

Town Council Minutes January 14, 2013 Public Hearing

TOWN OF NEWMARKET, NEW HAMPSHIRE
SPECIAL TOWN COUNCIL MEETING – PUBLIC HEARING
JANUARY 14, 2013 6:00 P.M.
TOWN HALL AUDITORIUM

PRESENT:

Council Chairman Phil Nazzaro

Council Vice Chairman John Bentley

Councilor Mike LaBranche

Councilor Al Zink

Councilor Ed Carmichael

Councilor Dan Wright

Councilor Gary Levy

Town Administrator Steve Fournier

Council Chairman Nazzaro called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance. The purpose of the meeting was to hold a public hearing followed by a vote on the Warrant Article titled "Issuance of \$2,402,600 Bonds for the Development of the MacIntosh Well to Include the Electric Service, Wellhead Development, Piping Land Purchase, and Treatment Plant."

The Public Hearing was opened at 6:01 p.m.

Jean Jennings of Packers Falls Road asked that the following statement be read into the record.

"January 14, 2013

To the members of the Town Council:

My name is Jean Jennings. I live at 74 Packers Falls Road in Newmarket. I am here this evening because of my concern over the MacIntosh Well. I would like to read a statement and ask that it be put into the record. I was born and brought up in Newmarket and graduated from Newmarket High School. I spent the next three years in Lowell, Massachusetts while attending St. John's Hospital School of Nursing where I was certified as a Registered Nurse. Shortly after that I returned to Newmarket, my home town. Some of you may remember that many, many years ago the Town of Newmarket was said to have the best water in the State of New Hampshire. And we did! Over the years after many discussions,

committees, and problems we have come to this: What to do about the MacIntosh Well, which I understand has a high amount of cesium (known to me as sodium or salt.) I have a great concern for our children and for other people like me. Many people, like myself, must restrict our sodium intake daily for medical reasons, while at the same time increasing our daily requirements for fluids. This really bothers me since it raises the question: When is the sodium in our water supply too high for human consumption? How does it affect those of us who are required to limit our sodium? I have asked this question several times with no answer. As I understand it the Bennett and Sewall Wells run at 40 mg per liter of Cesium (Sodium). If you blend those two wells with the untreated MacIntosh Well that figure goes up to 130 milligrams per liter of Cesium (sodium.) To me this is a huge increase. If you treated the MacIntosh Well and then blended it with the other two wells, you get just about the 40 mg per liter of sodium, the same amount we now have. As I asked before: When is sodium in our water too high for human consumption especially for those of us who must limit our sodium intake?

That question should be answered before any decision is made by the Council to go forward.

Thank you for your time.

Jean Jennings"

Ms. Jennings distributed an article on health effects and dietary concerns about sodium.

Leo Filion had questions about the secondary water standards. He said that New Hampshire had adopted these standards, and he questioned statements that had been made at previous meetings that these standards were only enforceable if the state receives complaints from water users. He wanted to see something that verified this interpretation. He read from the Safe Water Act which defined secondary standards as those contaminants which affected cosmetics such as skin and tooth discoloration or esthetics such as taste and odor. He said that New Hampshire was one of the states that had adopted these standards as compulsory. He then read from the state law that said regulated secondary MCLs, esthetic-related secondary contaminant levels, meaning that the state had adopted those levels, must be complied with. He said that they were told this the previous year.

Council Chairman Nazzaro asked Water Superintendent Sean Greig to address the health concern issues about sodium levels, especially for those on salt-restricted diets, brought up by Ms. Jennings and the enforcement of secondary standards questions asked by Mr. Filion. Mr. Greig said he could not answer what was an acceptable sodium level on a person by person basis, but he knew there was an advisory limit of 200 mg/L and that 60 mg/L was the taste threshold. He had been told that if sodium levels were in the 100 range, they would have to list it in their consumer confidence report for those on sodium restricted diets. Jeff McClure of Weston and Sampson agreed with Mr. Greig's statements, and added that the World Health Organization listed the sodium standard at 200mg/L, but DES and EPA listed the taste level at between 30 and 60 mg/L. Council Chairman Nazzaro asked if they could confirm that the level would be between 40 and 130 mg/L if they blended the water. Mr. Greig said that based on the report, the average would be around 130. He said if they were below the secondary standards there was no issue as they were told by Brandon Kernin from NHDES. They were also told that if manganese was above the secondary standard and the state received complaints, the standard could be enforced and had been enforced in the past. Mr. Greig said he was relaying what he had been told and could get something in writing to confirm this.

Councilor Levy said he had received a few calls about blending the water, and asked Mr. Greig to explain the process. Mr. Greig used three maps/charts by way of illustrating his answer. Pumping turns on or off according to water levels in the wells. The first one showed what would happen if they treated the water from the MacIntosh Well, giving it the capability of using it as a stand-alone well. In that case, he said almost everyone would get the same water. The second depicted what would happen if they blended the wells. In that case, Bennett and Sewell would come on and run for about 30 minutes after which a valve would close and the water would go into the MacIntosh Well for blending. From there, the blended water would be distributed into the system from the opposite side of the well to most of the town. When the pumps from all the wells were shut down, a valve would open and the water would go backwards to most of the rest of the town. The third showed a small area of town that would only receive water from the Bennett and Sewell. He said that in the summer, with increased water use, that area would be larger, including Dural Drive, Brialia, Wadleigh Falls, and part of South Main Street. This would affect a small percentage of the population represented on the second map.

Councilor Levy asked Mr. Greig about the different secondary standards for those receiving blended water compared to those receiving water from Bennett and Sewell Wells. Mr. Greig answered that most of the standards, manganese, sodium, chloride, arsenic and TDS were lower in water from the Bennett and Sewell. However, everything but

manganese was meeting the secondary standard level. Mr. Greig they were choosing the type of water quality they wanted. If the MacIntosh Well was treated, then the water quality would be the same throughout town and they would be able to shut down and recharge the Bennett Well. He said the wells were currently below normal because rainfalls were below average. Also, if the MacIntosh was a stand-alone well, they would be better able to fix a water main break.

Councilor Zink ask what the addition costs for treating the Macintosh would be for the ratepayers. Town Administrator Fournier said that if the 20 % loan forgiveness was deducted from the \$3, 370,250 bond for treating the water, they would be left with \$2,696,270. If the 20% loan forgiveness was deducted from the \$2,402,600 bond for blending the water, the amount remaining would be \$1,922,080. The difference between costs to the rate payers would be just over \$774,000. Councilor Zink asked what the costs would be if they decided to not treat the water at this time, but decided to do it at a later time. Mr. Greig said that not accounting for inflation, the cost would be \$774,000 plus additional construction costs of about \$275,000 for a building. (Town Administrator Fournier pointed out that the bond that was being discussed was the one for \$2,402,600.) Councilor Zink asked if it was fair to the ratepayers to risk not spending the \$774,000 now if they could wind up having to spend an additional \$275,000 in the future. He felt that the ratepayers should make that decision. Councilor LaBranche asked why they were discussing treating the MacIntosh Well water when that issue was off the table and the procedure for the meeting was to discuss the blending option at \$2,402,600.

Council Vice Chairman Bentley had pulled up a NH DES website and read aloud that as of this time there are no health based standards for sodium and chloride under the Federal Safe Water guide. It added that in the Seacoast region towns could have sodium levels between 75 and 150 just from wind-blown rain from salt water. Levels could be higher in areas that use salt for de-icing. He said he appreciated the concerns he had heard, but he would support this smaller bond. He said that at one time the taste of his water had changed, and even though he was told after testing that the water was safe, he decided to install filters. He thought that different people had different tolerances. In addition, he had had water from Hamill Farm and from the area and had not had any side effects. He said he also supported this Article as it was less costly than the treatment option. He pointed out that the taxpayers would be paying for this in addition to the ratepayers, as the High School was the largest water user and the Elementary School the second largest. Since property taxes would in effect be subsidizing the rates for town properties, he felt they should keep the bond as low as possible.

Councilor Wright asked what the blending ratio would be. Mr. Greig said that had not yet been determined, but DES requires them to do the numbers on the worst case scenario with the largest well out of service. Since the Sewell Well is larger, they had to use the numbers from the Bennett Well. The water treatment for the EDR would cost about an additional \$65,000 a year, depending on what well was in use. Council Chairman Nazzaro asked if everyone would be getting water that met the state primary standards for water quality if the water was blended. Mr. Greig said they would. He then asked if anyone receiving the blended water would have water that did not meet the secondary standards for sodium. Mr. Greig said that would not be true for sodium. Mr. Greig said there was not a secondary standard for sodium, but rather a health advisory set at 200mg/L and a taste advisory set at 60mg/L. According to the State of New Hampshire, the blended water would not present a health risk. He said they might be close to the secondary levels for manganese, and his understanding was that those standards could be going lower.

Mr. McClure said that manganese would give water a metallic taste and cause black staining of laundry and fixtures. In addition it was being tested and recent findings showed it could affect muscular and neurological formation in children at much lower levels than previously thought. The EPA had issued a health advisory that infants should not have drinking water that exceeded .3mg/L. New Hampshire does not have a primary standard for manganese and sets the secondary standard at .5mg/L. The blended water tested at about .6mg/L.

Councilor Levy asked if the \$2,402,600 bond would be enough for the flexibility to build for upgrading to treat the water if necessary. Mr. Greig said it wouldn't be, but they had estimated building the facility for flexibility would cost about an additional \$100,000. (He had earlier said \$275,000, but said that was for other upgrading expenses.) Town Administrator Fournier said that the bonding law in New Hampshire said they had to raise and appropriate the total cost before any grant money or loan forgiveness was deducted. The grant is applied to the amount of the bond. Once a bond amount is approved, extra money cannot be added even though it seems that the loan forgiveness would cover the amount. As applied to adding future flexibility to the construction, those costs would have to be added to the original bond request, in this case \$100,000 for a bond of \$2,502,600 which would be the gross cost of the project. Councilor Levy said they should consider adding the flexibility now, as it could save them in the future. In addition, Mr. Greig said they would be saving about \$30,000 annually in operating costs by not using the EDR treatment.

Council Chairman Nazzaro said they had not closed public comment and recognized Mr. Filion. Mr. Filion said there was another blending option that was not being discussed. He felt that with the no-blending option, about 95% of the water would be blended in about 10 to 12 minutes in the pipes from where they were joined on the way to the storage tank and

then mix further. He said they were talking about spending millions of dollars to blend water that would be blended anyway. He had developed the plan and installed the piping on Bennett Way. He did agree that the people on Hershey Lane as well as a few others would be getting the water before it was blended. As there was no further public comment, Council Chairman Nazzaro closed the Public Hearing at 6:41 p.m.

Town Administrator Fournier said they would not need to suspend the rules to vote on the Article because this was a special meeting. Council Chairman Nazzaro called for a motion on the Article. Councilor Levy moved, reading the entire Article in full, to include the Article on the Town Warrant: To see if the Town will vote to raise and appropriate the sum of \$2,402,600 (gross budget) for the development of the MacIntosh Well to include electric service, wellhead development, piping, and land purchase and to authorize the issuance of not more than \$2,402,600 of bonds and notes in accordance with the provisions of the Municipal Finance Act (NH RSA 33:1 et seq. as amended) and to authorize the Town Council to issue and negotiate such bonds or notes and to determine the rate of interest thereon. Further, to authorize the Town Council to apply for, negotiate, contract for, seek and do all things necessary to obtain such Federal and State grants-in-aid, contribution, assistance and to participate in the State Revolving Fund (SRF) RSA 486:14 established for this purpose as may be available, and to adopt any resolution relating thereto and to take such other actions as may be necessary to effect the issuance, negotiation, sale and delivery of such bonds or notes as shall be in the best interest of the Town of Newmarket, NH. If passed, there will be no impact on the tax rate. There will be an impact on the Water Rates. (2/3 majority vote required).

Council Vice Chairman Bentley seconded.

Discussion: Councilor Levy said he did not know if providing for the flexibility he had spoken of earlier could be done at this time or would have to wait for the Deliberative Session. He felt it would be preferable to have a plan in place should they need to treat the water. He asked what work would be done if they added the \$100,000 to the bond. Mr. McClure said they could make one of the walls removable so that it would be easier to add width to the building for treatment equipment. A treatment facility would be about 60' by 40', whereas a blending facility would be about 60' by 32'. Also they could make the slab and walls thicker. Councilor Levy then asked for a comparison of what would have to be done and what the costs could be if the facility was not built for flexibility and they found the water had to be treated. Mr. McClure said they would not be able to build an additional 8 feet to the building or provide for different mechanisms and might have to build a separate building. He agreed that it would be cheaper in the long run to do the work at the beginning.

Councilor Levy said he wanted to amend the amount in the bond to \$2,502,600. Councilor Zink said he agreed and thought it was when Councilor LaBranche had suggested that at the last meeting. No one disagreed with amending the motion to add \$100,000 to the bond to allow for possible future treatment.

Councilor Levy amended the amount in the bond to \$2,502,600. Council Vice Chairman Bentley seconded. Town Administrator Fournier polled the Council on the amendment. Amendment passed unanimously, 7 – 0. Town Administrator Fournier polled the Council on the original motion. Motion passed unanimously, 7 – 0.

Council Vice Chairman Bentley moved to adjourn. Councilor LaBranche seconded. Motion carried unanimously and the meeting adjourned at 6:50 p.m.

Respectfully submitted,

Ellen Adlington,

Recording Secretary