

Board of Commissioners
Minutes
June 22, 2022

The Commission meeting convened at 10AM in person — at the North Conway Water Precinct 104 Sawmill Lane North Conway, NH. The following were present: Commissioner Nelson, Commissioner Porter, Superintendent Jason Gagnon, and Recording Secretary Hannah Andersen.

Call the Meeting to Order

Meeting called to order by Commissioner Nelson at 10:07AM.

Public Hearing

Commissioner Santuccio opened the Public Hearing on NCWP Septage Rates.

Superintendent Gagnon and the Commission went over the economics of why the Precinct may consider increasing the septage rate from \$.09 to \$.10. The Precinct expects to receive roughly 9.75 million gallons in 2022. Factors of note in the suggested rate change are the banning of land application in Maine, constraints from the amount of sludge the Town can accept at the landfill and the cost for disposing of sludge elsewhere.

There was a conversation about the timing of the rate change and it was mentioned that the Precinct would like to give the Haulers some notice, so the rate change would be expected to be enacted in the second week of July.

With no comments from the Public, Commissioner Santuccio closed the Public Hearing on Septage Rates.

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Motion of Commissioner Nelson and seconded by Commissioner Porter to adopt a \$.01 increase on the Septage Rate with the increase to go into effect on July 14th.

Motion carried by a 3-0-0 voice vote.

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Commissioner Santuccio opened the Public Hearing on the Water & Sewer Rules and Regulations.

Superintendent Gagnon went over the potential edits to the Water and Sewer Rules and Regulations, citing a format change in the Water Rules and Regulations to match the Sewer Rules and Regulations. In addition to the format changes for Water, Superintendent Gagnon also proposed changes to the Sewer Rules and Regulations to make sure that the rules are worded in a way that have very clear descriptions about what is expected from contractors and tax payers so that there is no favoritism showed during the development process.

Commissioner Nelson commended the Superintendent for the work put into making the documents uniform and clear.

With no comments from the Public, Commissioner Santuccio closed the Public Hearing on Water & Sewer Rules and Regulations.

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Motion of Commissioner Nelson and seconded by Commissioner Porter to adopt the Water & Sewer Rules and Regulations as revised.

Motion carried by a 3-0-0 voice vote.

Minutes

Motion of Commissioner Nelson and seconded by Commissioner Porter to accept the Public Meeting Minutes from June 8, 2022, and the Non-Public Meeting Minutes from June 8, 2022.

Motion carried by 3-0-0 voice vote.

New Business

Superintendent's Report

Project Status

Well 2R

Following repair of the water main between the well and the control building, the well was again started up for testing last week. I'm pleased to report that there were no issues this time and everything seems to be working well. There were some complaints of dirty water on Valley View Road, I think due to this being the first time the road had seen that amount of water flow since the old Well 2 was online. I'm hopeful that will clear up with time.

Apex Construction has wrapped up the punch list items and we are expecting a final walkthrough from NHDES on June 30. The last remaining item to complete is final integration into our SCADA system – we're waiting on Spectrum to finalize an IP address on their end before we can set up permanent communication between the well and the SCADA system.

Sludge Dryer

No change. SRF Pre-App submitted.

Saco River Erosion

No change. SRF Pre-App submitted.

WWTF Aeration Upgrades

No change.

Cranmore-Artist Falls Water Main

No change. SRF Pre-App submitted.

Country Road Sewer

No change.

Barnes Road Water Main

The water main is installed and all testing has been completed. We anticipate that the trench will be patched by the end of next week, ahead of the Market Basket developer's plans to overlay the entire road in early July.

We have not yet received proposed change orders for the additional work at the MacMillan Lane / Barnes Rd / Home Depot intersection, but I assume we'll have those for the next meeting.

North-South Road Water Main

We have received the signed reimbursement agreement from the Tractor Supply Developer as well as the Roundabout (Market Basket) developer. In total, just under \$208K of this project will be reimbursed by developers with the Precinct contributing approximately \$60K.

Motion of Commissioner Nelson and seconded by Commissioner Porter to authorize Superintendent Jason Gagnon to sign the reimbursement agreements for the North-south Road Watermain.

Motion carried by a 3-0-0 voice vote.

Rules & Regulations Update

If there are no additional comments on the proposed updates to the Water & Sewer Rules & Regulations, the Commission may choose to approve them following the public hearing.

Request for Credit of Buy-In Fees

With the assumption that the Rules & Regs updates are passed, we can now address this issue again.

Per the Rules & Regs:

- d. Customer may request a credit toward Buy-In Fees for off-site improvements constructed at Customer's sole expense with the following conditions:*

- i. *Off-site improvements do not benefit the property being assessed the Buy-In Fees.*
 - ii. *Off-site improvements do not and will not serve properties owned, leased, managed, or occupied by Customer.*
 - iii. *The value of the off-site improvements to the Precinct are equivalent to the amount of the credit toward the Buy-In Fee payments requested by the Customer.*
 - iv. *Customer shall submit a formal written request to the Board of Commissioners for credit toward Buy-In Fees. Said request shall include plans, a description of the off-site improvements, the cost of the off-site improvements with supporting documentation, and a narrative describing why Customer believes a credit is warranted.*
- V. *The Board of Commissioners shall make a final determination of the value of off-site improvements and may grant credit for Buy-In Fees at its sole discretion.*

In this situation, the Customer has asked for waiver of all buy-in fees based on new infrastructure on the new Barnes Road and at the new roundabout on North-South Road. Per the rules above, the infrastructure on Barnes Road is not eligible for credit toward buy-in fees since the infrastructure serves properties owned by the same customer.

New infrastructure that can be considered for credit toward buy-in fees includes:

- 160 LF of new sewer main + 1 SMH on Puddin' Hill Road (\$12,896)
- 12" Water Main and appurtenances adjacent to the new roundabout on N-S Road (\$61,257.08 – subject to agreement from developer for reimbursement)

The total value to be considered for credit is therefore \$74,253.08. The estimated total value of buy-in fees for this project is \$73,756.32. It is my recommendation that the Precinct grant credit for buy-in fees in the amount of \$73,756.32 conditional upon the developer signing the N-S Road water main reimbursement agreement.

Motion of Commissioner Porter and seconded by Commissioner Nelson to approve the Credit for Buy In Fees in the amount of \$73,756.32.

Motion carried by a 3-0-0 voice vote.

Septage Rate

With the Public Hearing completed, the Commission may vote to raise the septage receiving rate to \$0.10 effective July 14, 2022. This provides two weeks' notice to haulers.

CVFD Joint Meeting

The Commission met with CVFD Commissioners on June 16th. The meeting was productive and allowed both parties to have honest discussion about the IMA, upcoming projects, and the future of CVFD. Both parties agreed that there are some things that could be worked on with the IMA now that we've had five years' time of working with the document. My understanding is that both parties agree that the core of the agreement is solid – any changes would focus on how the administration of the IMA is carried out. At the conclusion of the meeting CVFD Commissioners indicated they would reach out to resume conversations about IMA updates.

Pine Hill Franchise Area

This was discussed at the CVFD meeting. I am expecting the signed letter this coming Friday, after which we can move forward with getting the letter from the Town.

Signing of Checks

Motion of Commissioner Porter and seconded by Commissioner Nelson to ratify checks signed out of session:

- a. Payroll Checks dated 6/23/2022
- b. Accounts Payable Checks dated 6/23/2022

Motion carried by a 3-0-0 voice vote.

Non-Public

Motion of Commissioner Porter and seconded by Commissioner Nelson to enter into a Non-Public Session at 10:22AM under RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

Motion carried by a 3-0-0 voice vote.

Bob Yes

Sue Yes

John Yes

Motion of Commissioner Nelson and seconded by Commissioner Porter to return to Public Session at 11:38AM.

Motion carried by a 3-0-0 voice vote.

Motion of Commissioner Nelson and seconded by Commissioner Porter to seal the non-public meeting minutes because it is determined that divulgence of this information likely would render a proposed action ineffective.

Motion carried by a 3-0-0 voice vote.

Bob Yes

Sue Yes

John Yes

Adjourn

Having nothing further to come before this public meeting, **Motion of Commissioner Nelson and seconded by Commissioner Porter to adjourn this public meeting at 11:40AM.**
Motion carried by voice vote 3-0-0.

Respectfully,

A handwritten signature in purple ink, appearing to read 'Hannah Andersen', with a stylized flourish at the end.

Hannah Andersen
Recording Secretary