

MINUTES
SELECT BOARD
TOWN OF PETERBOROUGH
Tuesday, November 7, 2017 – 5:00pm
1 Grove Street, Peterborough, New Hampshire

Present: Ed Juengst, Barbara Miller, Tyler Ward

Also Present: Rodney Bartlett, Nicole MacStay, Brenda Fox-Howard, Vanessa Amsbury-Bonilla, Leo Smith

Chair Ward called the meeting to order at 5:00pm.

Employee Recognition

Brenda Fox Howard introduced Jessica Campbell from School Care who administers insurance for the town. In recognition for people who inspire well-being efforts, School Care recognized Elizabeth Marsh as an employee who goes the extra mile and awarded her with a plaque and recognition of her efforts.

Water and Wastewater Rates

Mr. Bartlett explained the process for the expenditures and anticipated expenditures for the upcoming year. The present rates are \$0.05625 per cubic foot for water and \$.07602 for sewer. With the drought conditions last year, usage was down for approximately five months. As a result, the revenues for water decreased. The revenue shortfalls created a combined deficit for water and wastewater of approximately -\$275,000. In order to recover from the deficit and provide adequate revenues going forward to support ongoing operations, capital and debt requirements, as well as a reserve, recommendation is to increase water by 10% and wastewater by 15% for the next three years. This would equate to a 2018 water rate of \$0.06188 and a wastewater rate of \$0.08743. These percent increases would go into effect every year through 2020. The million dollars that was raised previously was used to buffer the impact of the principal and interest payment on the wastewater treatment plant. Now the town is facing the reality of what it actually costs to run the wastewater treatment plant. Explained that according to the state rates, we are on average a bit higher yet other less technological systems in place throughout the state will be upgraded in order to address the effluent waste from their plants resulting in higher rates throughout the state. Chair Ward asked if there are incentives to use less water. Mr. Bartlett addressed fixed costs that are not dependent of usage and they are the biggest part of the rates. He also agreed that different models of pricing structure including usage tiers could be considered for the future.

Motion: Mr. Juengst made a motion to approve the 10% and 15% increases to water and sewer rates, respectively. Effective immediately. Ms. Miller seconded.

Vote: All in favor. Motion carried.

After the vote, Eddie Gomez made a statement that it appears that using less water is more expensive in the long term. He asked rhetorically if there was any way to mitigate this cost. Mr. Smith stated that the opportunity would be on the revenue side, using different models, increasing block rates, time of day pricing, water surcharges for excessive water use or seasonal rates.

Robert Wood of Conservation Commission, stated that this was discussed at a several meetings. They discussed rate structure analysis using special software and had suggestions of how to rearrange pricing structure. He strongly suggests pursuing this. He suggested a modification of the rate structure, a tiered structure: the more you use, the more you pay. He requested to provide an incentive to use less water but still create revenues for the future.

Review and approval of Select Board Minutes from October 17, 2017 and October 30, 2017

Motion: Ms. Miller made a motion to accept the minutes from October 17 and October 30, 2017. Chair Ward seconded.

Vote: All in favor. Motion carried.

Continuation of Public Hearing on the Petition to Order Repair of the Bell Mill Dam

Chair Ward began by saying that written testimony was taken, DES testimony, requested summaries from the attorneys, letters from the dam owners, letters of support, and a site visit. He reminded everyone that he was only taking new testimony. Mr. Ward opened up the public hearing, and asked for statements. Justin Richardson began by saying he was in the same position as before, determining whether the water rights are owned jointly or in common and requested the Board to decide who has the burden of proof and if that condition has been met. He presented the King's deed and plans which are referred to in the deed. Ms. Miller asked why this deed is important. Mr. Richardson responded that it shows the ownership, which is to the middle of the river, and addresses the questions about allocating cost. Mr. Ward stated that the question before Select Board is not to decide who owns the dam but whether or not the dam needs to be repaired. Mr. Richardson explained the water rights. Mr. Little rebutted that it is not in the charge of the board to determine water rights.

Mr. Richardson presented Contoocook Hydro's grant application to the PUC, highlighting the breakdown of costs. Of the total cost, \$20,000 is allocated to address the safety issues, out of \$259,000 in total cost. The project is all about the generation of electricity. He proposed the dam could be retained at its current level to address the safety issues. He added that the application is in error, saying there is support from the abutter, which was not true. He showed proof from a letter written by Lori Barg to Ms. Porter, introducing herself to Ms. Porter several months after the grant application had been filled out. Brenda Barry expressed how emotional this issue has been and supports this worthwhile project, recognizing the need to have the dam fixed. Henry Taves read an email from Steve Walker, founder of New England Wood Pellet in Jaffrey, with support for renewable energy and support for this particular project.

Ms. Porter presented photographs of her home and dam, showing its current state of disrepair after Contoocook Hydro began working on it. Mr. Little added that it is in this state due to the fact that their work was halted by Ms. Porter, and therefore is not complete.

Posy Bass stated that the dam has been in place since 1751, was concerned about their own property's foundation and deterioration, over and above any aesthetic.

Mr. Gomez asked if testimony is available for public viewing. Ms. MacStay said it would be available via the town website. Mr. Gomez voiced his opinion that what the hydro company did was unethical, alluding to having consent when they actually did not have consent from the other property owner. He recommended taking it up with the Better Business Bureau, an apology from Lori Barg and that the Porters take the high road and allow the technology at no cost to themselves.

Kitty Cloud stated this dam is part of the town's history and legacy and it's too easy to destroy these historic structures of which would be a mistake.

Ms. King, an abutter, read a letter from the Department of Energy Services to Andy Peterson, who was a congressman at the time, saying it's the responsibility of every dam owner to maintain their dam but not cost undue hardship to the owners or abutters. She expressed her concern for the abutting properties and shared her support for this green energy project. Mr. Richardson said he does not have the FERC letter from Mr. Spain and expected FERC to be at this public hearing after a futile attempt at contacting Mr. Spain. Mr. Little stood up to address the board that the issue here is the statutory obligation, FERC is not mentioned in that statute, the legislature has placed the decision of whether to repair the dam on the Select Board, emphasizing that FERC is irrelevant to that issue. Mr. Richardson said the Porters are in agreement to maintain and repair the dam but do not want the profits taken from them.

Mr. Ward explained the only responsibility of the Select Board was to determine whether or not to issue the order to rebuild or repair, specify the proportion of the expense to rebuild, and specify the time in which it shall be rebuilt.

Motion: Ms. Miller made a motion to order the Bell Mill dam to be repaired by the owners; that the repair of the dam and the cost of this petition be borne by the petitioner, Ms. Barry. The dam shall be repaired consistent with the repairs ordered by FERC in its Sept 20, 2017 order. Repairs shall be completed as soon as it is practical and no later than Oct 1, 2018. Mr. Juengst seconded.

Vote: All in favor. Motion carried.

Ms. Porter asked if the Select Board is allowing Lori Barg onto her property. Chair Ward stated it is up to the petitioner to decide how to execute the order.

Ms. Miller made a motion to adjourn the public hearing at 6:20 pm. Mr. Ward seconded. All in favor.

Authorize the Town Administrator to enter into Contracts for Workforce Development and Economic Development Marketing

Ms. MacStay said that the Economic Development Authority has recommended entering into two contracts for the purpose of workforce development and marketing; she recommended that the Town Administrator be authorized to execute these contracts. Ms. Miller requested that the Select Board be updated when the contracts are executed.

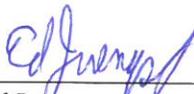
Motion: Mr. Juengst made a motion to allow the Town Administrator to enter into contracts for Workforce Development and Economic Development Marketing. Ms. Miller seconded.

Vote: All in favor.

Ms. Miller made a motion to adjourn at 6:28pm. Mr. Juengst seconded. All in favor. Motion carried.

Respectfully Submitted,
Vanessa Amsbury-Bonilla, Department Assistant

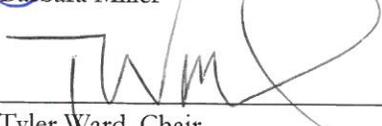
PETERBOROUGH
SELECT BOARD:



Ed Juengst



Barbara Miller



Tyler Ward, Chair