with copper. Both Mr. Lister and Mrs. Lynch noted that the Borges' current serviceline would be in the way of construction of the water main extension and need to be replaced as part of the project.

Mr. Fox noted that the Freedman's are missing the fact that the Board is considering something that financially benefits them; the Board is considering a two-inch water main instead of the normal sized piping. He further noted that the Board follows their rules to keep in line with what the Board does for the ratepayers in town. Mr. Fox also noted that the responsibility of the water main extension falls back on the District; the District inspects the main and monitors the installation. Mr. Fox further noted that the contractor is responsible from the day the main is put in until 13 months later due to the contractor's bond; the District takes responsibility after that point. Dr. Freedman noted that he feels offended that Mr. Fox mentioned the financial benefit to him; he noted that the price was higher previously because it was double the distance of pipe for the loop-in. Mr. Nott noted that he has been on the Board for twenty years and has never seen a petition for water service waste so much of the Board's and General Manager's time. Dr. Freedman noted that he was not to blame for the amount of time wasted. Dr. Freedman asked if he was allowed to add to the motion that that the installation of the water main be a training exercise for District staff. Mr. Driscoll noted that if a Board member chose to modify the motion, they could, however none of the Board Members chose to do so.

Dr. Freedman requested clarification on the motion and who would take responsibility for the Borges' line. Mr. Driscoll and Mr. Fox both responded that the Borges' line is part of the Freedman's project.

A vote was taken and the motion passed with Frederick Faerber, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative. Mr. Nott voted in opposition.

Douglas Bernon, re: Leak Relief Request for 13 Baker Rd

Mr. Faerber, seconded by Mr. Nott, made a motion to:

Based on past practice, offer a credit of \$400.79 total for the November 2017 and February 2018 water bill to Bernadette and Douglas Bernon, owners of 13 Baker Road, which credit is calculated based on 76,000 gallons of leaked water being sold at the District's wholesale cost of water plus pumping of \$5.437 per thousand gallons, predicated on the following:

- **It appears that the excess water use was due to a leak in the underground line**

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- **It appears that the owners were apparently unaware that the leak was occurring.**
- **The underground line was promptly disconnected once the owner became aware of the leakage.**

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

CORRESPONDENCE

Abutter Notice re: Benzine Development – Presented

MINUTES OF MEETINGS

Approve Administrative Board Meeting Minutes of February 20, 2018

Approve Administrative Board Executive Meeting Minutes of February 20, 2018

Mr. Faerber, seconded by Mr. Shers, made a motion to approve the Administrative Board Meeting Minutes and the Administrative Board Meeting Executive Session Minutes of February 20, 2018.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

NEW BUSINESS

Approve Payment of Bills Listed

Mr. Nott, seconded by Mr. Faerber, made a motion to approve payment of bills listed in the amount of \$196,345.36.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

Mr. Faerber, seconded by Mr. Nott, made a motion to approve payment to MWWA listed in the amount of \$500.00.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

Approve the Electronic Payment for 2002 Bond Principal and Interest in the amount of \$207,543.13

Mr. Faerber, seconded by Mr. Nott, made a motion to Approve the Electronic Payment for 2002 Bond Principal and Interest to the in the amount of \$207,543.13.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

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Budget to Actual – Presented

Summary of Bank Accounts – Presented

Cash Flow Summary – Presented

Water Accounts Receivable Analysis

Mr. Driscoll noted that the water accounts receivables appear to be improving. Mr. Nott asked Mr. Lister if he noticed a decline in the number of shut-offs each month. Mr. Lister responded that the number of shut-offs vary each month depending on the cycle.

Financial Statements – Presented

Administrative Board Election – 2018 – Presented

Positions: Theodore T. Czech – Tax Assessor
Michael W. Nott – Tax Assessor
Frederick W. Faerber, III – Tax Collector

Schedule: Nomination Papers Available April 13th; Due May 14th; Election June 13th

REPORT FROM GENERAL MANAGER

Water Service Application Approvals – Presented

Demand Report – Presented

Operations Report

Mr. Nott asked Mr. Lister what the valve on a hydrant on Peggy Lane was used for. Mr. Lister replied that Public Works requested to have their sweeper meter installed for catch basin flushing in that area.

Disposal of Assets – Nothing Presented

Water Quality Update – TTHMs

Mr. Driscoll noted that the Navy Report and City of Newport reports were not included. Mrs. Lynch noted not all reports were in. Mrs. Lynch also noted that the TTHMs were lower this quarter than the last first quarter.

Water Shut-offs for Nonpayment – Update

Mrs. Lynch noted that there were twenty-three shut-offs scheduled for the following day; the District is still seeing some repeat offenders on the list.

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Andrew Kelly joined the meeting.

Union Street Pump Station Update

Mrs. Lynch noted that she and Mr. Lister met with the Engineers on February 22, 2018; they provided their evaluation report in draft form. She also noted the engineers had requested some additional information. One of the biggest things to iron out was whether there would be a new meter and if so, where it would be; a new meter was included in the RFP. Ms. Forgue denied the request to have the meter placed in the new pump station. A new above ground metering station would be quite expensive and the money could be better spent elsewhere. Mrs. Lynch noted that she has been discussing additional options for the meter with the engineers. She also noted they are potentially looking to sample at the new station so the operators don't have to go into the existing vault; if they do, they will need some sort of tight tank because they are trying to avoid having a septic since there isn't a requirement to have a bathroom in the new pump station. Mrs. Lynch noted that there will be an eyewash station but there is still discussion on the need for an emergency shower. Benzine Development is requesting that PWFD not do a curb cut into Union Street, but instead have the cut made right into their proposed road. Mrs. Lynch noted that she spoke to Nick from Benzine and his engineers are working on the drawing; once the District acquires their drawings, the entrance/parking design for the Union Street Pump Station can advance. Nick said they will handle all the permitting with DOT and they will also do the construction for that piece. Mr. Driscoll asked if the District would have a right of way on the road. Mrs. Lynch responded that the District would have a right of way until such time it becomes a public road. She additionally noted that the District may want to get something in writing that Benzine will perform the construction work based on the District's timeline. Mr. Fox informed the Board that there are limitations on the number of curb cuts within certain distances on roadways. The PWFD engineers are working on the environmental assessment that is required by DOH and DEM. Mrs. Lynch noted it is required to hold two public meetings; the first public hearing will be held at the April meeting. She also noted that once the District receives the curb cut information, the zoning and planning engineer, Tom Principe, will get the information to the town. She also noted that there is some work to be done such as the exact layout of the building. Mr. Driscoll asked once this is complete if the District purchases the land. Mr. Fox responded yes.

Leak Detection – Update

Mrs. Lynch noted that Jack Liuzzi will be starting leak detection in the spring, most likely in April.

FY-19 Budget Schedule

- 1) Budget Workshop – TBD – April 10th or 11th
- 2) Budget Approval – April 17, 2018

It was decided to hold the budget workshop on Tuesday, April 10, 2017 at 9:30am.

AMI Infrastructure – Update

Mrs. Lynch noted that a letter was sent from Jon Elder at Hinkley Allen to Bay State Winsupply requesting the Stealth Readers by a certain time. Bay State responded with the dates they will provide the readers. Zenner decided to send the all the requested readers and they will bill Bay State based on Bay State's schedule. She

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noted that the District had approximately 120 on hand and are about to get 400 more. Mr. Beaudoin, Mr. Silveira, and Mr. Raposa have installed sixty readers in the past two days. Mrs. Lynch noted that they are leaning towards installing the readers themselves instead of paying Zenner to install them. She did note that the additional infrastructure installation must be done by Zenner. Mr. Driscoll noted that Mr. Beaudoin's productivity is amazing in this area as well as all areas.

REPORT FROM LEGAL COUNSEL

Mr. Fox noted he had nothing to discuss in Open Session.

EXECUTIVE SESSION 42-46-5 (a) (1) (2)

Mr. Nott, seconded by Mr. Kelly, made a motion to go into Executive Session to discuss:

Personnel: 42-46-5(a) (1):

- 1) Proposed Goals and Objectives for General Managers Annual Review**
- 2) Recommendation for Completion of Probation Period for Office Manager**

Litigation: 42-46-5 (a) (2)

- 1) Middle Creek Farms, LLC**

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

Dr. Freedman requested that the minutes from this evening's meeting be provided to him, specifically Mr. Lister's comments about the Borges' service line.

Mr. Lister and Dr. Freedman left the meeting.

RETURN TO OPEN SESSION

Disclosure of Executive Session Votes and Disposition of Minutes

Mr. Nott, seconded by Mr. Kelly, made a motion to Seal the Executive Session Meeting Minutes of March 20, 2018. Discussed were:

Personnel: 42-46-5(a) (1): Any persons to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.

- 1) Proposed Goals and Objectives for General Managers Annual Review**

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One vote was taken to approve the proposed goals and objective for the General Manager's annual review.

2) Recommendation for Completion of Probation Period for Office Manager

One vote was taken to table a decision.

Litigation: 42-46-5 (a) (2)

2) Middle Creek Farms, LLC

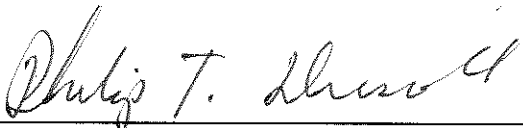
No vote was taken.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.

ADJOURNMENT

Mr. Kelly, seconded by Mr. Faerber, made a motion to adjourn.

A vote was taken and the motion passed with Frederick Faerber, Michael Nott, Andrew Kelly, Philip Driscoll, Allen Shers and Theodore Czech voting in the affirmative.



Philip T. Driscoll, Clerk

