

**FINAL APPROVED**  
**Water & Sewer Commission Minutes**  
**Wednesday, October 9, 2019**

**Members Present:** Normand Houle, Chair, Damon Frampton (Selectman Officio), John Ireland, Walter Liff, Richard White, Steve Tabbutt (PW Supr.)

**Also in attendance:** Ben Jankowski, DPW, Dylan Kimmel, NEI.

Chair Houle opened the meeting at 3:00 PM. He indicated the Commission would address Agenda Items 1 & 2, and then proceed to New Business Agenda Item 7a. Northeast Integration Support Contract.

**1. Public Questions:**

Ann Miller of Wentworth Road had two questions for the Commission. The first concerned the valve at Wentworth and Main Street. Chair Houle indicated he had asked for the status of this issue at a previous Select Board meeting and was advised that while the meters and pits will be staying during the water main replacement project, the check valves will be removed. He was not sure when this would occur. Christiane, Town Accountant, stated that the November 1, 2019 meter reading will be the first of the new billings.

Steve Tabbutt of DPW stated that the hold up right now is getting the final contract signed, which is contingent upon finalization by Portsmouth of the Wholesale Water Agreement. Dick White noted that the State DOT holds the hammer for the time frame of April 15 through November 1. Chair Houle asked if there was going to be a check valve at Shapleigh Island. Steve replied he was not sure. He stated the meters will be read at the individual homes and 15% will be added per the proposed agreement with Portsmouth.

Ann's second question had to do with sewer funding. Chair Houle explained that no additional funding is expected at this time as the Town's pre-application for \$600,000+ which was filed, resulted in New Castle's being listed as #50+ on the list. She asked about who would be responsible for repayment of any loan for sewer work. Chair Houle indicated that Selectman Stewart indicated in a text message to Selectman Frampton that it would be the ratepayers. Chair Houle is not certain about this. The Commission discussed various methods of repayment. Christiane indicated that sewer customers might have to repay as opposed to the taxpayers repaying any loan. Ann had thought it was previously represented that the Town, not the ratepayers would be responsible for repayment.

**2. Individual Applications/Petitions: None**

**7. New Business.**

**a. Northeast Integration Support Contract.**

Dylan Kimmel, Owner and Principal Engineer of NEI, and a New Castle resident, addressed the Commission regarding the proposed support services contract (July 3, 2019 draft). The support services contract is required as the Town purchased, not leased, the new SCADA system. He spoke about the benefits of the system which include a quick turnaround in case of system issues; remote diagnostics; and the stocking of parts to be available within 15 to 20 minutes.

John Ireland referred to number 6 of the draft contract which requires the Town to pay \$6,000 per year plus an hourly rate of \$135.00. The retainer includes 4 times per year inspection or check, plus on-call service and stocking. He noted that the Town bought parts are in the Town's possession and would be used first. Mr. Ireland believes the stand-by costs are high.

Dick White stated he wants the services spelled out in black and white, and the quarterly services needed to be added to the contract. He wants to make sure that it is clear "who owns what" in case of an emergency. He wants to define the services with a line of demarcation between NEI's equipment issues and the Town's.

Chair Houle asked Mr. White if he thought we were getting the best value for the money. Mr. White stated he didn't know, but that without a service contract, the town would be put on a list, rather than get priority in responding to a problem. He also noted that without a service contract, the hourly rate would be \$150.00 as opposed to \$135.00. With respect to #7 of the contract, Mr. Kimmel agreed to delete any costs in this category if the service contract is signed.

Mr. Kimmel explained what transpires during the quarterly site checks, which include cleaning the control panels of the SCADA system, and thermal controls of the tack pack. He noted that failure modes are rare. The site check includes reviewing the logs plus backing up on an external drive with a copy going to DPW and NEI, along with a report on findings and service recommendations. He explained that the SCADA system collects information on the volume being pumped to Portsmouth from each station.

Chair Houle asked about the problems at River Road station. Mr. Kimmel stated he is working with Steve Tabbutt and Ben Jankowski to calibrate and resolve the problem. In May the signal changed, but now the meter is validated. A discussion ensued about whether this was covered in the warranty, and Mr. Kimmel stated that remains to be seen, depending on what the problem is found to be.

Walter Liff asked whether any other company bid on the SCADA contract. Chair Houle asked who the competitive providers are in the area. Mr. Kimmel stated Data Flow is the provider and NEI has a relationship with them. There are apparently 6 other providers (controls companies) with a 10-mile radius. Mr. Liff questioned why the Town did not go out to bid. Dick White gave a brief history stating that at the start of the rebuild there was an engineer quoting \$2.5 million. NEI came in with an alternate price of \$.5-.6 million. Mr. Kimmel noted that years before, the Town

was looking at this as a cost saver. Peter Tarlton was heading up a group dealing with the issue. It never went out to bid, because it would have cost \$150,000. on a bid spec which was equivalent to the cost of equipment.

Dick white stated we are now on board with NEI which came along with Data Flow, and he does not want to get hooked up with a non-Data Flow company. which will keep parts within the Data Flow system. Without technical people on staff, we need to support DPW. Dave McGuckin noted if we went out to bid now we would lose six months, so he believes the support services contract is well worth the money.

Selectman Frampton asked why the River Road resolution has taken so long to fix? NEI hasn't been very involved until the calibrations were done. Christiane suggested that many things in the contract need to be tighter including being more specific about what we are getting for \$6,000. She recommended changing to a fiscal year, and more specificity on what could trigger the hourly rate. Mr. Kimmel agreed and will likely strike most of the provisions in #7.

Chair Houle discussed what would have happened if the equipment had been leased and not a purchase. Mr. Kimmel replied we wouldn't be having this conversation now. Chair Houle wondered if there was a possibility of renegotiating the decision to purchase. Further review of the proposed contract by the Commission resulted in the following:

In #1. Change manufacture to performance, change contractor to NEI;

#5. Why is the Independent Contractor statement in the contract? The manner in which the services are rendered is at the sole discretion of NEI. What is the recourse? Christiane stated the paragraph could be removed, and Mr. Kimmel agreed and approved.

#6. Christiane recommended that the section about compensation should be paid monthly, to delete that and defer to the previous explanation of billing.

Christiane also asked about the signature block and stressed the need for signatories and clarity on who can sign. This engendered discussion, which Selectman Frampton agreed to research whether Chair Houle could sign or whether the Selectmen had to sign. Walter Liff pointed out that in his 26 years as Chair of the Commission, he only recommended to the Select Board. Damon will report back to the Commission. Both Ben Jankowski and Steve Tabbutt expressed their satisfaction with NEI services.

### **Return to Agenda:**

### **3. Approve Minutes of August 14, 2019.**

After review, John Ireland made a Motion to Approve the August 14, 2019 Water and Sewer Commission minutes as amended. Dick White seconded, and the Motion carried unanimously.

#### **4. Financials**

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

After review and discussion, Dick White made a Motion to Approve the checks as read and presented. John Ireland seconded and the Motion carried unanimously.

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

Christiane presented the August commitment for Authority 2&3: \$93,152.50 for the Wentworth Hotel and households billed by Portsmouth water.

She presented a Supplemental Commitment for the Commission's signature, which identified that a customer hadn't been billed. This was done from Authority 2 & 3.

##### **Water: As of end of August:**

**Checking: \$176,315.73**

**Trust Fund: \$145,676.94**

**New Capital Reserve: \$15,089.80**

##### **Sewer: As of end of August:**

**Checking: \$258,559.40**

**Trust Fund: \$3,9739.53**

**New Capital Reserve: \$30,179.58**

##### **c. Audit issues.**

Christiane reported that the auditors came 2 weeks ago, and discussed procedural changes. She will discuss with Commission at a future meeting.

Chair Houle asked whether the Commission could fund the proposed updated software system over 2 fiscal years. He felt the ideal transition time could occur in mid-Spring.

#### **5. Selectman's Report.**

Selectman Frampton reported that the Select Board has met with the selected contractor Granese on September 4 at a pre-construction meeting. He assured that the Commission will be listed on all Email contacts for this project. He notified the Commission that the contractor will be starting work on the bridge hangers with Evroks, and that the check valves will be pulled from the meter pits before the winter season. He confirmed the billing change will commence in November. The water agreement with Portsmouth has been reviewed by legal counsel, and we are awaiting the final decision on that agreement which will affect billing cycles.

Currently New Castle bills three times per year on 4 month increments. Portsmouth prefers a quarterly billing cycle. Both Damon and Dick White discussed the confusion about meter pit removal and the effect on billing, depending upon the final agreement agreed upon with Portsmouth.

**6. Continuing Business.**

**b. LaCasse period of performance bond at 39 Wentworth Road.**

Steve Tabbutt of DPW reported that the project is in compliance and approved the repayment of the performance bond of \$2,000. The check will be returned to Mr. La Casse.

**c. Ordinance change reflecting new WSC-controlled trust funds.**

See attachment for language. After brief discussion, John Ireland made a Motion to Adopt the amendment as presented. Dick White seconded, and the Motion carried unanimously.

**d. Ordinance change regarding new hook-ups to forced sewer mains.  
Postponed, pending receipt of research by John Ireland.**

**e. Discussion regarding day of monthly meeting. To be determined.**

**f. Updated comments to draft wholesale water agreement.**

Chair Houle noted he will document formally, that the Chair of W&S provided comments in June 2019, which were updated in October 2019, and was forwarded to Selectman Bill Stewart for updating the wholesale water agreement.

**7. Any other business for the Board.**

Dick White confirmed there is no design for sewer under the bridge ESR 13. He expressed concern about what would happen if it breaks tomorrow? He would like to have the design now. He stated the idea of ESR 13 was to analyze and design. Someone subsequently noted that the design is underway.

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

Respectfully submitted,

BJ Riordan  
Secretary

Attachments: Ordinance Changes.

**9. Adjourn.**