

## FINAL MINUTES

### EXETER WATER/SEWER ADVISORY COMMITTEE MEETING MINUTES

June 8, 2011

#### 1. Call Meeting to Order

Vice Chairman Bob Kelly convened the Water & Sewer Advisory Committee at 6:30 pm in the Nowak Room of the Town Office Building. Other committee members present were: Mr. Gene Lambert, Mr. Jim Tanis, Ms. Colleen St. Onge, Mr. Boyd Allen and Mr. Paul Scafidi. Ms. Jennifer Perry, DPW Director, Mr. Mike Jeffers, Water/Sewer Managing Engineer, Paul Vlasich, Town Engineer and Town Manager Russ Dean were also present.

#### 2. Minutes & Proclamations

##### a. Meeting Minutes of May 11, 2011

**Paul Scafidi moved to accept the meeting minutes of May 11, 2011 as presented, seconded by Boyd Allen. Vote: Unanimous**

#### 3. Election of Officers

Vice Chairman Bob Kelly said that Gene Lambert had been nominated to be Chairman at the last meeting but the committee held off on electing a committee chairman at that time because Mr. Lambert had not been present. Gene Lambert said that he would accept the nomination. Bob Kelly called for a vote on electing Gene Lambert to be committee chairman and the result was unanimous. Chairman Gene Lambert thanked the others for the privilege and responsibility of the position and took over the running of the meeting for the remainder of the evening.

#### 4. Discussion / Action Items

##### a. New Business

##### i. Jady Hill Project Review

Town Engineer Paul Vlasich said that Jady Hill was proposed for some utility projects a few years ago. They are going to be using funds from the 2010 warrant articles for water and sewer line replacement to get started on Jady Hill project work. The 2010 warrant article for water line replacement was in the amount of 1.6 million and the article for sewer line replacement was in the amount of 1.05 million. Jady Hill is one of the worst areas in Town for I/I. During warm weather periods it equates to about 160,000 gallons per day which is about 5 times the average for sewer flows for that area. Last year they put an additional 2.9 million dollars into the 2011 warrant to do additional sewer work because of poor sewer mains and manholes and to try to tackle some of the I/I coming from the sewer services. The 2011 warrant article failed so they have gone back to the drawing board and split the Jady Hill project work into 2 phases. Committee members were provided with copies of a diagram prepared by DPW which indicated the work to be covered in each phase.

Phase I would replace about 5,500 linear feet of water lines and 1,500 linear feet of sewer lines. There is also a water main sleeve being designed that would go under the railroad tracks on Summer Street. Estimated cost for this sleeve project is \$ 197,000. As far as sewer I/I for phase I projects, the plan is to replace the sewer mains and the sewer services from where they attach to the main up to the property line. This has been standard town practice when sewer mains have been replaced. They also replace the sewer service to the property line if the road is going to be repaved. The plans are about 50% complete and they are currently within budget. They will be mailing a letter to houses in areas outside of the original I/I study with questions about their sewer services.

Discussion ensued about the scope of the work covered by the two phases. Jim Tanis asked why there is such a discrepancy in phase I between the amount of linear feet of water lines to be replaced (5,500)

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versus sewer (1,500). Paul Vlasich said that there are some other projects that take up some of the 1.05 million in funding from the sewer line replacement warrant article. There is more money available for water line replacement than sewer line replacement and so the majority of phase I work is water main replacement and repairs. Bob Kelly thought that the genesis of this project was the sewer I/I problem and not water problems. Mr. Vlasich replied that it is a combination of both. Chairman Lambert said that the committee wishes to understand the full scope of the project as well as what is covered by each phase plus any other items not included in either of the two phases. Mr. Clement said that the 2011 warrant article was added to address I/I issues. The 2010 warrant articles did not contemplate solving the I/I problem. Since the 2011 warrant article aimed at I/I issues failed, they will not be doing that work since they cannot spend money they don't have.

Gene Lambert asked if homeowners will see any differences after phase I work is complete. Paul Vlasich said that phase I work will correct all of the water deficiencies in the area. Water flow rates will be improved which enhances fire protection but homeowners will not notice any changes. It should help reduce insurance rates for fire protection.

In addition to replacing pipelines in the designated areas, Phase II would install some new drains in areas where drains currently do not exist. It also includes an option to construct a drain line as a mitigation drain which was recommended by Underwood Engineers. There is a tremendous amount of sump pumps in houses in the Jady Hill area. Folks would have an area to put their sump pumps into if this drain line was constructed. There is also a \$ 200,000 component that addresses drain lines that are currently deficient and in need of repair which would be borne by the General Fund.

Mr. Vlasich said that moving forward they would like to talk with the Selectmen and the Water / Sewer Advisory Committee about how to tackle I/I sources coming from the private side. He would like to know if there would be any financial contribution from the Town for work on private property. There have been some previous discussions about this but no conclusions yet. They have learned from inflow and infiltration projects that about 60% of the I/I in that area is from the private side.

Paul Vlasich said that they should have another set of plans by the end of the week that will be around 75% complete. DPW will review them. They would also eventually like to have another neighborhood meeting. There are a couple of options for the scope of the discussion topics to be covered and who to invite to the next meeting. If Phase II is included in any discussion, he would like to first have further discussion with this committee and the Board of Selectmen on the Town's position with regard to work in the private I/I portion. They hope to be out to bid in July with construction to start this summer.

There was discussion about I/I issues and the costs and benefits of different options. Bob Kelly asked if the 60% private source I/I referred to previously would be of the 160,000 gallons of I/I per day in the Jady Hill area and Paul Vlasich confirmed this to be the correct math. Mr. Vlasich said that studies and research have shown that if you just replace the main in the street, you end up getting 20 to 25% reduction in I/I. If you replace the main in the street and the private service up to the property line, you can get 40 to 50% removal of the I/I. If you go all the way to the house you are looking at 75 to 85 to possibly 90 % removal. Paul Vlasich said that they are really asking if the Town wants to spend the extra money for the incremental gain in I/I reduction they would get if they went all the way to the house instead of just to the property line. The additional cost to do this in the Jady Hill area and gain an additional 25% I/I reduction is around a half million dollars.

Bob Kelly expressed concern as to how many other areas of Town have similar problems that will also cost money to fix. As funds are limited, the committee wants to identify where they can get the most

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result for the money spent. Mr. Lambert said that he understands Wright Pierce has previously created a hierarchy listing of I/I amounts which justified the Jady Hill project. He asked to see this listing and the cost amounts involved. Mr. Vlasich said that he can provide that information. Paul Vlasich said that about 95% of the town sewer lines have been videoed now so much investigation work has been done as far as identifying I/I sources.

**The committee recessed at 7:08 pm and reconvened at 7:14 pm.**

### **ii. Draft Sewer Regulations**

Jennifer Perry said that the sewer regulations have undergone some significant revisions mostly to capture industrial pretreatment permitting issues that needed to be addressed. It had been almost 20 years since any significant revisions had been made to these regulations. They are on the town website in draft format and have already been presented to the Board of Selectmen for one reading. They are scheduled for a second reading at the Board of Selectmen meeting on June 20<sup>th</sup>.

Mr. Jeffers recommended deleting mention of cast iron pipe and vitrified clay as types of piping on page 16, as well as some minor changes to some definitions and comments in a few other places. Feedback received indicated that there was concern that the definition of sanitary sewer could possibly be confused with storm water sewer and so they have amended the language accordingly to address this. Mr. Jeffers will summarize these changes on a single page addendum.

There was discussion about penalties for violations of the sewer ordinances and enforcement. Gene Lambert referenced section 1514.11 on page 49 which indicates that the penalty is \$ 1,000 per violation. Mr. Jeffers clarified that it is \$ 1,000 per violation per day. Bob Kelly asked if it is enforced and Mr. Jeffers said no. However, at some point the EPA will demand that the Town enforce its own ordinances or face EPA fines. It was pointed out that the \$ 1,000 is an upper cap for the penalty and there is latitude to vary it and thus negotiate it on a case by case basis. Mr. Dean said that the \$ 1,000 per day is a standard for enforcement and is similar to zoning violations. Ms. Perry said that this was generated targeting the industrial clients and suggested that the Town develop a penalty schedule at some point in the future when they do start enforcing it. Mr. Kelly thought that the fines had to be reasonable if they really expect to enforce them and suggested creating the fee schedule now and inserting it into the ordinance. Ms. Perry said that they would normally not put that level of detail into an ordinance. Fee schedules are generally stand alone documents that undergo changes frequently. Changes to ordinances are generally made much less often.

After some additional discussion, it was decided that the current language of the ordinance would remain as is except that they will make reference to a fee schedule. It will be an action item for the committee to work with the DPW to come up with a penalty fee schedule by the September meeting. The draft sewer regulations will be put on the agenda as old business for next month's meeting at which time the committee will plan to vote on whether or not to recommend that the Board of Selectmen adopt them. Mr. Jeffers will make the changes discussed tonight in red on the regulations on the town website with a note of explanation in front.

### **iii. WWTP Draft Permit**

Ms. Perry said that the public hearing for the waste water treatment plant draft permit is tomorrow night at 6:30 pm at the Town Hall. The first hour will be a question and answer session with the EPA. At 7:30 pm it will transition to a formal public hearing where the EPA will only be taking comment and will not participate. Everyone is welcome to attend and encouraged to comment on the draft permit. Facts and information are available on the Town website. It is expected that many people will attend

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from other communities as well. This is expected to set a precedent for what is to come for other communities that discharge into the Great Bay and so there is lot of interest in this. The hearing is part of the public comment period which ends on July 22<sup>nd</sup>. The Town will be submitting written comments before that deadline.

Jim Tanis shared that he has recently become aware of an alternative nitrogen removal engineering solution and has obtained information from a company called Lombardo Associates in Newton, MA. They have done work on a treatment plant that discharges into Chesapeake Bay and received an outstanding engineering certification for this alternative nitrogen removal methodology. He asks that the Town look into this to see if it might work for Exeter. The costs would be significantly less than those for building a new plant. Ms. Perry thanked him for the information and said that they will definitely look into this as well as several other alternatives.

Gene Lambert asked questions about the nitrogen limit in the draft permit. Ms. Perry said that the draft permit today is for 3 mg per Liter of total nitrogen. That is the concentration that they would have to meet in their effluent. It is referred to as a limit of technology so it is really pushing the envelope. It is based on a flow rate but there is also a loadings calculation of 75 pounds per day. Mr. Lambert asked if they can identify where the loading is coming from. Ms. Perry said that most of the nitrogen loading that comes into the plant is universally domestic generated. This is from everyone urinating.

Brian Griset commented on the Chesapeake Bay estuary situation which is worse than ours. The City of Baltimore's latest permit is for 5 mg per Liter. Our operating efficiency will also be less because we are in a higher latitude and colder climate. He would like this to be investigated further. Jim Tanis said that he has been advised that there is one system discharging into the Chesapeake that is obtaining levels lower than 3 mg per Liter using the alternative technology that he mentioned previously. The system is based on a simple pump and treat mechanism. The effluent is pumped through a cheap carbon source such as wood chips and newspaper. The carbon actually performs the nitrification and produces nitrogen gas which goes off into the atmosphere.

### **b. Old Business**

Bob Kelly referenced the overview that DPW had provided at the first meeting of their top 5 or 6 projects and asked if it was their intent to focus on a different one each month. Ms. Perry said that they chose to focus on Jady Hill first because construction was starting this summer and there was the upcoming hearing. She proposed to have Brian Goetz from Westin & Sampson come in for the next meeting to talk about groundwater treatment facilities. Gene Lambert feels that there are two issues with respect to these projects. The first is that the committee needs to get up to speed with what is going on with the various projects and the second is that DPW needs to identify areas in which the committee can assist them. Mr. Clement commented that it is good timing for project discussions because it is CIP season.

Gene Lambert said that they also need to talk about rate structure. Ms. Perry said that they did have a preliminary meeting already with the Finance Department, Water & Sewer and the Town Manager just to get the ball rolling on rate structure discussion. Mr. Dean said that they have an internal work group to review the rate structure and make recommendations to the Board. November is the target to establish rates for the next year. There is a focus on service fees because research has shown that Exeter's service fees are higher than other surrounding towns. It was suggested that one or two people from this Water & Sewer Advisory Committee sit in on the rate structure work group meetings. Colleen St. Onge and Jim Tanis volunteered to do this.

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Gene Lambert asked about the time table for the filter backwash project. Mike Jeffers said that last Fall the Budget Committee moved it to the Operating Budget. Since the Operating Budget failed and they are running on the Default Budget, the funding is not there for this project this year. It is in the CIP for fiscal year 2012.

### **5. Regular Business**

#### **a. Water / Sewer Abatements**

##### **i. Review Selectmen's Policy 08-30, Water/Sewer Adjustments**

Ms. Perry said that the Selectmen's Policy on Water/Sewer Adjustments is more detailed now than what they had in the past. The changes made in 2008 were in an attempt to make it uniform and easier to practice. It has been the basis for reviews of water and sewer abatement requests for the past couple of years. These issues are often challenging and there are no absolutes.

In order to qualify for an abatement under this policy, the leak should have occurred within the past 6 months. They have to have used more than 100% of their average water consumption or 35,000 gallons above. The source of the problem has to have been identified and fixed before abatement can be recommended.

##### **ii. C14 E&H Mobile Home Park**

Mr. Jeffers said that the DPW is recommending a second abatement for C14 Exeter & Hampton Mobile Home Park. A second abatement is highly unusual and not covered by the current policy but this is an extreme hardship situation. The customer is disabled and on a fixed income. Icicles fell off of the roof of her mobile home and caused the damage which led to the leak which caused a high bill for two consecutive billing quarters. This customer has already received one abatement, but is requesting a second. Mr. Jeffers said that power and gas utility companies do sometimes make exceptions in extreme circumstances like this.

Boyd Allen asked if there was some sort of preventive shield that could be installed if icicles are an annual problem. Mr. Jeffers said that they will be recommending some changes to this particular mobile home park because they have some other issues as well with gallons of water being unaccounted for when the difference between the master meter and individual meters are compared.

There was some discussion about landlord versus tenant issues and how they relate to mobile home parks. Current Town policy is to bill landlords and not tenants. Mobile homes are individually owned so it is a different situation than apartments. The park that this disabled rate payer lives in has a master meter and individual meters to each mobile home. Each quarter each mobile home gets their own bill for their individual usage. All of the usage on the individual unit meters is added up and deducted from the total usage on the master meter. The park then gets a bill for the difference. Mr. Jeffers said that there are differences between states and municipalities as to how billing is handled for mobile home parks. Some will refuse to bill individually and will just send the park one bill for the master meter. It is then the park's responsibility to divvy it up between the units.

Bob Kelly felt badly for this rate payer, but was concerned about setting a bad precedent by recommending a second abatement in this case.

**Bob Kelly motioned to deny this second abatement on the grounds that she already got one abatement. After a brief discussion, he withdrew his motion.**

**Jim Tanis motioned to accept this second abatement. Paul Scafidi seconded. Vote: 1-5 Motion**

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**fails.** The committee will recommend to the Board of Selectmen that this second abatement be denied along with a few comments as to why they feel it should be rejected. It is outside the policy and would set a bad precedent.

### **iii. 65 Park Street**

Mr. Jeffers said that DPW does not recommend approval of the abatement request for 65 Park Street because the problems causing the excess water usage have not been fixed. This residence was found to have 2 leaking toilets and a leaking sink. To date there is no documentation that these have been repaired.

**Paul Scafidi moved to deny abatement, seconded by Jim Tanis. Vote: Unanimous**

### **iv. 9 Cullen Way**

Mr. Jeffers said that the DPW does not recommend this abatement because the homeowner has not fixed the problem which was found to be leaking toilets.

**Paul Scafidi moved to deny the abatement, seconded by Jim Tanis. Vote: Unanimous**

### **b. Financial Report**

Mr. Dean provided the committee members with a handout which gave a snapshot of the Water Fund and Sewer Fund as of June 8<sup>th</sup>, 2011. The Water Fund billed revenue versus expenditures is positive by just over \$ 200,000 year to date. The Sewer Fund billed revenue versus expenditures is also positive by just over \$ 300,000 year to date. It is important to note that billed revenues are different than actual cash balances. Mr. Dean will be getting receivables information also for future reports.

There will need to be discussion about what will ultimately happen with the revenue from the corrective billings. Mr. Dean also pointed out that the information includes an amortization schedule for a 52 million dollar cost for a new waste water treatment plant over a 20 year period. The rate adjustment required to handle this 52 million dollar plant would require a 327% increase in rates. The 52 million dollar cost is estimated at this point and subject to debate. Mr. Dean will be presenting this information at the EPA public hearing.

Jim Tanis asked if collections are getting better. Mr. Dean said that they are trending better. They have made a number of improvements and have become more aggressive with shutoffs. The separation of billing and collecting has been positive.

## **6. Review Committee Calendar**

### **a. Schedule Facilities Tours**

After a brief discussion, the committee scheduled a tour of the wastewater treatment facility for Tuesday, June 21<sup>st</sup> at 7:00 am and a tour of the water treatment facility for Thursday, June 23<sup>rd</sup> at 7:00 am.

### **b. Future Meeting Dates**

The next Water and Sewer Advisory Committee meeting will be Wednesday, July 13<sup>th</sup> at 6:30 pm. Gene Lambert asked that a task listing be added to future agendas which would give a brief description of the task and who is responsible for it. Bob Kelly volunteered to work with Jennifer Perry to put together future agendas.

## **7. Adjournment**

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**Bob Kelly moved to adjourn, seconded by Jim Tanis. Vote: Unanimous**

The meeting stood adjourned at 8:49 pm.

Respectfully submitted,

Jennifer Mancinelli  
Recording Secretary