

Minutes of the February 25, 2014 Meeting  
Warwick City Council Sewer Review Commission

Meeting was called to order by Councilman Ed Ladouceur, Chairman at 8:07 AM in conference room at the Warwick Sewer Authority.

Commission members present:

Councilman Ed Ladouceur, Chairman  
Councilman Joe Gallucci, Vice Chairman  
Angelo Liberti, RI Department of Environmental Management  
Topher Hamblett, Save The Bay  
Michelle Komar, Chairman's Citizen Appointment  
James Boyd, RI Coastal Resources Management Council  
Janine Burke, WSA Executive Director  
Mark Carruolo, Mayor's Chief of Staff  
Peter Ginaitt, Warwick Sewer Authority Board

Members not present: Doug Harris, Narragansett Indian Tribe, Senator William Walaska, District 30, Ernie Zmyslinski, City of Warwick Finance Director, David Picozzi, City of Warwick Department of Public Works Director, Aaron Guckian, Warwick Sewer Authority Board, Representative Frank Ferri, District 22.

Also present: William Russo, Advisor to Committee

The Chairman opened the meeting to public comment.

- **James Boyajian**: Suggested that in light of all the inspectors certified to inspect on-site wastewater treatment systems in Rhode Island, that the City send them out there to focus on cesspools. He commented that if the systems are found to be failed then he would not have a problem with making those failed systems connect to sewers.
- **Gene Nadeau**: Commented that Warwick continues to pave itself over and that animals continue to defecate. He restated his opinion that storm water pollution is the problem and that "cesspools have not dumped 1 cup of raw sewage into the Bay in 100 years." He suggested that the mandatory connection program was not to prevent pollution but to subsidize the WSA.
- **Roger Durand**: Commented on the SRC meeting from January 24<sup>th</sup> which the Mayor attended. Questioned the Mayor's and other City Officials' (i.e., Finance Director) role (or lack thereof) in overseeing past operations of the WSA including personnel appointments, budget monitoring and sewer assessments. He asked how many WSA executive directors has the Mayor appointed and how many employees did the Mayor move from the city-side to WSA. He commented that Ms. Burke's response to Senator McCaffrey's questions back in December was "big on documentation, light on substance" and that some of the questions remained unanswered. He asked when Ms. Burke would be following up with more answers. He questioned the composition of the SRC and why it was not evenly balanced. He asked why not more ratepayers were on the Commission? He said this issue of a "stacked" Commission would be an issue at the State House.
- **Don Fife**: Questions the Chairman's previous statement that 95% of the people in Ward 5 want sewers. He said he wants to meet those people because he did not find that to be the case when he was doing the flyer drops.

Open Microphone Session Ended: 8:19 AM.

### **February 19th Minutes**

Michelle Komar asked for clarification of the draft minutes regarding “he”—was this Steve Sylven or Councilman Ed Ladouceur? Janine Burke responded that comments on the enabling legislation by WSA Board member Steve Sylven (which had been read into the record by the Chair) had been addressed in other areas of the legislation and that the SRC group discussion resulted in the suggested changes that were listed in bullet format in the draft minutes.

Action: Motion to approve minutes, as amended.

Moved by: Janine Burke

Seconded by: Councilman Gallucci

Motion passes (unanimous)

### **Discussion -- Grinder Pumps**

Michelle Komar said she was glad to see this on the agenda but would like the discussion to take place at an evening meeting as there is public interest in this topic.

This topic would remain on the meeting agenda for future discussion.

### **Update from DEM – Deferment of Cesspool Phaseout Fines**

Angelo Liberti said that DEM had not yet sent out follow-up letters. He said DEM would be meeting internally to discuss what will be done with respect to properties that have not complied with the deadlines. Ms. Komar suggested letters should be sent to property owners in those areas where sewer construction funding has been approved so they know what the new deadlines are. The Chairman made a formal request of Mr. Liberti to send out letters to property owners in those areas of Warwick where sewers are planned.

### **Discussion in Regards to Enabling Legislation**

The Commission picked up the discussion where it left off last time at Line 310. A lengthy discussion ensued with respect to the language previously suggested that Connect Capable charges will be established by regulation and consider the useful life and condition of the on-site wastewater treatment systems. It was agreed that the term “useful life” was subjective. Discussions included use of DEM criteria for defining failed systems. Jim Boyd suggested taking out the subjective language and simply stating that “Connect Capable charges shall be established by regulation”.

Topher Hamblett said that the 200’ from coastal feature was random line and that it took 7 years for the current state cesspool phaseout act to be adopted in 2007. Realtors are opposed. State cesspool phaseout amendment being worked on is for sale or transfer of property, the new owner must abandon cesspool and connect to sewer or replace with new septic system. Ms. Komar noted that Warwick was ahead of state, since this requirement is in WSA enabling legislation.

Ms. Komar asked if WSA current practice is to have new owners of old septic systems, as well as cesspools connect to the sewer. Ms. Burke responded yes.

Councilman Ladouceur suggested that Connect Capable fees be collected and used as an incentive and WSA deposit into an interest-bearing account to be used to assist those same homeowners with the cost of connecting to sewers. Additional incentives such as waiving WSA permit fees and building in grinder pump costs into the overall sewer project costs were also discussed. Councilman Ladouceur was explicit about his position that WSA allow for assessments on new septic systems (those which were installed while waiting for sewers) to be deferred, suggesting 20-25 year deferments. Ms. Komar said that she was in agreement with Jane Austin's comment at earlier meeting. Revenue delayed due to deferments needs to be made up by others in set assessment rates for WSA to pay back loan; therefore, Ms. Komar was not in favor of extending the current deferment period (14-year is the maximum deferment timeframe in the existing legislation).

Councilman Gallucci said that this Warwick City Council would not vote favorably for connect capable fees and mandatory sewer connections.

Mr. Carruolo described factors, including deferments, which need to be considered in deriving assessment rates to pay off WSA loans. Ms. Komar asked how WSA assessment rates were determined and Ms. Burke responded that since 2006 the assessment rates were determined by the prepared rate studies, which are available on the WSA website.

Mr. Hamblett said that he would email the 2 page summary of the commission's progress prepared by Jane Austin to the commission members; summary would be helpful in finishing discussions regarding amendments to the WSA enabling legislation.

Mr. Russo and Ms. Burke answered questions asked by members of the public during open microphone sessions of past meetings.

Councilman Ladouceur adjourned the meeting at approximately 9:50 AM.

The next Commission meeting date was scheduled for March 4<sup>th</sup> at 8 AM at the offices of the Warwick Sewer Authority.