



CITY OF DOVER

DOVER UTILITIES COMMISSION ~ MINUTES

Meeting Type: Regular Meeting
Meeting Location: Conference Room – 271 Mast Road, Dover, NH 03820
Meeting Date: **Monday, March 17, 2008**
Meeting Time: **5:30 PM**

Members Present: Chairman, Gary Green, Vice Chairman, Rick Hebbard, Art Hoffman, Michael Earley, Otis Perry

Members Absent: Jay Stephens

Staff Present: Jamie McCulloch, DUC Secretary, Bill Boulanger, Utilities System Supervisor, Sharon Lucey, Meter/Backflow Coordinator

2. APPROVAL OF MINUTES

A. January 28, 2008

Motion: Hoffman made the motion to approve the minutes.

Second: Perry seconded the motion.

Vote: U/A

3. CITIZENS FORUM – None.

Motion: Hebbard made the motion to move Item#4 abatement requests to the end of the agenda since the abatement applicant was not present.

Second: Perry seconded the motion.

Vote U/A.

5. REPORTS

A. Abatement Review Team Report

Hoffman commented that the Abatement Review Team needs to be consistent with the issuance of pool credits, adding that if the customer did not file a pool credit form, they should not be allowed a pool credit.

Hebbard stated that all abatements should come to the DUC, adding that there are no Resolutions or Ordinances that he can find that say there is any authority for an Abatement Review Team. Green stated that he would look up the Ordinance/Resolution or other documents and get a copy of it for Hebbard. Perry asked if the DUC saw the abatements before they went out by the A.R.T. and Green stated no. Hoffman stated that the DUC needs to let the A.R.T. do what they do but he feels that the abatements should come before the board before going out. Green stated that he had mentioned before that perhaps a member of the DUC could become a member of the A.R.T. but he does not believe a final decision was made on the issue.

B. Utilities Report

Boulanger read through his utility report. There was some discussion.

Motion: Hoffman made the motion to approve the reports.

Second: Perry seconded the motion.

Vote: U/A.

C. Finance Report

Dan Lynch, Finance Director discussed Appendix B & D of the Rules & Regulations with the board. He explained the proposed water and sewer investment fees and stated that they will be reviewed on an annual basis. There was some discussion on the proposed C.I.P. Projects.

Motion: Hoffman made the motion to recommend the new fee schedule to the City Council.

Second: Perry seconded the motion.

Vote: U/A.

Motion: Hoffman made the motion to suspend the rules and go to Item #7.

Second: Perry seconded the motion.

Vote: U/A

7. NEW BUSINESS

A. Expanding City Water Supply

B. Surface Water Legislation discussion

Dean Peschel, Environmental Programs Manager was present to speak on these issues.

Hebbard expressed that the DUC, according to the City Attorney Alan Krans is supposed to review abatements and set rates and not these types of issues. Green ruled Hebbard out of order. Hebbard stated that Attorney Krans lied to us as he told us we could only review abatements and set rates only. Hebbard made a point of order. Hebbard expressed that the board should go back and discuss the Leblanc and Small issues if the board is able to discuss more than abatements and rate setting. Green stated that he overruled the point of order and the board will proceed with business, adding that he is following the Robert's Rule of Order. Green stated that he is not going to discuss those issues now unless the members want to. Hoffman stated that the Small issue as he recalls was put off until spring. Green stated that the Leblanc issue was brought before the City Council. Hebbard stated that the board dropped the ball as we were told we couldn't discuss it.

A. Surface Water Legislation discussion.

Green stated that there is EPA directive Phase II stormwater regulations which the City of Dover is subject to. Green stated that Tom Fargo of the Conservation Commission brought it to his attention, and that proposed legislation in the NH Legislature would provide help in the communities addressing the financing the EPA Phase II regulations. Green stated that he talked to the City Planner who feels that the DUC should have oversight of this issue but he is not sure he agrees with that until he gets more information.

Dean Peschel stated that the EPA adopted the Phase II Stormwater about 5-years ago based on the density of population. Peschel stated that Dover is a part of that Phase II and we have prepared a Stormwater Management Plan, which was created a few years before the rules came into effect. Peschel stated that much of the stormwater system is the old sanitary sewer system. Peschel stated that if the city is required to maintain stormwater system as we do the sanitary sewer system; we are very under funded. Peschel stated that the proposed legislation that would enable NH communities the option to develop a stormwater utility. The legislation does not require that a community develop a stormwater utility rather it provides an alternative means by which to finance the operation and maintenance of the system through user fees similar to the existing sewer and water utilities if the community chooses to do so. There was some discussion.

Green stated that he will send a link on this issue to the members via e-mail.

A. Expanding City Water Supply

Peschel gave a brief history of water exploration during the past twenty years and laid out a plan on expanding the City water supply for the members to review. Peschel stated that Blackwater Road is the next area for a new city supply well. Peschel stated that the potential tank location is the Varney Road/ Blackwater Road area on outer Sixth Street. There was some discussion.

8. AREAS OF CONCERN

Peschel spoke on the status of Pruvan Aggregates potential water bottling, stating that they have an application before the Department of Environmental Services. The City Manager has sent a response to NHDES outlining the City's position on the application. Peschel stated that he would send a copy of the letter to Green. A meeting with NHDES and the City to discuss the Pruvan application and the City's concerns is expected to be scheduled in the near future.

6. OLD BUSINESS

A. Testable backflow preventers in residential units.

Green stated that the item has been resolved, as his condo's backflows were found to be testable.

4. ABATEMENT REQUESTS

A. Edwin & Elizabeth Fowler – 334 Washington Street

McCulloch asked that the board table the abatement until the next meeting.

Motion: Perry made the motion to table the abatement.

Second: Hebbard seconded the motion.

Vote: U/A.

8. AREAS OF CONCERN (cont'd)

There was some discussion on pharmaceuticals being found in water during testing. Boulanger stated that the city takes from groundwater and the issue with pharmaceuticals in the water is surface water. Hebbard stated that the 80-unit credit needs to be upgraded. Hoffman stated that a while back the board voted to abolish that as we have all new meters in.

9. ADJOURNMENT

Motion: Hebbard made motion to adjourn at 7:15 PM.

Second: Hoffman seconded the motion.

Vote: U/A.

Respectfully submitted, *Jamie McCulloch*, Dover Utilities Commission