

TOWN OF BEDFORD, NEW HAMPSHIRE
WATER AND SEWER ADVISORY COMMITTEE MEETING
THURSDAY, June 9, 2016
MINUTES

Committee members present: Rebecca Hebert, (Planning Director), Bill Duschatko (Town Councilor), Bruce Thomas (Resident), Richard Moore (Resident), Jerome Spooner (Environmental Coordinator). Absent was Kelleigh Murphy (Town Councilor), Mike Sills (Resident) and Paul Arnold (Chairman).

Meeting came to order at 7:52 a.m.

Bruce Thomas as is the Acting Chairman today in Paul Arnold's absence.

Also in attendance today is Mike Trainque, Hoyle Tanner Associates and Jim Stanford, Director of Public Works, Theresa Young, Finance Director and Kathy Nikitas, Accounting Dept.

ROLL CALL

Each committee member introduced themselves.

Approval of Minutes

A motion was made by Bill Duschatko, second by Richard Moore to approve the minutes of the April 14, 2016 meeting. Motion carries; minutes approved.

Unbilled Sewer Service and Back-Billing Policy

Jim Stanford, Director of Public Works provided a Staff Report to the committee that outlines the current issues. Jerome Spooner, Environmental Coordinator, has been working on documenting the sewer infrastructure. In doing so, he has found 27 properties to date, with one of the properties having multiple buildings that have not been billed for the service. At the current time, we do not have a policy dealing with back-billing. The state does allow a three (3) year back-billing. We would like to make a recommendation that we set a policy moving forward. At this time, we are not at the point where we can set the policy. We have looked at a number of other communities for their back-billing policy, which includes a wide range. In the past, the staff has waived the back-billing and that is more from recollection. We do not have a lot of these that were found over the years. This is the biggest amount found at one time and this is due to the documentation by Jerome Spooner, technology, tv-ing and reviewing that was been done recently. Putting the information into a GPS System as well as updating our GIS System. Since we do not have a current policy, we are recommending that we waive the back-billing. Any of the 27 identified properties, a notice was sent out, notifying they would be billed moving forward. Essentially from last November and those sewer bills were sent out in March. This is a Town Council discretion item, therefore, a recommendation would need to go before them. The majority of the properties are residential with a few as commercial property, with one state property. We would like to move quickly on developing a policy, so we would make a recommendation if the Water and Sewer Advisory Committee could have a working group, thus working with staff and get this addressed quickly, so if more should be found, we would be able to address it. This has caused somewhat of a hardship on some of the residential properties since we are unclear what will be done with the back-billing. Titles companies trying to clear the titles, change of ownership on a few of the properties. Due to hardship, we are making a recommendation of a waiver at this time. For the dollar value, Finance Dept. has calculated an average

on the properties that we are speaking of. Residential properties, the value is just under \$9,000.00. Commercial properties, the value is \$39,000.00. These are the fees that would be asked to waive.

Jim did also mention that policies and procedures are to be put in place, such as as-built requirements, which was not done in the past. Going forward, improvements will be made.

Bruce Thomas indicated that if fees have been waived in the past, then there is some kind of unwritten policy. He feels waiving them now would be in line with what we have been doing. Jim stressed, in the past, we have not had many. The concern is we do not have a policy in place. It would seem unfair to back-bill. There is one exception with a commercial property that admitted to knowing they were not getting billed. They also were not getting billed by the City of Manchester for the water. For this property, we are making a recommendation they are to be back-billed the full amount. That property goes back to September 2014, per Theresa Young, Finance Director.

Jim is looking for a recommendation from the committee to go before the Town Council. A recommendation was made by Richard Moore to waive the three (3) year back-billing; seconded by Becky Hebert; motion passed, with one abstention.

Next step is to set up a sub-committee to come up with a policy and procedure. Bruce Thomas, Jerome and Richard Moore and whoever wishes to join are welcome to join the sub-committee.

At the request of Theresa Young, Finance Director, Jim asked if a blanket waiver could be put in place until a policy is in place, as a stipulation. Bruce Thomas asked Richard Moore to revise his recommendation to reflect this request. Becky Hebert mentioned to add to recommend billing the one property who admittedly knew they were not receiving invoices for the sewer. Jim agreed.

Councilor Bill Duschatko commented if we go in for a waiver, we basically are making this a policy now and overstepping our bounds. Since is a Town Council matter, we cannot waive something now without a policy. Bruce Thomas mentioned the Water and Sewer Advisory Committee does not make the policy, we only make recommendations to the Town Council and they make the policy. Councilor Duschatko indicated the next Town Council meeting is not until June 29th. Jim mentioned should more properties be found between now and the Town Council meeting of June 29th, the same recommendation would be made to the Town Council. What is presented to the Town Council will be a set number of properties. Currently, 27 properties have been found.

Theresa Young, Finance Director, explained why the waiver is important as it is affecting the sales of properties not knowing how much to place into escrow. We have to be able to give some information to the title companies and the residents.

Bruce Thomas asked what the amendment was to the recommendation. Jim mentioned to waive any future back-billing until such time a policy is set. Bill Duschatko does not agree as it is possible the Town Council would not agree to this and would want the properties back-billed.

Jim explained to the committee the billing process and how the information is obtained from Manchester Water Works and Pennichuck Water Works.

Richard Moore to recommend to the Town Council to waive the billing until there is a policy in place, for back-billing. Motion was seconded by Becky Hebert; motion passed with one abstention.

Sewer Extension Old Bedford Way/Old Bedford Road

Jim gave a brief explanation – extension – replacement of the existing sewer pump station to the Bedford Village Inn.

There is some potential development beyond the Bedford Village Inn, but this is outside the sewer district of the sewer ordinance.

As part of the potential development, the developer will be removing the pump station and installing a gravity line across Route 101, thereby, solving the Town's perspective of continual maintenance. Our recommendation would be that we believe this qualifies for a waiver outside of the sewer district because it will improve the Town's system. At this time, Jim does not know where in the process the developer is at this time, however, but in concept, we are in favor of this. Chris Rice, TF Moran was present to show and explain this to the committee. Looking to see if the committee has positive recommendation to allow for this to be in the sewer district.

Bruce Thomas with the new sewer system, asked if there would still be a grease trap. Bruce asked if it is a better grease trap system than the current one. Chris said there is no proposed improvements to the grease trap as part of Bedford Village Inn's part. Chris's client has two proposed restaurants as part of his mixed use development, and that will have brand new grease traps. The benefit would be to basically get rid of the pump station and this would help the Town.

Becky Hebert, Town Planner, expressed the project is economically feasible because additional lots are being brought in for sewer. The extension of the district would be to partner with this future development on Old Bedford Road and implement the improved sewer system. Bill Duschatko asked what would happen if they are not able to obtain a variance. Chris Rice mentioned they may look at trying to rezone the property to be commercial. If that would not work, then they would have to comply with the regulations that go with a residential district. Mr. Duschatko indicated to Chris Rice if he is basically asking the committee to recommend to extend the sewer district into an area that has not yet been approved. Mr. Duschatko's understanding is the only thing being done within the district is replacing the current pump station and by-passing over the gravity feed.

Bruce Thomas said the committee could recommend the approval to add the development into the sewer district, subject to the project approval by the Planning Board or whatever board needs to approve it. Becky Hebert mentioned the Zoning Board would also need to approve it. Richard Moore mentioned that we could also mention if it does not get approved, it would be advantageous to install a gravity line.

Becky Hebert indicated that she would like more information before the committee makes a recommendation. She would like to see a map of the district and have more information about the utility extensions. She feels based on the plans received, it is still very conceptual.

Jim Stanford indicated the purpose for this presentation today was mainly for informational purposes only. Jim indicated in order to change the district, you would need to go before the Town Council as this would be an Ordinance change. Jim indicated at this point, we are not in a position to recommend to move forward. Jim agrees with Becky that a full map is needed.

Jim mentioned to the committee that the Bedford Village Inn will be obtaining their occupancy for the Bedford Grand and as part of the project they had to do some paving work. The Town is also doing some paving and a final wearing course will be applied soon. A water line extension is also a part of the work

and has been approved by Manchester Water Works. The sewer work spoken about is outside of the right-of-way. Public Works is not aware of any time constraint at this point. Our recommendation is only for informational purposes.

Project Updates

Jim Stanford briefed the committee on a few of the ongoing projects. Calamar site – Technology Drive – have substantially completed their sewer extension. Jerome mentioned they constructed 200 feet of sewer line, 8 inch. Tied in to an existing sewer line and have paved over what they tied into. The inverts have been completed, pressure tested, lines, manholes. Only item left is to mill and overlay on one small section.

Jim also mentioned a non-private sewer project is on Hull Road and is in the TIF district. This speaks to a few of the properties for back-billing on sewer that we were not aware of. The line is one of the oldest sewer systems in Town and the pipe deteriorated to the point where our main needed replacing before the overlay of the roadway. This has been completed. Two of homes at the end of Hull Road, had connection and deterioration issues and as a cost sharing, we are moving forward with that replacement as well. Work is currently in progress and should be completed by the end of today.

Jim gave an update on the Greenfield Farms Sewer pump station. We are moving into the next phase. Merrimack is obtaining quotes for the repair due to deterioration because of the type of force main system in Bedford. Jim is hopeful this work will get done by the end of this year. In the future, Merrimack may want to discuss some of the levels that has caused the deterioration, possibly an odor control system. For now, we are focused on repairs of the deteriorated system.

Jim also spoke on the PFOA issue and mentioned the Town Manager has been spearheading the Town response. He has updated the Town Council and been in front of the public meetings that have taken place. Jim has been asked by the Town Manager to share some recent information to the committee. Landfill monitoring was recently performed in Merrimack from their landfill due to a concern of what may have been brought to that particular landfill. Tested two of the Bedford wells in that area and the results came back with good news, 14 and 7 parts per trillion. These levels are closer to the background levels, thus positive news. Greenfield Farms area, testing of the Merrimack Water District and those levels have gone down considerably. On Back River Road and South of Green Meadow, the wells tested, approximately 50 homes, with extremely high levels, over the 70 parts per trillion that the state is recommending as the acceptable limit, those properties have received bottled water. The latest from NH DES, bottled water as well as possible future home treatment systems, NH DES is considering this as a temporary solution. They have indicated the long term solution is extension of the water main. The Town Manager does not put out any information that is received on this matter. Callers are referred to NHDES since they are the experts.

Jim also mentioned that whereby Merrimack Landfill was tested, Bedford also performed water test around our observation wells at the Town's Landfill on Chubuck, so that has been sent out for PFOA testing. Jim will share the results once received.

The next meeting date will be **Thursday, July 21st, third Thursday for this month's meeting only.**
Meeting adjourned at 8:33 a.m.

Minutes submitted by Joanne E. Fraser, Executive Assistant, Public Works Dep