

LINCOLN WATER COMMISSIONERS

September 29, 2021

Special Meeting

The regular monthly meeting of the Lincoln Board of Water Commissioners was held at the Lincoln Town Hall with Commissioners Ken Booth, Edward Fox, Louis Long, Julie Labreche and Edward Sliney were present. Also present were Acting Superintendent Lewis Prescott, Anna Nascimento and Legal Counsel Stephen Antonucci. The meeting was called to order at 6:00 p.m.

New Business

a. Discussing Rockyroad Avenue Easement

Madam Chair Labreche relayed Rockyroad Avenue Easement so Lewis go ahead. Acting Superintendent Prescott express so what he has given them is a diagram that he had in the office the cul-de sac on Rockyroad. Where the water main was extended. Also it shows the easement that they have on that plans which cuts two properties and supposed to go to Rockyroad and Lincoln Avenue. He also inquired another copy from the Town Planner today which shows entirely different. His question is do they want to continue with this easement because when he goes out on the field and trace it and mark it the water main it actually ends in the middle of the drive way of these new homes. Therefore, there is no recorded easement as of yet he also understand it really does not have to be. He is not clear on that it could be a proposed easement he guesses it can be apply for and registered at the clerk's office after the fact, after the water line have been put in but this does not match up what they have on the plans. In addition, he has spoken with the Town Planner today Mr. Ranaldi he also look at it and he also agreed that is normally how he would if they want to see an easement go in. Just to cut someone driveway in that property like that it would be either it will be taken up and usually it will be one portion of one lot. To buy. He does not know what they want them to do with it at least the driveway is in the basecoat of asphalt is in and he has been landscaping behind the two new houses. Therefore they will need to think about these two houses and then when they get to the back there is among the ledge they have to start working on and removing in order to get to Rhode Island Avenue and Lincoln Avenue. So he does not see as any really worth of doing this right now. He also spoke to James McKee on this stuff, he also popped in on Friday afternoon and he also asks him if he had any documents for the recorded easement he said no and as of not getting any documentations. As far of the installation of the piping in this easement and he said no. Therefore, he claim the easement was that they were going to pay him \$2,000 plus \$78 per cubic yard to remove the ledge and hire him. Since they needed to have him to install the main so he has not find any paperwork on this anywhere also when he spoke to Mr. McKee on Friday afternoon and he asks him again if he had any documentations to show that this was in fact the deal he said no. And he also if it was word of mouth he said yes. So he has nothing that says where it was to put this in. He does not have anything and he only paid \$10,000 and he will give them a quick summary on an email which is the diagram on the easement as they had it in the office they would look at the houses on the left houses on the cul-de-sac they could see the driveways on the left hand of the house. Now it is on the right hand outside of the house and the water main cut thru. However the Town Planner has the darker version in front of them as a different set

up of set of plan which actually shows the driveway on the right hand side of the house and the water main cut thru his driveway. He has nothing again in the office that shows that if it did he does not think they would even approved to install that plan. Again, tonight they can decide do they want to actually put this easement in and if they do not want to it is not the only dead end in Town that they have. They can also cut the main and put a blow off on it and cap the main and put a blow off in the main for the sake of flushing the water. In addition, they are there tonight to decide if they want to go thru with it since he does not have anything that says that they are obligated to pay him \$62,000 to install this. Usually something like this, when they have a development they want to do and there is a possibility of looping to the water main they have meeting on it. So it becomes a stipulation of extending the water main for that project. The contractor has to do it if they want the water and for some reason they did not do it. And apparently did not take place here because as he said find the paperwork that they were going to pay for it \$10,000 for the easement plus \$62,000 for the water main.

Commissioner Sliney said they are at this point right, question Lewis where they bought their pipes to this point and he is proposing that they come down here. Acting Superintendent Prescott replied this guy actually has it over here so the actual main is here. Commissioner Sliney stated so they are going to cap it. Acting Superintendent Prescott replied that is where it is connected with a pipe at the end and they have to go in between the two houses that are already built. Commissioner Sliney asks but there is no more building on that and this is it. Acting Superintendent Prescott replied no and it comes around then it comes thru to Rhode Island Avenue and Lincoln Avenue. Commissioner Booth stated speaking with Lewis he took a ride up there and Lewis brought him up to speed on that he has not had a chance to speak to him. But at this point he agrees with Lewis that they do not go any further for number of reasons. Number one they are looking at their rules and regulations the he said should have stipulated beforehand he would not pay for an easement because of the condition of developing of getting the water they have to give it to him. They should not have to purchase it and secondly the \$62,000 they would have to go to a competitor for a bid they cannot just hand somebody that dollar amount. The other problem is the location the easement that Lewis just mention is the houses are built If they would scale of they need at least a 20 foot working easement because if they put that pipe in and then in the future if it fails or they had to repair it. If it is against those houses foundation they are a lot of liability there with the property owners. Acting Superintendent Prescott relayed some of that documentations he has seen of these easement has 24 foot he measured of from the corner if he is standing of the cul-de-sac where they have the two new houses he measured it off the corner to the nearest corner of the garage of that house to the side of the right of 39 feet. Commissioner Booth expressed the work of the easement is 20 feet but they cannot get back when the dump truck is able to get 20 feet so they are going to be against and they also going to have machinery right against the other houses. If they have to get back and do them for anything then they will have to deal with any other damages. At this point of time, unfortunately it is going make sense the other property line been around and that was layered ahead of time it would made sense to be resolved. Acting Superintendent Prescott stated it is up to the Board and he also know that they are not really on the top of this that is why he is trying to give them a little bit of information. But he is trying to show them that he has the same thing of set of plan what he is showing them what they have in the field and as far as the service go the contractor dug the service trenches so they can put them where it was supposed to be. Therefore there was nothing out there when they did this work so they are going by

what they tell him this service need to be, where the main need to be it was very little to go by. As far as the water main they will need to go backward to the cul-de-sac probably right around the edge of the curb for a short portion that is how it shows here on the print. If they went by this that portion is correct. It is just that this house on the left hand side to him they can see the corner of it, it is on the edge of the easement or actually in the easement. Also he is correct if they can get in there to do any work if they have to come in to any of these houses are whatever gotten in there will be destroyed because they have to take all out to get into the water main. There is no counted zone in that empty spot behind the houses there is anything there at this point of time where it goes thru the ledge they have to take it and connect to Lincoln Avenue which connect to Great Road.

Commissioner Sliney asks a question to Lewis and stated if they end up here and they put a clean out and schedule a flushing once a year and he does not know how often they will have to do it but he does not see any options. Acting Superintendent Prescott replied right here Commissioner Sliney like he said at the end of the pipe this service is correct but this service right there is actually cap off right there and it is like they did a double. So instead of putting it where it belong they tap one here and one there and one like this into the driveway just after it there is a valve when he proposed if they do not want do the easement. And instead of shutting down and buried it because somewhere down the road they can activate the valve leaking and ending up at the end of this guy driveway for no reason. He would dig down and he would cut this valve down and capped the pipe and block it and put it where they really need it. At that point, these people are really close to the end of the main if they are going to use the water if they are really going to need a one inch blow off. They can put a 2" if they want and that is how they would flush the main if they had to. Commissioner Booth stated Lewis quick question are they installing the drainage on the back on that street there some storm drain on the street to catch basin. Acting Superintendent Prescott replied on this road he does not know how. Commissioner Booth stated if they flush. Acting Superintendent Prescott replied it is got to be somewhere on the print and he thinks further down the road it is either that or they need to go down Rockyroad Avenue is on the main also it just go down to Chapel Street into stone bridge goes he does not think they have much of anything he does think they have Stone bridge it is more toward the end of the original of the end of the road. Commissioner Booth stated right he knows they were a lot of issues out there because it was being constructed but the question is if they go in and flush and if they have to run the water 20 minutes to half an hour is it going to be enough drainage or flood. Acting Superintendent Prescott relayed if the look at the print that he gets from Al Ranaldi it shows they will see two areas he also see two areas there those are actually detention mark at either side of it, it is supposed to be detention. Commissioner Booth stated that is supposed to be for the storm drainage for the roof of the house right and what he is saying they can show it on the planner he got issue with the plan because going forward they have to be very careful. But the only plan they have to accept from the developer. And a plan that is stamp being receive by the town planner and he has bumped to this before where when they go to the planning board for their system for the planning board. So they promised them and they require everything then they come back to the water authority with something different just to get the authority approval in. Then they do it with an alternative way afterward.

Acting Superintendent Prescott relayed Mr. Renaldi gave him a full set of approval plans and he believes it is stamped from the engineers stamp and every stamp except theirs. Commissioner Booth expressed

but it is different from what they got so they acted on that information. Acting Superintendent Prescott replied even theirs was not stamped the fact they notice it was not stamped from an engineer also it is his only opinion. He does not see as being at this point of time worth the aggravation he thinks they can take that money and what he would do is to replace the water main extension that it connect to because it is a 1940 cast iron it has been broken a couple of times. He would personally take the money and make the rest of it ductile iron to Chapel Street so he does not have to worry about anything. Commissioner Booth relayed if they have to spend \$6,000 to \$8,000 there is a lot of places they can spend and they can probably clean three or four dead ends somewhere else in the system. Acting Superintendent Prescott express they are brand new main, clean the main and be ductile iron and plus they do not have any problem with it and that is what he will do anyway. Madam Chair Labreche replied ok do they need to take a vote she means not to.

Commissioner Booth said he is making "Motion not to continue with the loop and install a blow off and leave it as is they also have no obligation to do it". Acting Superintendent Prescott replied he does not see one and how they can unless he is missing something. In addition, Mr. McKee claims he does not want to go thru with it so they owe him \$10,000 for the easement. Commissioner Booth replied he does not have that easement. Acting Superintendent Prescott explained why they would owe him \$10,000 for something he does not exist. Commissioner Booth relayed it is not even recorded either and from a legal stand point he would be hesitate to pay someone to put pipe in to a piece of land that is going to be from theirs and pay for something they can even get. Mr. Antonucci stated to Madam Chair Labreche from the research they have done today on this he is in agreement with everything that has been said. Therefore they are under no obligation to go forward with this and they have nothing in writing of any approval from the Water Commission and it seems to be another Romeo side deal that was cut earlier with somebody and left him hanging to clean up his mess. They were unable to find anything in writing exist they are not obligated to do this also he thinks the Commission is well in their right to make the decision to not to go forward and it is the best interest of the Water Commission. Madam Chair Labreche replied ok and thanked Mr. Antonucci.

Motion not to continue with the loop and install a blow off and leave it as is they also have no obligation to do it also to not go any further passed unanimously (KB/EdS)

b. Smith Street Water Main Replacement

Madam Chair Labreche relayed next they have on the agenda Smith Street Water Main Replacement. Acting Superintendent Prescott expressed on Smith Street is the margin on Saylesville and they a water main break there a few weeks ago on Smith Street it is actually two sections with a low end and an upper end by it. In this particular spot, they had a water main break also Smith Street is probably in the 45 degree angle coming down to an easement in the wooded area. In addition, the water main to the easement it connects to the newer section thru Smith Street but they have had numerous break on this water line on Smith Street. They also experience one a few weeks ago it constantly cracks the road therefore the road is destroyed but the biggest problem is it goes down to the easement and it also goes on someone property. It also a lot of damages as far as stones, muds and rocks up the road and he spokes with engineering so he asks him what the possibility would be if they were interested in getting on working

with him to replace the main and their drain. Because their drainage it is all colored pipes which are rotten completely there is no use so they thought it was a great idea, they looked into it and they agreed that if they want to do that they would do it together. And they would put it together and a contractor as an emergency Boyle & Fogarty to do the work. So what they did they have Boyle & Fogarty gave them a breakdown whatever it cost the Town to do theirs to replace the drainage new catch basin whatever and what it will cost the Water Commission to replace the water main. Therefore, they have in front of them the numbers he highlighted them from Boyle & Fogarty, he also gone buy their own materials for purchase it to save 10% on mark up on materials and taxes. Boyle & Fogarty will do it for \$66,400 that also includes for installing, disinfecting and cleaning the 2" pipe line to feed the customers. In addition, there is only six customers to feed this main out of the services. So they take the \$66,400 with that \$13,000 and change so with the total price will come up to \$80,000. The only thing they might have to share part of the \$11,000 with the Town for paving. He also think the gas company is also involved in part of that and if there is any ledge removal and he does not suspect there is going to be a lot because they are pretty much gone put the main. Most of the main are going back in and relatively in the same location that was in and it is going to be removed so little and it is possible they will hit some part of ledge but he does not think it will be a great amount. And taking the paving and the unknown paving, the ledge out from paving somewhat known and it will cost them \$80,000 to replace that main. Now this part on Smith Street they are going to replace it on the intersection up to Wilbur Avenue and this is actually gone to be the start of the project. And what they are going to need do is to replace all the water main on the upper level of Smith Street, Orchard Avenue, View Street and the whole plat because they are all old cast iron with lead ion joint and they have numerous breaks up there. If the Town wants to pave the road at any point of time they are going to destroy the road always and they have already put off paving he thinks three years ago. And three or four years ago they put off paving it, he also spoke to them about it, they said well they put down it down in the bottom and now it is falling down to the top they have to get it done at some point of time. So he said this here the project it is a must he can guarantee that, and it is going to be the start of a project to replace all the water main up there and it has to be done and they are going to be sopped.

Commissioner Booth relayed he had taken a ride up there to look at this also and speaking with Lewis and it could kind of surprise him because that is what they have to say as an emergency worker it is not up to the public bid. And when they look at the numbers for 360 feet in new pipes going in it come out of \$180 a foot for 6 inches pipe and the pipe size is almost relevant between 6 and 8 because of the trenches. The same sizes that is how they label them the pipe cost a couple of dollars per foot but when they includes the materials that Lewis has bought it is \$213 per foot but that also include a bypass piping. Acting Superintendent Prescott replied correct. Commissioner Booth explained which they did a project and they will see that coming \$20 a foot separate so there is bypass going into this house and they are going to install that and maintain that. Therefore it is a good deal for something that has not been bid it is competitive and he has checked with some Water Systems competitor and the numbers that have been coming for the last three to four months. It is fair so he does not want to lose the window on having them to do this. Commissioner Sliney asks but the bigger project going forward Lewis and doing the rest of the plat is that something they could apply or add to the list. Commissioner Booth replied they are going to. Acting Superintendent Prescott replied that is going to be part of the money they are trying to get from the COVID relief packages and he anticipated an another program coming out for this trillion package so

he is just going to put it out there and get a couple of new tanks and all the water main that needs to be replaced. Commissioner Sliney relayed that is all Saylesville. Acting Superintendent Prescott replied no, not all Saylesville they did an amount of them a couple years ago, a few years ago William Street in that area. They replaced all that the cast iron, cement pipe they can name it and they actually put it on the road where they belongs so that is all ductile iron and that was a good project right away. Then they cleaning and lining on Smithfield Avenue they did but the area they did the cleaning and lining where he lives all that main has to be replaced the same thing all of it and it is a combination of cement and cast iron, 2" iron pipe it is not on the road. It is in somebody front yard so they have two main projects right there. But he can come up with plenty of it and come up with an estimate for what the cost would be.

Motion that they accept the proposal from Boyle & Fogaty construction and have Lewis work with them passed unanimously (KB/LL)

C. Any New Business

Madam Chair Labreche relayed item c. is any New Business and she does not think they have anything. Acting Superintendent Prescott replied one thing what they have in front of them is the proposal from Pare Engineering regards to them providing an updated hydraulic module for their system. He believes it has been reviewed he thinks he has sent a copy to Julie. Madam Chair Labreche replied she believes so and Ken wanted to look at it and said he was satisfied with it. And if he has anything that he would like to add.

Mr. Antonucci relayed Madam Chair the umbrella of new business he does not who cover this but this have been previously discussed by the council and they have talked about it. He thinks it is appropriate to discuss since they have previously direct it both Mr. Prescott and himself to look at it and it would be appropriate for the Commission to discuss it. Madam Chair Labreche replied ok. Commissioner Booth relayed what came about because it was accepted the original proposal and they talked to look at it so the limit liability raised his eye brow because what he consider was too low so he took upon himself and talk to Timothy so they raised it. Their liability for them they used their product to make a determination and taken action in result of somebody suing them and their liability would limit them to \$50,000 therefore he had to change it now it is at \$1,000,000. It insulted there was a typo in it and again if somebody agree to it so that was the one changed from the original the limit liability covering them it was raised to \$1,000,000 other than that it is the same proposal that came in. Acting Superintendent Prescott relayed it just came up that is why it was not added up. Commissioner Booth relayed there is no vote needed it was just brought up for Julie and Lewis to sign the approval. Also Tim said they are available for next week to come down and do a meeting with Lewis and staff to go thru to all the information they are going to need and get rolling on it. Madam Chair Labreche stated ok and thanked Commissioner Booth.

Motion to adjourn passed unanimously. (EdF/KB)

There being no further business before the board the meeting adjourned at 6:33 p.m.