

**MINUTES OF THE WATER & SEWER COMMISSION MEETING**  
**WEDNESDAY, DECEMBER 14, 2106**  
**3:00 P.M.**

**Members Present:** Walter Liff, Chair, David McGuckin, Ex-Officio Select Board, John Ireland, Member, Reg Whitehouse, Alternate

**Also Present:** Deb Knowles, Accountant, Christiane McAllister, Accountant, Anne Miller Secretary, Clint Springer, guest, Andy Schulte, guest

**Members Absent:** Normand Houle, Member, Richard White, Member, Chet Fessenden, Althernate, Steve Tabutt, Supervisor of Public Works

Mr. Walter Liff called the meeting to order 3:12 p.m. and asked the public to sign in.

**1. Approve Minutes from November 9, 2016 Water & Sewer Commission Meeting**

Draft minutes from the November 9, 2016 meeting were distributed. Mr. Reg Whitehouse motioned to approve the minutes as presented. Mr. David McGuckin seconded. Motion carried unanimously.

**2. Checks and Account Balances**

Mr. Liff read the checks for the Commission's approval.

A sewer invoice in the amount of \$101,132.96 from the City of Portsmouth was for the sewer study conducted by Woodard & Curran, contracted through Underwood, that was conducted about a year ago. Mr. McGuckin explained that the understanding was that Underwood would bill the City of Portsmouth, which, in turn, would bill the Town of New Castle. Portsmouth, only recently realizing they had not invoiced the town, submitted the invoice this week. The funds are to come from the sewer operating budget. Mr. McGuckin and Mr. John Ireland recalled the approval discussion in which the Commission wanted to fund the study using the available funds in the checking account.

Mr. Andy Schulte asked whether \$101,000 for the sewer study was appropriated by the town to which Mr. Liff answered that it was not. Mr. McGuckin recalled that it was approved by the Select Board about a year ago, then brought to the Water & Sewer Commission for discussion. At that time, the Commission agreed to spend that estimated amount for the sewer study.

Mr. Schulte reported that when he asked about this spending decision at the recent Select Board meeting, he was told that it was a Select Board decision and was taken care of, according to Mr. Bill Stewart, Select Board member, through funds from the trust fund. Mr. McGuckin believes it was the operating fund, coming out of sewer rates. Reciting RSA 32, Mr. Schulte asserted that if it wasn't in the budget as presented at Town Meeting, then the expenditure isn't permitted.

Responding to the conjecture that the purpose of the study was to enable the transfer of infrastructure to the City of Portsmouth, Mr. Ireland disagreed, stating that the expenditure is part of upgrade and repair, for an engineering firm to determine the condition of the sewer system in order to improve it, which is an allowable use for the trust fund. Mr. McGuckin further explained that, regardless of whether the system is transferred to Portsmouth, the town needed to respond to delayed infrastructure concerns.

Responding to the question about why Portsmouth was billed as the middle man, Mr. Ireland explained that, in his best recollection, the town, having no experience with relevant engineering firms, consulted Portsmouth for their recommendation. As a result of Portsmouth's endorsement, the town selected Underwood Engineering. In a meeting between the City of Portsmouth, the Town of New Castle, and Underwood, it was decided that Underwood would perform the work and bill Portsmouth, and, in turn, Portsmouth would bill the town as a less expensive option to direct billing. Mr. McGuckin explained the cost advantage resulted because the City of Portsmouth had the resources to manage the project, while the town didn't. While the sewer study was necessary for maintenance and repair of the system, it made sense to use a reputable engineering firm that would provide a serviceable study and whose recommendations meet the standards that the City of Portsmouth would require for the infrastructure transfer, should that possibility progress.

Mr. Cliff Springer commented that in accordance with the intent of the RSA, the Select Board should have informed the people of the town that these dollars were needed to evaluate the sewer, and in not doing so, any payment made is done so without authority. Mr. Liff responded, credited Mr. Ireland with a sound explanation of how this expense falls in the category of repairs and service, and noted that Mr. Springer's comments were heard.

Mr. Ireland made a motion to approve the checks as read. Mr. McGuckin seconded. The motion carried, unanimously.

Mr. Springer asked, and Mr. McGuckin and Mr. Liff affirmed, that the Commission approved the payment for the study. Mr. Schulte asked, and Mr. McGuckin and Mr. Liff affirmed, that the Commission's approval included attorney's fees.

Ms. McAllister reported balances as of November 30, 2016 and noted there will be no funds transferred from the water and sewer enterprise funds into the trust funds:

Water checking account: \$141,213.76

Sewer checking account: \$377,248.15

### **3. Old Business- Review Bypass Bid**

Mr. McGuckin reported that because the bid to do the bypass work was unreasonably high due to the contractor's already heavy workload, Underwood recommended and the town agreed, not to accept the bid. There is a risk, but the plan is to wait and resubmit for bids when the ground is ready, with a target of May, 2017 time frame for bypass construction. There will be no change in the specs.

### **4. New Business**

#### **a) Set Schedule to Hold Work Meetings on Water Study**

#### **b) Set schedule to Hold Informational Meetings with the Public**

Mr. Liff noted that these agenda items were included at the request of Mr. Richard White and suggested the conversation be postponed until Mr. White is present.

#### **c) NH Department of Environmental Services (DES) Water Violation Letter of 11.17.16**

Mr. McGuckin reported that the town exceeded the threshold for Trihalomethanes (TTHMs) for the fourth quarter in a row and, as a result, DES requires that the town submit, by January 17, 2017, a plan to resolve the TTHM violations. He sent a plan from Underwood, for an estimated \$11,000, to Commission members. While Mr. McGuckin hopes to pursue a lower cost with Underwood, he wanted to be sure the Commission was aware of the plans.

Portsmouth plans to aerate the water tank in Newington, with the expectation that should reduce the TTHM levels in the town of New Castle, but the aerators won't be operational for another year. DES requires two consecutive quarters of acceptable TTHM readings. Hopefully, by early to mid 2018, better results will be realized. Mr. McGuckin believes that DES will support the plan. Portsmouth is a necessary actor in the process; when the water arrives from Portsmouth at the Shapleigh Island meter, the TTHM reading is already at .070 mg/L or higher, leaving little leeway for New Castle to stay under the .080 mg/L maximum.

Mr. McGuckin, reading from the NHDES letter to the Town of New Castle, dated November 17, 2016, established the timetable for state compliance: public notice letter by December 17, 2016, proof of public notice by December 27, 2016, DES plan submission by January 17, 2017.

Mr. Liff indicated that documents be included in the meeting's minutes:

- NHES letter to the Town of New Castle, dated November 17, 2016
- IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER (public notice), distributed December 5, 2016

Mr. Steve Tabutt joined the meeting at 3:44 p.m. and provided an update:

Public Works is finding a little grease at Boatswain Hill pumping station.

In preparation for filling the ice rink, Public Works is requesting that their department be the ones to turn the hydrants on and off for safety concerns.

There being no further business, Mr. Ireland motioned to adjourn and Mr. Whitehouse seconded. The motion was approved unanimously.

Meeting adjourned at 3:44 p.m.

Attachments:

- NHES letter to the Town of New Castle, dated November 17, 2016
- IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER (public notice), distributed December 5, 2016