

Board of Commissioners  
Minutes  
May 25, 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 Santuccio, Commissioner Nelson, Commissioner Porter, Superintendent Jason Gagnon, Fire Chief Pat Preece, Tom Eastman of the Conway Daily Sun and Recording Secretary Hannah Andersen.

Call the Meeting to Order

Meeting called to order by Commissioner Santuccio at 10:00AM.

Minutes

Motion of Commissioner Nelson and seconded by Commissioner Porter to accept the Public Meeting Minutes from April 27, 2022.

Motion carried by 3-0-0 voice vote.

Fire Department

**Membership:**

37 Members

One pending application waiting for the back ground check to come back. (Still waiting)

**Personnel:**

2 members on leave at this time

1 members out on COVID at this time.

**Training:**

Department Training. The department will be doing forestry training, cutting fire lines and using the pumps.

Tower 2 Training: they will be doing ladder truck operations.

Rescue Training. Will be doing cardiac training, Zoll will be doing a refresher on the AutoPulse.

**Emergency Calls:**

The fire department has responded to 62 calls for the month of May

The department has responded to 490 calls year to date for 2022

**Apparatus / Trucks:**

Trying to figure out how to get the trucks cleaned after the Red Jacket fire. The paint is covered with soot.

Engine 3 had to repaired for a emission problem.

**Purchase for New Equipment:**

Rescue tools purchase \$50,000.00 the tools has a 26 week delivery time. Would like to order them.

**Motion of Commissioner Nelson and seconded by Commissioner Porter to approve the purchase of rescue tools in the amount of \$50,000 from Industrial Protection Services. Motion carried by 3-0-0 voice vote.**

### New Business

#### Project Status

##### Well 2R

No change.

##### Sludge Dryer

No change. Precinct staff will be attending the New England Water Environment Association (NEWEA) Spring Meeting, held this year at Bretton Woods, on Monday and Tuesday. The conference will be an opportunity for staff to talk directly with sludge dryer manufacturers, as well as other general wastewater industry leaders.

##### Saco River Erosion

No change. We are expecting the final report for Phase I of the project in early June.

##### WWTF Aeration Upgrades

We have received the draft Technical Memo from Wright-Pierce based on their study of our treatment process. Staff are currently reviewing the memo.

##### Cranmore-Artist Falls Water Main

No change.

##### Country Road Sewer

HEB was able to start preliminary survey work using a drone before the trees leafed out – that should help reduce the amount of on-the-ground survey moving forward.

##### Barnes Road Water Main

Work began last Thursday, with Rotten Rock cutting pavement and mobilizing equipment. Excavation work began on Monday at the intersection with MacMillan Lane and continues to work west toward Route 16.

##### North-South Road Water Main

We have received approval from the State to go ahead with the pipe in this location. At this point we are awaiting formal ROW agreements from NHDOT, as well as agreements from the abutting projects for reimbursement.

**Late Payments**

The Precinct has a significant amount of past due bills. Past practice has been for the Precinct to work with individuals who have past due balances to create payment plans to help customers catch up. Historically, this has worked for a few customers, but generally not very well overall. During COVID, Emergency Orders prevented water and wastewater utilities from shutting off water for late payments, adding another barrier to the Precinct collecting past due balances. Unfortunately, the past practice of being very lenient has resulted in a growing amount of past-due balance.

**Current greater than 90 days past due balances**

|             |              |
|-------------|--------------|
| Water       | \$42,920.21  |
| Sewer       | \$67,078.14  |
| Buy-In Fees | \$133,791.61 |
| Septage     | \$14,372.72  |
| Backflow    | \$3,035.06   |

Now that the COVID-related executive orders have expired, I wanted to provide an update on exactly how much the Precinct has for outstanding balances and get your input/approval on how to move forward. My proposal is that we again reach out and try to work with customers, but set firm deadlines which, if not met, result in water being turned off for non-payment in accordance with Precinct Rules & Regs.

**Rules & Regulations Update**

Now that Annual Meeting season is over, I've finally had a chance to dive back into the Water Rules & Regs. Our existing water Rules & Regs are more than 10 years old and inconsistent with current Sewer Rules & Regs in many places. In reviewing/updating the Rules & Regs, I researched other communities' policies, consulted with NH Municipal Association, NH Water Works Association, and Precinct legal counsel.

The goals of the update included:

- Modernizing the Rules & Regs in the face of increasingly complex federal and state regulations
- Creating consistency between Precinct water & sewer regs
- Addressing specific problem areas where issues have popped up in the past, whether from silence or confusion within the existing regs
- Creating a format that is readily available and clearly understandable for all parties

The most recent drafts of both the water and sewer rules & regs are included with this report for your review. I've included sewer as well because some definitions had to be updated for consistency with the updated water rules & regs. These updates are DRAFT proposals, to be reviewed by the Commission. In the DRAFT sewer version, I've highlighted specific things that are either new or significantly changed to make it easier to compare changes; I have not done that in the water version, since the format and content is different from the old water rules/regs the entire document would have been highlighted yellow. Once the Commission approves a DRAFT version, a public hearing will need to be held before the DRAFT versions can be officially adopted.

### **Request for Credit of Buy-In Fees**

After much consideration, one of the key issues for this request is that it sets precedent. From my perspective, it's important that we set the *right* precedent with clearly defined guidelines – and not make this or future decisions judgment calls. To help with this, language has been inserted into the updated DRAFT Rules & Regulations. I would recommend that the Commission hold off on approving this request until the new Rules & Regs are approved, then follow the policy outlined in those Rules & Regs.

### **Septage Rate**

Following the dewatering and septage receiving upgrades, the Precinct made a concerted effort to promote septage disposal at the WWTF. This was done in alignment with the Precinct's mission of protecting groundwater quality through effective wastewater treatment. Prior to the upgrades, the Precinct was charging \$0.12 per gallon (and estimated to be losing money based on treatment costs). Following the upgrades, with treatment costs significantly reduced, the rate was dropped to \$0.09 to encourage septage haulers to come here.

The strategy has worked better than we could have imagined – prior to the upgrades we received 1.5 million gallons per year; in 2021 we received 5.8 million gallons. Part of this I believe is because of our attractive disposal rate, but a large part is also due to external pressures such as an increase in short-term rentals resulting in more frequent pumping and the land application ban in Maine pushing nearby haulers to the Precinct for disposal.

The Precinct should be proud of this success, but we also need to be aware of unintended consequences. One of those consequences is an increase in solids production which has caused an increase in treatment costs related to sludge disposal. Another consequence is that we are again approaching the limit of how much septage the WWTF can handle. To illustrate just how much septage we're receiving, in 2021 to date we had received 1.2 million gallons; so far in 2022 we've received 2.03 million gallons. If that trend continues, we are on pace for nearly 10 million gallons in septage this year!

While it's important that the Precinct serve its environmental purpose by taking this septage, we also need to be sure we're not upsetting the WWTF treatment process by overloading it and covering our treatment costs. In the short term, this means limiting septage receipts until the aeration upgrades can be completed. The best way to do that, after discussion with WWTF staff, is to consider raising the septage rates slightly. This increase would be across the board since tracking specific origin locations for septage is nearly impossible to achieve fairly and consistently.

I am therefore recommending that we raise the septage disposal rate from \$0.09 to \$0.10 per gallon. To do so, the Commission needs to hold a public hearing at the next meeting. At that meeting, assuming there is not significant opposition at the Public Hearing, my recommendation is to make the rate increase effective July 1. My hope is this will help curb disposal slightly for the rest of the year while also helping offset the new cost of sludge disposal somewhat. Note that even at \$0.09, however, septage disposal is still a net financial gain to the Precinct (and CVFD) even after considering sludge disposal costs.

### **Abatement Requests**

Account 1106 has requested an abatement due to a burst pipe within a guest cottage. This water did enter the property through the meter but spilled out onto the ground and did not enter the sewer system. I am recommending granting a sewer abatement in the amount of \$3,774.67.

**Motion of Commissioner Nelson and seconded by Commissioner Porter to approve the Sewer Abatement for account 1106 in the amount of \$3,774.67.**

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

Accounts 1972 and 1973 (same owner) have requested a combined sewer abatement in the amount of \$1,413.30 due to a leaking valve that caused water leakage out onto the ground. After investigation, I cannot find support to justify the request for #1972, but I am recommending approval of a sewer abatement in the amount of \$570.40 be granted for #1973.

**Motion of Commissioner Nelson and seconded by Commissioner Porter to approve the Sewer Abatement for account 1973 in the amount of \$570.40.**

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

*No abatement for account 1972.*

**CVFD Joint Meeting**

I received an email from Steve Bamsey, Chair of the CVFD Commission, requesting that Precinct Commissioners attend a CVFD meeting in June. The text of Commissioner Bamsey's email is here:

May 11, 2022

Dear NCWP Commissioners,

The CVFD would like to hold a joint meeting with you. It has been several years since we have met and there are some topics we would like to discuss. Some of these topics include: Transfer of the IMA should CVFD dissolve, your current capital projects and CVFD's financial contribution, your future capital projects and the potential costs to CVFD.

We welcome your input on other items to be discussed.

We would like to meet with you on either June 9<sup>th</sup> or June 16<sup>th</sup> at 5pm. We will meet at the CVFD Fire Station. Paul DegliAngeli will also be attending this meeting.

Please feel free to contact our district office to confirm the date, and to add items to the agenda.

Thank you, and we look forward to hearing from you.

Respectfully,

Steve Bamsey  
CVFD

Following that initial email, CVFD did follow up with a more refined list of topics to discuss:

Good morning Jason and Hannah

The CVFD Board of Commissioners has asked me send you a list of the topics they would like to discuss at the meeting with the NCWP Board of Commissioners.

Topics of discussion

- Transfer of the IMA should CVFD dissolve
- NCWP aeration and single carousel upgrades
- NCWP Sludge Dryer

-NCWP Saco River Erosion project

-NCWP Franchise expansion

Please let us know which of the dates works best for your Board as soon as you can – June 9<sup>th</sup> or June 16<sup>th</sup> – and if there is anything else they may want to discuss.

Thank you.

Sincerely,

Amy Snow

*The Commissioners have chosen to meet on Thursday, June 16<sup>th</sup> at 5:00PM.*

**Pine Hill Franchise Area**

No change.

**Other Business**

*Tom Eastman inquired about the recent fire at the Red Jacket and whether there has been discussion about how to ensure further safety in buildings within the Precinct, short of mandating sprinklers. Commissioner Nelson said that there hadn't been any discussion yet but asked for Tom's questions in an e-mail. Tom will be sending an e-mail to Jason to forward to the Commissioners.*

**Signing of Checks**

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

- a. Payroll Checks dated 5/26/2022
- b. Accounts Payable Checks dated 5/26/2022

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

**Non-Public**

**Motion of commissioner Nelson and seconded by Commissioner Porter to enter into a Non-Public Session at 10:50AM under RSA 91-A:3, II (I) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.**

**Motion Carried by 3-0-0 voice vote**

Bob Yes

Sue Yes

John Yes

Motion to leave nonpublic session and return to public session by Suzanne Nelson seconded by Robert Porter.

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.

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

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 11:45AM. Motion carried by voice vote 3-0-0.

Respectfully,



Hannah Andersen  
Recording Secretary