

Board of Commissioners
Meeting Minutes
April 10, 2024

The Commission meeting convened at 2:00PM. in the meeting room at the North Conway Water Precinct 104 Sawmill Lane North Conway, NH. The following were present:

Commissioner Suzanne Nelson
Commissioner James Umberger
Commissioner Deborah Fauver

Superintendent Jason Gagnon
Fire Chief Chad McCarthy
Recording Secretary Hannah Andersen

Call to Order

Meeting called to order at 2:00PM by Commissioner Suzanne Nelson.

Gary Chandler (Clerk), Robert T. Anderson (Treasurer), Suzanne Nelson (Commissioner) and Deborah Fauver (Commissioner) simultaneously took their oaths of office.

Motion of Commissioner Umberger and seconded by Commissioner Fauver to nominate Commissioner Suzanne Nelson as Board Chair.

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

Motion of Commissioner Nelson and seconded by Commissioner Fauver to nominate Commissioner James Umberger as Vice Chair.

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

Minutes

Motion of Commissioner Umberger and seconded by Commissioner Fauver to approve the Public Meeting Minutes from March 6, 2024 (as corrected) and March 13, 2024, and Budget Hearing Minutes from February 28, 2024.

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

3/6 Correction: Sharon was encouraged to ask the library to submit a Petitioned Warrant Article for the 2025 Warrant; NCWP will send a letter reminding the library when the 2024 payment is made to the library.

Motion of Commissioner Umberger and seconded by Commissioner Fauver to accept the certified Annual Meeting Minutes from March 27, 2024.

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

Jason will check in with the Village at Kearsarge in September for the final number of units that will be hooking into sewer.

Fire Department

Membership:

39

Personnel:

One member on leave of absence.

Training:

Department Training: Portable tank operation.

Engine 3 Training: Rule water supply with mutual add Depts.

Rescue Training: Struts and airbags.

Department Activities:

Place of assembly inspections, rental and life safety inspection on going.

We responded to 22 fire calls during the storm last Thursday.

New standard operating guidelines (SOGs) for Fire Dept.

Emergency Calls:

Five year call average is 1,336 calls a year.

Five year monthly call average is 111 calls a month.

Five year daily call average is 3.66 calls a day.

Year to Date Call Average

The department has responded to 418 calls year to date for 2024

Monthly call average is 119.42 calls a month for 2024.

Daily call average is 4.18 calls a day for 2024.

The department has responded to 32 calls for the month of March.

Apparatus / Trucks:

Engine 3 is back and look great.

Temporary Cell Tower at Seavey Street Garage:

Motion of Commissioner Fauver and seconded by Commissioner Umberger to approve plan revisions from Tower Engineering Professionals as presented in Plan Sheets L-1 and L2 for 16 Seavey Street and to authorize Chief Chad McCarthy to enter negotiations.

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

Superintendent's Report

Annual Meeting Timeline and Key Dates

By all accounts, Annual Meeting 2024 was a solid success. I want to again thank Hannah for all the work she put into getting ready for the meeting – it's quite a lift on top of her regular duties, and as always, she did a fantastic job.

2023 Sampling Violation

Our last notice related to the 2023 Q1 sampling violation went out with Q1 2024 bills. This notice lets customers know that the Precinct has completed all required sampling and is in compliance with all sampling regulations. This will be the last notice related to that event we need to send. I'm pleased to report that, as always, the required samples have come back with no detectable levels of VOCs or SOCs.

2024 Consumer Confidence Report

Our Annual Water Quality Report, also known as the "Consumer Confidence Report," is now available on the Precinct's website. Thanks again to Hannah, who puts the report together every year.

Project Status

Asset Management – Energy Efficiency Grant

No new updates.

Asset Management – Traditional Asset Management

Alexis has continued working hard to get our data into Lumin. This past week we were able to get all of our backflow devices in. For our next round of backflow testing beginning in July, we'll be able to use Lumin for the entire summer round of testing. We are also working on entering administrative tasks into Lumin. I'm very excited about this – we'll have all recurring administrative work located in one place where it's easy to share between office personnel, track due dates, and streamline tasks. This will also do two key things: 1) Help administrative staff get familiar working in Lumin every day so that we can be the front line of support for all staff using Lumin; and 2) Provide a working example for the benefits of the software – this isn't something we're *making staff use*, it's something that all of us are using to improve organization, record keeping, efficiency, and accountability.

Landfill Leachate

We have received initial feedback from NHDES and will be revising the scope accordingly with Black & Veatch.

Sludge Dryer

No change.

Saco River Erosion

No new updates.

WWTF Aeration Upgrades

The 100% design documents are complete and submitted to NHDES for final review. The current project schedule is:

- Advertise for bids beginning 4/15/24
- Pre-bid meeting with prospective contractors 4/30/24
- Bid opening 5/16/24

- Construction to begin as soon after that as the contractor is able.

Cranmore-Artist Falls Water Main

No change. HEB and Wright-Pierce are working through the process of securing easements now.

Country Road Sewer

No new updates – HEB continuing to work through final design and permitting.

Pine Hill Franchise Area

WWTF staff had a very productive meeting with the Continuum design team and I feel very good about the pump station design moving forward. We're planning to standardize on some of the pump station specifications developed on this project for other Precinct pump stations, such as the Country Road and Kearsarge condo projects.

LCRR – Lead & Copper Revised Rule

The LCRR mailer went out in Q1 bills. I'm cautiously optimistic and hoping for a good response from customers.

Cell Tower

No change.

Abatement Requests

None

Sewer Department – New Hire

We have received a number of quality applications for the position. Interviews will be scheduled over the coming week or two with the goal of hiring the right person as soon as possible.

Potential Fitness Area

The idea was discussed among staff about the potential for adding a fitness area in the basement of the administration building at the wastewater treatment facility. We certainly do have the space, and there seems to be interest from quite a few employees. The idea is that a number of employees have some fitness gear (weights, benches, etc.) that they'd be willing to bring in for everyone to use, and perhaps the Precinct might be able to fill in the gaps with some additional weight/equipment.

NCWP will reach out to Primex to look into the insurance liabilities regarding the space.

New Hampshire Water Works – Course Instruction

On Tuesday (4/9), I will be in Manchester teaching a full day course for the Grade II Distribution certification exam. The class is put on by NH Water Works Association and is one of 6 full-day classes designed as a comprehensive prep course for water workers across the state working toward earning their Distribution Operator Grade II certification.

NHDES Rules Review

As part of the legislative advocacy work the Precinct has always taken a lead role within the State on, I spent some time reviewing proposed rule changes to NHDES' Env-Wq 400 rules for public water system design. The rules are up for their normally scheduled readoption this year, and as usual, NHDES has proposed changes in the rules.

Of particular concern to the Precinct are proposed language changes related to Potential Contamination Sites (PCSs) and required Best Management Practice (BMP) inspections. Currently public water systems are required to visit and physically inspect all PCS within the groundwater protection zone of the public water supply. This means, for example, that Precinct staff are required to visit and inspect every business within a specific NHDES-defined area that has any regulated (hazardous) chemical in quantities greater than 5 gallons at least once every three years. While this is onerous, it makes a certain level of sense in the name of reducing the potential for groundwater (and drinking water) contamination. The proposed changes to the rules add language that seems to expand the inspection area far beyond the current groundwater protection zone, potentially requiring public water systems to inspect *every PCS in the entire watershed*. If that were the case – NCWP would need to inspect every business with more than 5 gallons of chemicals between North Conway and Pinkham and Crawford notches. To me, that seems to be an unfair burden on local water systems and essentially an “unfunded mandate” from the State that would add significant labor burden on the Precinct and all public water systems.

Other changes of concern are related to infrastructure within flood zones (particularly how it would apply to the Precinct's existing infrastructure), sample port requirements for routine sampling, and enhanced design review by the State (including required State inspections) for all new water system infrastructure (even a single new water service).

I've provided comment on the proposed changes to NHWWA's legislative action team, of which I'm a member. My hope is that we can gain support across the State to get ahead of these proposed changes before they have a chance to gain traction and get incorporated into the final rules.

Rafetelis

There was a discussion about the structure of the 3 Rate Design Scenarios recommended by Rafetelis. The Commissioners will continue the conversation at the May 1, 2024 Commissioners Meeting and bring a recommendation to the voters at the May 1, 2024 Public Hearing.

Skimobile / Artist Falls Road Certificate of Vote Authorization

Motion of Commissioner Fauver and seconded by Commissioner Umberger to provide AUTHORITY TO FILE AND DESIGNATION OF AUTHORIZED REPRESENTATIVE

WHEREAS, The North Conway Water Precinct after thorough consideration of the nature of its drinking water system needs, hereby determines that the construction of certain

works, generally described as: Skimobile/Artist Falls Road Water Main Connection is desirable and in the public interest, and to that end it is necessary to apply for assistance from the Drinking Water and Groundwater Trust Fund (DWGTF); and

WHEREAS, the Applicant has examined and duly considered the provisions of RSA 486:14; RSA 485-H or RSA 485-F and the New Hampshire Code of Administrative Rules noted above, which relate to loans from the State of New Hampshire and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY The Board of Commissioners of the North Conway Water Precinct, the governing body of said Applicant, as follows:

1. That the person holding the position of Superintendent currently held by Jason Gagnon is hereby designated as the Authorized Representative of the Applicant for the purpose of filing an application for a loan in accordance with New Hampshire Code of Administrative Rules noted above, furnishing such information, data, documents and disbursements pertaining to the applicant for a loan as may be required; and otherwise to act as the authorized representative of the Applicant in connection with the loan application.
 2. That the Applicant agrees to repay the loan as stipulated in the loan agreement.
 3. That a certified copy of this resolution be included as part of the application to be submitted for a loan.
 4. That persons holding the following position(s) at the time of loan execution are authorized to sign the loan agreement binding the Applicant to the terms and conditions of the loan. (Jason Gagnon, Superintendent)
 5. That the Applicant agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.
- Motion carried by a 3-0-0 voice vote.

Recreational Use Committee Report Recommendations

The review of the Recreational Use Committee Report to the Commissioners will be carried to the next meeting.

Signing of Checks

Motion of Commissioner Umberger and seconded by Commissioner Fauver to ratify checks signed out of session:

- a. Accounts Payable Checks dated 3/28/2024
- b. Payroll Checks dated 3/28/2024
- c. Accounts Payable Checks dated 4/11/2024
- d. Payroll Checks dated 4/11/2024
- e. March Callfire Payroll dated 4/4/2024

Non-Public Session

At 3:58, Motion of Commissioner Umberger and seconded by Commissioner Fauver to enter into Non-Public Session per RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

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

Suzanne	Yes
Jim	Yes
Deborah	Yes

Commissioners returned to public session at 4:47PM.

Motion of Commissioner Nelson and seconded by Commissioner Umberger to seal the Non-Public Minutes as it was determined that divulgence would render a proposed action ineffective.

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

At 4:48PM, Motion of Commissioner Umberger and seconded by Commissioner Fauver 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 meeting and (2) requests that the meeting be open, in which case the request shall be granted.

The Commission returned to public session at 4:55PM.

Motion of Commissioner Nelson and seconded by Commissioner Umberger to seal the Non-Public Minutes as it was determined that divulgence would render a proposed action ineffective.

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

Having nothing further to come before this public meeting, Motion of Commissioner Umberger and seconded by Commissioner Fauver to adjourn this public meeting at 4:55PM.

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

Minutes recorded by:

