

# WINNIPESAUKEE RIVER BASIN PROGRAM

## ADVISORY BOARD MEETING MINUTES

March 24, 2016 – Belmont Corner Meeting House

**Members Present:** The meeting was called to order by Brian Sullivan (Franklin), Chair, at 2:05 pm. Sharon McMillin (DES), Eugene Forbes (DES), Ray Korber (Bay District), Jeanne Beaudin (Belmont), Peter Nourse (Gilford), Paul Moynihan (Laconia), Glen Brown (Northfield), Charlie Smith (Sanbornton), and Johanna Ames (Tilton) were present at that time. Steve Dolloff (Meredith) arrived at 2:10 pm.

**Minutes:** Ray moved, seconded by Jeanne, to approve the minutes for February 18, 2016, as amended. The motion passed.

**Monthly Summary Report:** Sharon provided the following updates based on the *Monthly Summary Report* for February 2016 as previously submitted to the AB by email.

- Franklin WWTP electrical switchgear replacement – The punch list items pending (as of this date) have a value of \$11,900. The final project cost was \$727,698.43 and the project was delivered on time and under budget. A 5-year CWSRF loan is in place for construction costs. This should be included when communities are calculating capital costs. Engineering will be paid out of the Replacement Fund.
- Flow metering verification services – Additional information (i.e. pumping test results for pressure assessments) was requested from WRBP recently by W-P and W-P is now evaluating this information. Once W-P has evaluated all of the data, DES anticipates receiving recommendations from W-P to document where QA/QC can be improved to make it both more defensible and the information more understandable. It may also be used to make a couple of operating adjustments to improve accuracy (e.g. repositioning sensors to allow for wet well geometry used in some flow calculations).
- As-needed engineering and technical support services – DES will be providing recommendations for as-needed engineering budgets for W-P and B&C later on during the meeting today. The budget for each firm was determined based upon the anticipated scope of services for each year of each firm's potential 4-year contract. W-P's contract includes a scope and budget for the combined asset management and collection system task orders, and this scope and budget has been clarified since last month's meeting. The asset management program, collection system condition assessment, and wastewater and solids handling support capabilities were prioritized for initial task order contracts in the agreed-upon DES Implementation Plan and Schedule.
- WRBP infrastructure ownership – Meetings have been held with Belmont and Laconia with consensus reached as to respective responsibilities. Research into easements in Laconia is pending. A schedule for meetings with other member communities will be developed shortly. Costs for the AG's office assistance will be assessed to the WRBP's operating budget.
- Rate assessment formula: The full Advisory Board has expressed an interest in participating in a discussion with DES regarding a draft rate formula at April or May meeting.

**As-needed Engineering Support:** Review of Sharon's March 18<sup>th</sup> letter which was provided by email prior to today's meeting and as a handout:

- Letter to WRBP Advisory Board from the WRBP Administrator, entitled *Recommended As-Needed Engineering Budgets for Wright-Pierce and Brown & Caldwell*, dated March 18, 2016

Brian asked Sharon if anything has changed in W-P's budget for the as-needed engineering relating to the asset management and collection system evaluation tasks that were discussed by the Advisory Board last month. Sharon explained that W-P has clarified some of the information in these task orders based upon the questions that Ray asked at the last meeting and, while the actual budget has not changed, the descriptions of deliverables have been clarified in the scope.

Sharon went on to explain that the March 18<sup>th</sup> letter recommends a budgetary split to include both W-P and B&C under contract with everything included in the Operating Budget. She noted that the only Operating Budget approved to date is for FY17. She reviewed the history of the engineering costs to date as part of the analysis. The asset management and collection system task order with Wright-Pierce was split that up resulting in \$100K for FY17 and \$25K for FY18. She said estimates for additional as-needed studies in the proposed as-needed engineering budget of \$75K/FY for each firm were based upon an average of what has been expended in the past for as-needed support studies. Charlie asked what "authorized by the State budget office" means on page 2. Sharon explained that it refers to a memo to the budget office to allow already encumbered funds approved in multi-year contracts to carry forward into the next FY. She noted that the alternative would be to let the unspent encumbrance amount to lapse. Carry forward or lapse of unspent encumbered budgets is evaluated each FY.

Ray asked if it made sense to increase the budget limits to allow for the new feasibility study proposed to augment the Task 2 Study in the event that B&C or W-P need to perform this work. Brian suggested amending one of the two contracts after they have received G&C approval. Eugene explained that the two firms were not selected based upon a background or experience with this type of work. He suggested that a firm will need to be selected based on knowledge and experience directly related to formation of an independent authority and what the different communities would like to see addressed in the scope of the proposed feasibility study. Ray said his concern was with regard to the financial analysis B&C has already provided, in that if any of the communities are interested in a more detailed financial analysis, it might be a good idea to have funds set aside for B&C to provide the additional analysis instead of putting it out as an RFP. Eugene agreed that this might be a justifiable reason to support a sole source contract to answer these specific questions, if this is the direction in which the communities would like to proceed.

Paul noted some typos in the second page of the letter (i.e. the totals). Sharon said she would revise the second page. Paul moved, seconded by Jeanne, for the Advisory Board to support the recommendations made by DES in the March 18 letter, with the amended total on page 2. The motion passed (8-for and 1-opposed). Steve opposed on behalf of Meredith, noting Meredith's concern over a legal issue that W-P had in Wolfeboro. Ray and Peter indicated that this issue had been vetted by the selection team prior to their recommending both B&C and W-P. Eugene noted that the situation in Wolfeboro arose from W-P geotechnical work and utilized different W-P staff. As such, it is not related to the type of work or proposed staffing covered by the WRBP as-needed contract and the dispute between Wolfeboro and W-P was resolved via a settlement. He further indicated that W-P remains on the DES qualified engineer's roster and DES is comfortable utilizing W-P on the WRBP contracts.

**Strength as a Factor in Future Rate Assessments Discussion:** Eugene explained that he and Sharon have been discussing allocation formulas, and that DES plans to provide recommendations to help the

communities to move forward with rate assessments. He noted that legislative authority allows allocation of cost for the program to be based upon flow and strength. To date, there has been no community cost allocations (with the exception of Bay District) based upon strength.

Eugene said that DES can consider cost allocations to member communities based partially upon strength but was interested in the communities' recommendations for this type of allocation within individual communities. He noted that communities with industrial and commercial entities may be interested in assessing their own fees for certain types of discharges – high strength discharges, for example. Eugene said to keep in mind that some high strength discharges may not be daily; rather, that they might follow a different type of schedule and that it would be necessary to collect additional data beyond what DES already collects to assess for strength in a consistent (and useful) manner. He said that DES has already conducted one round of preliminary testing that supported an argument for allocations based partially upon strength.

Paul and Steve asked if there were any case studies indicating that allocation based partially upon strength is a cost-effective use of resources on the local level. Eugene said that several New Hampshire communities (i.e. Manchester, Londonderry, and Goffstown) assess based upon strength, BOD, and flow and that it is actually very common. He said if a community is interested in allocations based partially upon strength that it would be up to each individual community to decide to what detail to do so based upon its individual needs. Brian said he is definitely interested in learning more about rate assessments based at least partially upon strength.

### **Other Business:**

#### Legislative Update

Eugene said that Crossover Day will be happening in the NH Legislature in the upcoming week or so. This is when bills that have been approved by one branch of the Legislature are sent to the other branch of the legislature for review. SB461 and SB484 have been approved by the NH Senate. Following Crossover Day, they will be discussed in a NH House subcommittee public hearing. SB461, entitled “AN ACT relative to expenditures of the Winnepesaukee River Basin control program funds,” would allow the WRBP to fund the proposed feasibility study related to future ownership of the WRBP. SB484, entitled “AN ACT relative to the role of the Winnepesaukee River advisory board,” includes language similar to that contained in the MOU about having an Advisory Board letter included in capital funding requests going to the G&C.

Jeanne said she will find out the hearing dates for these bills and let everyone on the Advisory Board know. She said she is interested in attending the NH House subcommittee hearings for these bills and asked if anyone else is interested in attending with her.

#### Meetings

The next Advisory Board meetings will be held on **May 5<sup>h</sup> at 9:00 pm** at the Corner Meeting House in Belmont.

The meeting was adjourned at 3:03 pm.

The minutes were prepared by Pro-Temp Staffing.