



Town of Plaistow ♦ Water Committee
145 Main Street ♦ Plaistow ♦ NH ♦ 03865

POTABLE WATER MEETING

July 20, 2020

Call to Order: 6:30 p.m.

Attendees: Francine Hart, *Chair Plaistow Board of Selectmen*
Julian Kiszka, *Vice Chair Plaistow Board of Selectmen*
Greg Taillon, *Selectman*
John Blinn, *Selectman*
Jay DeRoche, *Selectman*
Mark Pearson, *Town Manager*
John Ratigan, *Esquire*
Gene Forbes, *P.E. Underwood Engineers*
Tim Moore, *Chair Planning Board*
Beth Hossack, *Administrative Assistant*

J. DeRoche motions to approve the minutes of June 29, 2020. Seconded by J. Kiszka.
Discussion: G. Taillon points out on page 3 the rate should be \$5.24 per 100 cubic feet not \$5.24 per cubic foot. The correction will be made to the minutes.
Vote: 5-0-0
Motion carries

F. Hart opens the public hearing at 6:32 p.m.

There are no immediate questions. F. Hart asks G. Forbes to give an overview of the water ordinance.

Section 1 contains all the definitions. Two key definitions are owner and customer. It is important to understand the difference.

Sections 2 - 4 includes applicability, service area, authorization with terms and conditions.

Section 5 is about the application for service. It is important to understand the Merrimack Source Development Charge for capacity. This section is very standard.

Section 6 covers service pipes. The responsibilities of the Utility and customers as well as installation requirements are included. If a line is to come from a water main to a private house, the cost would be the customers and town specifications must be followed.

Section 7 examines the use of private mains, private meters, and plumbing tanks.

Section 8 discusses liability for interrupted or unsatisfactory service. It justifies responsibility.

Section 9 relates to the extension of main pipes. This might occur at the expense of customers according to town specifications and with the approval of the Planning Board and Board of Selectmen.

Section 10 includes the maintenance of plumbing and fixtures privately held and outlines the customers responsibility.

F. Hart asks if any Planning Board ordinances need to be updated to include water.

M. Pearson states conceptually the way it would work is to have a town engineer sign off on any new work according to town specifications. Since we do not have a town engineer, we would hire a third-party reviewer to make sure all work is done correctly. The third-party reviewer would probably be Underwood sine they have been with the town for the full project. The third-party reviewer protects the town.

Tim Moore recommends verbiage be added to the subdivision section for the Planning Board. Something like any new water lines must conform to Town codes and by reviewed by the appropriate person/company or water commissioners.

G. Forbes states there is an example of another town's specifications in the original water binders.

Section 11 discusses meters including those owned and maintained by the Utility, the allowance of private metes and access to meters.

Section 12 defines the use of water and responsibilities.

Section 13 outlines the rules for property transfers including requiring notice.

Section 14 clarifies backflow prevention. It is very detailed regarding customer responsibility and testing requirements.

Section 15 is about prohibited use including tampering and civil penalty.

Section 16 deals with inspections and access to inspect meters and pipes.

Section 17 contains rules for trespassing.

Section 18 covers utility rights and liabilities. It restricts usage and clarifies liability.

Section 19 includes information on discontinuation of service. Including allowable reasons, with or without notice and the restoration of service.

Section 20 is about billing and deposits, rates, access to meters and non-payment issues.

Section 21 talks about hydrants. The main use is for fire suppression however an occasional different use may be approved by the Town. This section also covers fees and costs associated with hydrants.

Section 22 relates to private fire protection and outlines responsibilities.

Section 23 covers water hauling including bulk water sales, and location for bulk delivery.

Section 24 lists violations and penalties. NH RSA 38:26 authorizes fines of up to \$10,000 per day depending on the violation.

Section 25 covers rates, fees, and charges. This section was established by the Board of Selectmen.

Section 26 examines all amendments.

J. Kiszka asks if the town provides water to a private meter such as a condo complex and each unit has its own meter what happens down the road if the condo association wants the town to take over their whole system and the meters are not up to Town specifications.

G. Forbes replies, the town does not have to take it over especially if the meter is sub-standard. Plaistow's responsibility stops at our meter. The location where we sell water to the customer even if the customer is a water company such as Pennichuck. The Town could take over a system if everything is brought up to Town specifications.

G. Taillon asks if the water ordinance will become part of our Town Code.

Attorney Ratigan replies, technically it will not be a part of Town Code. Town Code is generally approved by voters and must be filed with the Town Clerk. Once passed, the ordinance is official and should be posted on the Town's website. A copy will be given to the Town Clerk.

Jim Peck, 206 Oak Ridge Road calls in with a question. He asks how amendments are passed. Do they need to be passed at Town Meeting?

F. Hart replies, no. The Board of Selectmen are Water Commissioners. They can pass an amendment without a Town vote.

J. Peck asks if the original water ordinance must be passed at town meeting.

F. Hart replies, no.

F. Hart closes the public hearing at 6:59 p.m.

Attorney Ratigan states a correction is needed on page 3 of the final draft. Strike the word "attached" and insert "with the rate schedule" then add " adopted by the Board of Selectmen".

G. Taillon motions to adopt the Plaistow Draft Water Ordinance including striking the word "attached" and inserting "with the rate schedule adopted by the Board of Selectmen" as recommended by Attorney Ratigan. Seconded by J. Kiszka.

Vote: 5-0-0

Motion carries

F. Hart thanks Tim Moore for his thorough review and suggestion of the water ordinance.

G. Forbes states rates should be set soon.

M. Pearson wants the Board to know we often get asked what the rates are. People who are thinking of connecting want the rates to plan. He states when the rate of \$5.24 per 100 cubic feet was discussed it was centered around the average household income, the State average, the average use per household and it is within the scope of rates around us. We wanted the rate to be affordable. Setting a rate will also help with writing an RFP for a Water Operator. When the system is turned on most money will be used for operations and a small amount will go into a capital reserve account. As we grow the customer base, we will slowly be able to contribute more money to a capital reserve system. We are also starting a water system with no debt service. One potential customer is a large customer, a Utility.

G. Taillon states he is comfortable with accepting the recommended rate. A lot of discussion has gone into rate setting.

J. Kiszka motions to go with the suggested rates set in the document at this point of \$5.24 per 100 cubic feet. He knows if the rate is a bit off we have the power to adjust it if need be. It is not do or die. Seconded by G. Taillon.

Discussion: J. DeRoche asks if this is strictly the rate we are setting and not incentives.

G. Forbes replies, yes, the rate as listed on the board.

Vote: 5-0-0

Motion carries

F. Hart asks the Board if they want to discuss incentives tonight. They all agree.

J. DeRoche states he is concerned about the installation costs. He wants to make it affordable for people to connect. If we decide to go with a bond, he wants it to be part of the whole plan. He asks if we would have to put forth a warrant article.

F. Hart replies, yes. She asks M. Pearson if a bond article requires 60% vote.

M. Pearson replies, yes 3/5 of the voters must approve it. It would only be paid for by people who use bond money to connect. It would not affect users who do not use the bond and it will not affect taxpayers.

J. DeRoche asks if there are any other options.

F. Hart states we have until the end of the year to decide.

Next a discussion is held regarding how many gallons of water should be used for incentivizing people to join the water system.

J. Kiszka recommends using 20,000 gallons. He states we can always increase the amount later if needed. We should start with 20,000 and review the amount in the future.

The Board agrees.

F. Hart asks the if they agree with the connection incentives if we change the gallons per day from 40,000 to 20,000. There is discussion as to when the incentives should start and end.

G. Forbes recommends waiting until voting is complete in March and rolling out a comprehensive package all together. It would include financing options, incentives, and application information. A press release campaign should be done to get the message out to our residents.

J. Kiszka motions to do the connection incentives changing the 40,000 gallons per day to 20,000 gallons per day. Seconded by J. Blinn.

Vote: 5-0-0

Motion carries

J. Kiszka states to be clear, we must have a plan by March. He also states the cost of water is .7 cents per gallon which is a good deal.

G. Taillon has a concern. He wants to know how the public will interpret the incentives without more information.

F. Hart states at the next water meeting on August 31 we can make more decisions and firm things up.

G. Forbes states he will bring back a detailed proposal to the next meeting.

G. Forbes states P1 contract bid openings will be held tomorrow. Digging for the three (3) miles of water mains should begin in August.

F. Hart received a phone call from a resident. He is concerned that he was not able to enter Town Hall because the front door was locked. Unfortunately, he did not ring the doorbell.

F. Hart apologizes and states we will work on a better method.

G. Forbes states Underwood has requested letters of interest for contract operations. They have received four (4) responses. The next step will be interviews. He recommends hiring a water operator early in 2021. He also states they are working on all the permitting for the pump house on East Road.

J. Kiszka asks when water is expected to be available at the pump station from Atkinson. G. Forbes replies, it will depend on contractors and it may be by the end of the year.

M. Pearson states part of the first phase of the project is to have 250,000 gallons per day available for Plaistow when the system is turned on in Plaistow.

F. Hart adjourned the public meeting at 8:04 p.m.

Respectfully Submitted,

Beth Hossack,
Recording Secretary