

**FINAL APPROVED**

**Water & Sewer Commission Minutes  
Wednesday, September 12, 2018, 2018- 3:00 PM**

**Members Present:** Normand Houle, Chair, John Ireland, Vice Chair, Walter Liff, Carl Roediger (Alt), Steve Tabbutt, DPW, Selectman Damon Frampton, Ex-Officio.

**Also in attendance:** Ben Jankowski, DPW, Bette Jane Riordan, Recording Secretary, Mike Geanoulis, Amy Gworek, Sam Palmer.

Chair Houle opened the meeting at 3:00, noting the presence of a quorum. Dick White and Clint Springer (Alt) were not able to be present. Chair Houle noted that Town Accountant Christiane McAllister was away at a training. He also brought up the subject of changing the ordinance regarding the number needed for a quorum which presently stands at five members, and suggested the Commission consider having three members constitute a quorum. In discussing this with Damon, Chair Houle noted that due to Dick White's work schedule he would not be free to attend a meeting until after the first of December, and others may have commitments. As only an odd number is required for voting purposes, like the Select Board it seemed a practical change to have the quorum set at three. After discussion, Walter Liff made a Motion to Amend the ordinance to require a quorum of three members to constitute a voting quorum. John Ireland seconded, and the Motion carried. John requested that Pam Cullen provide the members with the page number of where the ordinance change will be made to update the members' copies of the ordinance.

**1. Public Questions: None.**

**2. Individual Applications/Petitions:**

**a. Ms. Amy Gworek re: Bill for 34 Oliver Street.**

Chair Houle noted that Ms. Gworek was not yet present. Item moved further down the Agenda.

**3. Approve Minutes of July 11, August 8, January 10 and February 21, 2018.**

Motion to Approve the July 11, 2018 Revised Minutes of the Commission was made by Damon Frampton, seconded by Walter Liff, and Motion carried.

The Commission next reviewed the August 8, 2018 minutes. John and Norm suggested revisions and corrections. After discussion, John Ireland made a Motion to Approve the August 8, 2018 Minutes as amended, which was seconded by Damon Frampton. Motion carried.

The Minutes of January 10, 2018 were reviewed by the Commission. Chair Houle provided his edits of many months ago. John Ireland also provided edits and had some questions about the sequence of Agenda items with the actual minutes. Chair Houle stated he was not concerned about the synchronization of the Agenda and the Minutes, as long as the Minutes reflect what was discussed. Walter Liff made a Motion to Approve the January 10, 2018 Minutes of the Commission as amended. John Ireland seconded, and the Motion carried.

The Commission reviewed the Minutes of the February 21, 2018 meeting. Chair Houle provided one edit. After discussion, Damon Frampton made a Motion to Approve the February 21, 2018 Minutes as amended. Walter Liff seconded, and the Motion carried.

There is only one more set of minutes to be completed, and staff are working to complete them.

#### **4. Financials.**

##### **a. Review, approve and sign checks.**

After review and reading, Walter Liff made a Motion to Approve the checks as written and presented. John Ireland seconded, and the Motion carried.

##### **b. Accountant's Report**

The checking account balances are as follows:

Water: \$138,270.08

Sewer: \$317,604.41

Steve Tabbutt noted there is supposed to be a check for SCADA parts to Northeast Integration. Chair Houle explained that Northeast Integration is saying we bought the SCADA system. Norm noted that the April proposal (Proposal Number 2) contained a lease option, and the budget was developed with the figures of the lease option. In fact there is a purchase contract, signed by Selectman Stewart, based on a quote in October, 2017 according to Ben Jankowski. He stated that as there is a valid contract, it must be followed. Chair Houle asked Ben to express his displeasure with this action to the Select Board. His concern centers on purchasing of parts and funding. Discussion ensued regarding the warranty and possible problems. Chair Houle will check with Christiane regarding the funding, noting there is \$9,000 in the budget for sensor leasing, so there would be sufficient funding to purchase \$6,000 worth of parts. Carl Roediger would like language stating that if town personnel were to replace defective parts, this action would not void the warranty. Chair Houle asked Ben to write a letter to Northeast Integration regarding this matter. Ben noted that if we wanted a service contract after the first year it would be \$12,000 per year. Chair Houle noted our lease payment was only going to be \$9,000. He expressed his displeasure with the service contract cost, and wants this to be expressed in the letter to Northeast Integration.

Chair Houle recognized Ms. Amy Gworek and Sam Palmer regarding the bill for 34 Oliver St.

#### **5. Individual Petitions: Water Bill for 34 Oliver Street.**

Ms. Gworek and Sam Palmer appeared on behalf of their father, Bert Palmer who resides at 34 Oliver with another sibling. Ms. Gworek has all water/sewer bills sent to her for payment. She received a bill for \$10,291 for April 3 through August 1, 2018. The previous bill April 2018, had been \$323.00. She had been up to visit several times and was not notified of any problem which would warrant such an escalated bill. The units used were listed as 401, where the previous unit usages had been 18, 44, 13, and 50 respectively. She said she was quite perplexed on usage. She also owns a house in New Castle, and did some investigation. She understands that her father had a leaky toilet. But over 300,000 gallons of water was what the units used cost, which

translates into 2700 gallons used per day , 112 gallons per hour or 2 gallons per minute. She just feels she should have been notified. She wondered if there was a problem with the meter, or some other secondary issue. They did get the leaky toilets fixed. Steve Tabbutt spoke with John Palmer and after the toilets were fixed he monitored them for a week and there was no major movement in the usage. Sam Palmer said they were looking for some remediation or reduction on the bill and possibly some time payments.

Steve noted that he didn't catch the problem until August when he read the meter. Chair Houle related the following information which he obtained from the accountant. The actual reading for April was 213 units. For August, the units were 201. Those two together for four months come up to over 400. He explained the water bills come every four months. The problem is that the April bill stated 13 units were used, not 213. However the true reading was 213 units used for December, January, February and March. Chair Houle noted that the town made a procedural billing error on the April bill. It should have been for 213. When the town looked at that in April, they assumed it was wrong, and changed it to 13 units, which was more in keeping with the average amount of unit usage. Mr. Palmer noted they should have been flagged with the April bill. Chair Houle noted that the Town has no responsibility to notify in these matters. Steve noted that if he becomes aware of a problem he would let the customer know. But Mr. Palmer felt the Town does have a responsibility to correctly bill. Chair Houle stated he has worked diligently to come up with a fair and equitable resolution of this matter, and provided a handout containing a proposed resolution for the ratepayers's consideration. The proposal contains a summary as well as detail. (Attachment) This proposal is actually having the ratepayer split the loss incurred when examining the charges applied by Portsmouth for the 414 units consumed with the Town. The amount due of \$10,291.91, would be reduced to \$6,386.81.

Discussion ensued covering several questions and proposed actions, including the issue of fairness to the ratepayers to write off almost \$4,000.00. Also sewer was not involved in this matter. It was pointed out that the ratepayer could ask for a hearing before three citizens appointed by the Select Board to seek a different remedy other than what Chair Houle has proposed. Chair Houle also had other options ready, but they would require the ratepayer to pay more. After more discussion, it was determined that the offer itself would need to be put to a vote by the Commission. Ms. Gworek and Mr. Palmer asked for additional time to consider the proposal as presented. Mr. Ireland felt the Commission should vote on the proposal now, because these ratepayers could reject it and then arbitration would take place. After discussion, John Ireland made a Motion to Amend the bill of \$10,291.91 to \$6,386.81 for 34 Oliver Street. Walter Liff seconded, and the Chair called for a vote. The Motion carried 4-1, with Damon Frampton voting in the negative. Chair Houle read from the ordinance regarding the arbitration option which is also available. He noted the arbitrators would make the final decision, which would be binding. Chair Houle agreed with the Ms. Gworek and Mr. Palmer that Friday, September 14<sup>th</sup> is the deadline for acceptance or rejection of the proposed offer as voted on by the Commission. Mr. Palmer asked for four months to make payments. Chair Houle said the Town has learned a lesson from this matter. John Ireland felt the solution is fair, but stressed that they should have more opportunity to rebut. Ms. Gworek wants to make sure there will be no future mistakes. She is still not convinced that the leaky toilet is the chief reason for all of these problems. She wondered if the flushing for TTHMS could have affected the situation. She also wanted to know how old the meter is. Steve replied approximately 20 years. He noted meters

don't speed up, but slow down. The bills she received were wrong. Damon Frampton stated he believed the solution to be fair. After further discussion, Ms. Gworek and Mr. Palmer will notify the Commission by Friday, September 14, 2018.

Mike Geanoulis, was recognized as a member of the public, and wondered why the previous people did not know their toilet was leaking. He was advised the siblings do not live in the residence.

#### **6. Selectman's Report.**

Selectman Frampton reported that the Select Board applied for a 2.5 million SRF loan for sewer issues and was preapproved for only \$125,000. He stated the discussion concerned whether it was worth the effort to go before the Town with a warrant for such a small amount. The administrative overhead involved is high. Chair Houle discussed Richard White's opinion that there needs to be action taken on the sewer line under the Sawtelle Bridge and Chair Houle will be attending the next Select Board meeting to address this issue. The money could perhaps be used to fund a necessary design and engineering study regarding the Sawtelle Bridge. He is interested in establishing a contractual vehicle to get this study done, and finding solutions for the funding.

#### **7. Continuing Business**

##### **a. Cost estimate for bulkhead and riser at River Road pump station.**

Steve Tabbutt reported that he and Ben have not yet received an estimate.

#### **8. New Business.**

##### **a. Continuous bleeding of water lines to keep TTHM's in check and cost share.**

Steve reported that the town will continue to do the bleeding at the Coast Guard (UNH Hydrant) and it will be metered. There will also be further retesting for TTHMS this coming Friday the 14<sup>th</sup>. The cost of the bled water will be split 50-50 with Portsmouth. This amount is not budgeted.

##### **b. Calculations to justify reduction in sewer rate charged by City of Portsmouth.: Tabled until next meeting.**

##### **c. Potential future water & sewer capital projects. ( See handout: Attachment B)**

Chair Houle has asked the Commission members to consider the following projects and also add any they feel is important.

The Commission briefly reviewed the items listed on the handout. Some of the items listed are: Implementing the 2009 CMA design for the bi-directional water flow at the Wentworth/Main water pit; Manhole rehabilitation; Fix the sewer line under the Sawtelle Bridge; Update the "subordinate" water mains; Replace the sewer mains and possibly the subordinate lines in the future.

Chair Houle asked Damon to discuss Number 1 ( the 2009 CMA study) with the Select Board as one of the Commission members believed this was to be part of the current water project.

##### **d. Capital Reserve budgeting alternatives. ( See Handout: Attachment C).**

Chair Houle stated that the Commission will be meeting in November with the Select Board regarding the capital reserve line. Damon Frampton stated that Selectman Stewart had indicated that once the sewer pump loan is paid off, the Town will be making up the holdback.

There was also discussion about getting on the CIP. There was discussion about integrating Water and Sewer into the CIP process.

There being no further business to come before the Commission, Carl Roediger made a Motion to Adjourn which was seconded by John Ireland. Motion carried.

Meeting Adjourned at 5:20 PM.

Respectfully submitted,

B.J. Riordan