

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

NO..... DATE.....

APPROVED.....MAYOR

**RESOLUTION TO THE GENERAL ASSEMBLY IN SUPPORT OF AMENDMENTS TO
 THE SEWER AUTHORITY ENABLING ACT TO ADD 2 BOARD MEMBERS,
 FINANCING TERMS AND SEPTIC SYSTEMS**

Resolved that,

WHEREAS, the health, safety and welfare of the citizens of the City of Warwick are matters of paramount importance to the City Council; and

WHEREAS, the Warwick Sewer Authority was established by a Public Law enacted by the General Assembly in 1961 (hereinafter the Enabling Act); and

WHEREAS, sections of the Enabling Act have been amended over the years, with the last amendment occurring in 2016; and

WHEREAS, sewers have been constructed and continue to be constructed in many areas of the City of Warwick; and

WHEREAS, the construction of the sewers now impacts significantly more residents of the City than when the Enabling Act was initially enacted; and

WHEREAS, even though many more residents are now impacted by the decisions of the Sewer Authority, the membership of the Sewer Authority board has never increased from the 5 members that was set in the Enabling Act; and

WHEREAS, the Warwick City Council believes that the membership of the Warwick Sewer Authority board should be increased from 5 members to 7 members so as to better represent a broader cross section of City residents who are impacted by the decisions of the Warwick Sewer Authority; and

WHEREAS, the current section of the Enabling Act that addresses membership on the Sewer Authority is as follows:

1 **Sec. 2.2. - Sewer authority.**

2 There shall be a bi-partisan sewer authority for the city consisting of five (5)
3 qualified electors of the city, not more than three (3) of whom shall be members of the
4 same political party, to be appointed by the mayor subject to confirmation by the city
5 council. It shall be the purpose of the sewer authority to provide wastewater collection
6 and treatment services to the city of Warwick in a cost-effective and environmentally
7 sound manner. The mayor shall appoint the five (5) members of the authority, two (2) of
8 each from lists of not less than three (3) names submitted by the respective chairman of
9 the city political committees and one (1) member without party designation; one (1)
10 member to hold office until one (1) year from the first day of February preceding said
11 appointment; one (1) member to hold office until two (2) years from the first day of
12 February preceding said appointment; one (1) member to hold office until three (3)
13 years from the first day of February preceding said appointment; one (1) member to
14 hold office until four (4) years from the first day of February preceding said
15 appointment; and one (1) member to hold office until five (5) years from the first day of
16 February preceding said appointment. In the month of January preceding the expiration
17 of the term of each of the authority's members, the mayor shall appoint one (1) member
18 to succeed the member whose term will next expire to hold office for the term of five (5)
19 years from the first day of February next after his appointment and until his successor is
20 appointed and qualified in the same manner as provided in the original appointment for
21 such term.; and

22 WHEREAS, the sewer assessments for the Revenue Bond approved by the City in December of
23 2013 should be based on a payback term of 30 years with simple interest; and
24

25 WHEREAS, properties with functioning septic, ISDS and OWTS systems, which continue to
26 function for 20 years, should not be obligated to pay sewer assessments during that 20-year period, but
27 such properties would be liable to pay the sewer assessments in full, provided however, annual payments
28 would not commence until the end of that 20 year period or when the systems stopped functioning, if that
29 period is less than 20 years.
30

31 **NOW THEREFORE, BE IT RESOLVED** that the Warwick City Council hereby requests the
32 General Assembly to amend Section 2.2 of the Enabling Act for the Warwick Sewer Authority as set forth
33 below to increase the membership of the Warwick Sewer Authority from 5 members to 7 members:
34

35 **Sec. 2.2. - Sewer authority.**

36 There shall be a bi-partisan sewer authority for the city consisting of ~~five (5)~~ seven (7)
37 qualified electors of the city, not more than ~~three (3)~~ five (5) of whom shall be members of the
38 same political party, to be appointed by the mayor subject to confirmation by the city council. It
39 shall be the purpose of the sewer authority to provide wastewater collection and treatment
40 services to the city of Warwick in a cost-effective and environmentally sound manner. The
41 mayor shall appoint the ~~five (5)~~ seven (7) members of the authority, two (2) of each from lists of

1 not less than three (3) names submitted by the respective chairman of the city political
2 committees and ~~one (1)~~ three (3) members without party designation; one (1) member to hold
3 office until one (1) year from the first day of February preceding said appointment; one (1)
4 member to hold office until two (2) years from the first day of February preceding said
5 appointment; one (1) member to hold office until three (3) years from the first day of February
6 preceding said appointment; one (1) member to hold office until four (4) years from the first day
7 of February preceding said appointment; and one (1) member to hold office until five (5) years
8 from the first day of February preceding said appointment. In the month of January preceding
9 the expiration of the term of each of the authority's members, the mayor shall appoint one (1)
10 member to succeed the member whose term will next expire to hold office for the term of five
11 (5) years from the first day of February next after his appointment and until his successor is
12 appointed and qualified in the same manner as provided in the original appointment for such
13 term. The two members added to the Authority by the 2019 amendment of the Enabling Act
14 shall serve for five (5) years.

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16 **BE IT FURTHER RESOLVED**, that the Warwick City Council hereby requests the General
17 Assembly to amend the Enabling Act for the Warwick Sewer Authority to provide that the sewer
18 assessments for the Revenue Bond approved by the City in December of 2013 be based on a payback
19 term of 30 years with simple interest; and

20
21 **BE IT FURTHER RESOLVED**, that the Warwick City Council hereby requests the General
22 Assembly to amend the Enabling Act for the Warwick Sewer Authority to provide that properties with
23 functioning septic, ISDS and OWTS systems, which continue to function for 20 years, shall not be obligated
24 to pay sewer assessments during that 20-year period, but such properties would be liable to pay the sewer
25 assessments in full, provided however, annual payments would not commence until the end of that 20 year
26 period or when the systems stopped functioning, if that period is less than 20 years.

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28 The City Clerk is hereby directed to forward a copy of this Resolution to the Senators and
29 Representatives from the City of Warwick.

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31 This Resolution shall take effect upon passage.
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37 SPONSORED BY: COUNCILMAN LADOUCEUR

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40 COMMITTEE: UNANIMOUS CONSENT