



CITY OF DOVER

DOVER UTILITIES COMMISSION ~ MINUTES

Meeting Type: Regular Meeting
Meeting Location: Conference Room – 271 Mast Road, Dover, NH 03820
Meeting Date: **Monday, December 15, 2008**
Meeting Time: **5:30 PM**

Members Present: Chairman, Gary Green, Vice Chair, Rick Hebbard, Jay Stephens, Otis Perry, Michael Earley, Mark Moeller, Marty Coyle

Members Absent:

Staff Present: Shari Bullen, DUC Secretary, Bill Boulanger, Utility Systems Supervisor

1. ROLL CALL

2. REVIEW OF AGENDA

3. APPROVAL OF MINUTES

A. October 20, 2008 Minutes

Motion: Perry motioned to approve the minutes.

Second: Moeller seconded the motion.

Item 7C replace the word 'engineering' with the word 'design' and insert 'Steele put the figures in the CIP for discussion purposes only'. Item 6C should read 'will' instead of 'with'.

Vote: 5 in favor, 1 abstained (Moeller was not present at the October meeting)

B. November 17, 2008 Minutes

Motion: Hebbard motioned to approve the minutes.

Second: Perry seconded the motion.

Item 3B, Vote should indicate how each member voted.

Vote: U/A

4. Citizens Forum – Citizens Forum was opened and closed as there were no residents wishing to speak to the commission.

5. Abatement Requests

5A. Water/Sewer Investment Fee Waiver Request

Attorney Anthony McManus appeared on behalf of SGI Realty, LLC. and Dr. John Hopkins, Principal/Owner was also present.

McManus referred to the memo he provided the DUC, item 5A.1 in the agenda packet. The dollar amount in the first paragraph should be revised to \$79,950.00 due to the reduced number of beds (54 in the second paragraph). McManus

indicated that under the formula, investment fees for a Bed and Breakfast with 32 guest rooms would be \$24,800.00, a 15-apartment building with 2 beds each (60 people) would be just over \$29,000.00 and this congregate care facility (54 people) is being billed over \$79,000.00.

Perry indicated the DUC uses the flow calculations to identify use but that it might be helpful to look at the actual flows of Bellamy Fields. Bellamy Fields is using only 60% of the flows estimated by the State.

Motion: Perry motioned to reduce the \$79,950.00 fee (the correct calculation for 54 beds) by 60% to \$47,850.00.
Second: Hebbard seconded the motion for discussion.

Moeller indicated that hospitals are assigned a flow of 200GPD/bed, hairdressers 150 and senior housing 125. Boulanger indicated we don't have actual flows but use the State code. State flows are designed for peak usage. Peak usage must be used in designs so that the system will not become overstressed. We use this methodology when we build facilities to handle the peak. Boulanger further indicated that the number of employees is not included in the flows for this facility as they are for other types of facilities. Stephens asked if couples might live in a 2-bedroom and Hopkins answered yes, they do. Stephens asked if there could be 2 people per bed and if the count of 54 was going to be accurate. Hopkins indicated there are couples sharing beds. Stephens indicated he would not vote for the motion on the table. The lowest typical rate is approximately 100GPD and 150 is what is used for residential housing.

Motion: Stephens motioned to amend to 100 gallons per person for 54 people in a 12 dwelling unit or \$74,400.00 for an investment fee.
Second: Hebbard seconded the motion.

McManus indicated that the flows are based on the size of a leach field for a septic system that won't fail; not for impact to a municipal system. He continued that 76GPD is a fact. Hebbard indicated this might go back to the peak issue at 100GPD. Hopkins handed out an explanation of congregate care facilities and said they do not fit into this category, that they are a residential care home; not a hospital or nursing home. Earley indicated that the 76GPD flow of Bellamy is one data point that doesn't say much. He asked if there were other flows being presented from similar facilities. It was asked what percentage is deemed affordable and where would the residents be from. Hopkins indicated that 50% would be from Dover and that affordable does not apply here. This is a private, pay as you go establishment. Perry indicated that flows from the standards are engineered but not necessarily related to actual and that we now have actual flows defined and thinks it is rational to use them. Hebbard indicated that flows from the State are for septic design flows. Stephens said they are also for pump stations, treatment plants and pipe sizing. Green indicated that State flows are intentionally used and that the 135 seems to be appropriate. Green then read Doug Steele's memo he received just before the meeting. Green then said we could find some relief if we changed the flow.

Boulanger indicated that the North End Sewer, the water plant on French Cross Road, the Long Hill loop are asset investments that we built. He continued to say these costs are divided among our customers and these entrance fees help to pay for the infrastructure. New users reap the rewards of what we've already built. Meter billing only pays for current usage. Hopkins indicated the Master Plan allows them to make the case that 30 units is a rational number to use. McManus said you still have to be fair and 150GPD/Bedroom versus the 76 actually doubles the fee. He stated this discriminates against his facility.

Moeller was reluctant to vary from the State guidelines. He stated that assisted living doesn't fit and maybe there should be a new category but he is also concerned that there is only one data point. Stephens indicated that the next lower category is 100GPD and the last motion was for \$74,400.00. Boulanger said the board has the right to waive the fee and that they don't need to create a new definition. Hebbard thought 135GPD was reasonable. Stephens referred back to his motion. Coyle thought we should see other such sites' usage and that there should be no relief for development costs. Earley pointed out that this is commercial, not residential and not a non-profit. He felt the category was appropriate as they put more of a strain on the system.

Motion: Motion to call the question.
Vote: 4 in favor (Moeller, Hebbard, Stephens, Coyle) 3 opposed (Perry, Green Earley)

Original Motion: 4 in favor (Stephens, Hebbard, Perry, Moeller) 3 opposed (Green, Early, Coyle)
Passed: \$74,400.00

6. Reports

6A. Abatement Review Team

1. Abated \$60.89 in sewer for Arlin.
2. Abated \$1,560.46 in sewer for St. Thomas Aquinas.
3. December billing is not yet available so the amount abated is still to be determined.

6B. Utilities Report

Boulanger reported that 3 motors burned out on sewer pumps. Mount Pleasant is still down and water is worse with only 1 well currently running under PSNH power. The new treatment plant is running on generator and staff is working around the clock. All standby power presently in place did work. The middle school is an emergency shelter and it was proposed that we take over generator maintenance to be sure the facility is available in future emergency situations.

6C. Finance Report

Green indicated no new financials were available since the last meeting.

Motion: Perry motioned to accept the reports.
Second: Hebbard seconded the motion.
Vote: U/A.

7. Old Business

7A. Small Case

Work is complete and the area has been patched. A new 1" line was installed and an overlay will happen in the spring.

7B. Acceptable Use Policy

Green did sign up and is using the City e-mail. Perry uses it. Stephens will sign the form.

7C. North End Water Pressure

Green indicated the CIP vote will be held on Wednesday the 17th of December. Green handed out copies of the Earth Tec report to the new members. He indicated that the report may now be outdated, that in 2007 the State disallowed the use of booster pumps. He handed out a Summary of the North End Water Pressure (NEWP) Reports and the outline was reviewed in detail. Stephens indicated we can pick who we interconnect with but that we currently have no surface water in our system; we have only groundwater from gravel-packed wells. Boulanger indicated that if our water were contaminated, we could contain it; we could isolate and divert to another system. We can take water from Somersworth by gravity but would have to boost it back. Green indicated the tower would not be needed for backup as we did it this past weekend. Boulanger said if we took water, we'd have to valve off Dover Point where they already have high pressure. Stephens indicated we could also overflow our system. Boulanger said an advantage of a water tower would be that we would not need a booster station to get water back to Somersworth. Coyle asked if State funds are available. Boulanger indicated, no, they are just for the study. Green indicated we need to update the report and that we have a plumbing code problem. Boulanger indicated that 35 psi is acceptable but does the board want to put more pressure in the north end? Perry wanted to know who would pay for it and there was some discussion regarding a separate water district. Green wants investigation into a Somersworth tie-in and Boulanger said we could tie in today, we'd just have to pay for it. Stephens indicated we should continue with the investigation and purchase of property. Boulanger wants to see the DUC give some guidance and direction about how staff should proceed. Green indicated that the identification and land purchase is first and we don't have to decide on the rest until next year. The 6.6 million has been pushed back and that's what is important for now. Hebbard recommended a workshop. Boulanger did a hydrant static pressure test at the sill level and would like to get it into GIS. It was agreed that after the first of the year a workshop should be planned.

9. Areas of Concern

Hebbard noticed that the DUC schedule was not on the website. Green indicated he would look into this. Coyle said the next meeting showed TBD. Hebbard said meetings should be posted a month ahead. Boulanger said you can't post them that early.

Hebbard wanted to know why the DUC received information on 3 cases for the ART. Perry said that the DUC requested the additional information.

Hebbard said that in October, Leblanc was to be put on the November meeting but it was not.

Hebbard would like to commend staff; he went around the City and monitored the radio and staff did an outstanding job during this storm and thanks to Boulanger for running the command post.

Green saw the Pruven Aggregate decision. It was on the DUC agenda in January and was brought up in the fall and the State has subsequently approved the withdrawal. Green felt the DUC should have been advised of this. The DUC offered to participate and he did not like to find out about it in the paper. Stephens said the slant was that the City approved of it. Boulanger said as long as they didn't draw more than the current withdrawal from the Bellamy, the other two-thirds have to be used to recharge the aquifer. They are stopping concrete production and building a bottling plant.

Earley asked if there was a way to get high level discussion before a waiver applicant comes in and Green indicated that they could not as it is a public meeting.

10. Adjournment

Motion: Hebbard made the motion to adjourn.

Second: Stephens seconded the motion.

Vote: U/A.

Please note this meeting was not properly posted therefore any information or votes will be reconsidered at the next meeting.

Respectfully submitted, *Shari Bullen*, Dover Utilities Commission

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