

**Milford Water/Wastewater Commissioners’
Meeting Minutes
February 4, 2016**

Present: Michael Putnam, Chairman
Dale A. White, Vice-Chairman
Robert E. Courage, Member
David Boucher, Director
Evelyn Gendron

Call to Order

Chairman Putnam called the meeting to order at 11:00 a.m. The commissioners and Director Boucher welcomed Mr. Tim Finan and Mr. Tom Schmidt, Granite Town Media (GTM). Mr. Finan explained GTM wants to cover the Board of Commissioner (BOC) meetings as has been charged with transparency of town meetings and therefore want to cover everything, and if they don’t they would be abdicating their responsibilities. The GTM committee will be meeting with the Board of Selectmen (BOS) on Monday. Two other committees have indicated to the GTM that they wish to not have their meetings covered by the GTM, a direct result of the Board of Commissioners’ position and knowledge of a legal opinion having been obtained indicating videotaped board meetings is not a necessity. Mr. Finan said he is on the Planning Board. The GTM wants to avoid boards and committees “picking and choosing” meetings to be broadcast, for example, avoiding the broadcasting of meetings that may involve an awkward conversation with a developer, and transparency would be lost. Mr. Schmidt pointed out that non-public meeting sessions would not be video recorded. He said GTM noticed a change in the tenor of their meetings since their meetings have been videotaped. Mr. Finan said it would be perfectly legitimate if the Town decides that this is a failed experiment. He said he thinks that would be fine, however he feels the GTM must make the effort to cover meetings. Public opinions have been posted on Facebook that allude to the commissioners maybe having something to hide. Mr. Schmidt said a fair amount of local viewers tune in to the on-line meetings broadcast by GTM and are counted as “hits”. The ability to count online viewers is an advantage over GTM’s previously aired meetings over cable TV. He admitted he misses the old Town Meeting discussion format and feels that not enough people attend Deliberative Sessions and yet (in March) when inside the voting booth those same people may feel Town budget expenses cannot be afforded and therefore vote down the Town budgets. Mr. Schmidt said being in the audience during former Town Meeting discussions he usually found reason to change his mind on at least one thing. He would like to make it easier for people to engage, the more engaged they will be, and they will understand more about what is going on in Town.

Vice-Chairman White said a discussion between the BOS and BOC has not taken place regarding broadcasting the meetings. He welcomes a discussion with anyone who feels the commissioners have something to hide. Mr. White said he is against the BOC meetings being broadcast, he feels it is a waste of time and money and prefers direct inquiries and personal participation at the commissioners’ meetings, which are typically rather brief meetings. He said he feels the commissioners do an exceptional job at meeting the requirements of the Right to Know meeting rules. Mr. Putnam said the meeting minutes are very clear. Mr. White said he’s been on the Board of Commissioners for six years and to the best of his recollection the first time someone attended a BOC meeting without being on the

Water/Wastewater Commissioner Meeting Minutes
February 4, 2016

agenda or having an issue to present was Town Administrator Bender a few weeks ago. Everyone else had been either invited or had made an appointment to attend a meeting. We do not have people lining up to see how we purify dirty water or distribute clean water. Mr. Finan said he could play “devil’s advocate” in that may be the case because people do not know about what is going on. Mr. White said that is his point: if the people care enough to be curious, come and see, just like he had attended the deliberative session, because he cares. He recalled counting approximately 40 people in attendance at the January 30th Deliberative Session and half to three-quarters of the audience were Town employees with a vested interest. Mr. White said his position is nothing against the GTM, and feels the broadcasting doesn’t create transparency, he prefers people come to the meetings, come to see the commissioners. He reiterated feeling irritation with being told the BOC meetings would be covered, when the Right to Know laws are being met. He understands people can attend and record meetings using smartphones, but he doesn’t want to adjust how the meetings will be conducted, start to finish, just so the meetings can be broadcast. The commissioners do not wish to have recording equipment mounted onto Water Utilities’ conference room walls or furniture being moved to accommodate recordings. The commissioners hear rumors that others think the commissioners are doing something wrong. It bothers him to hear that. Mr. Finan said he understands. Mr. Schmidt said Mr. Putnam is a Selectmen’s representative and that he had attended one of the GTM meetings to voice BOC objections to being recorded during future meetings. He acknowledged that no one has the right to interfere with how the BOC meetings are conducted; coverage should be as unobtrusive as possible. He explained that three meetings can be covered simultaneously within Town Hall. Mr. White added that he is aware of the kinds of problems that can be created through an audience tuning into a previously recorded, broadcasted meeting in progress at an inopportune time of day or night without the ability to inquire whether their perception is accurate or indicate whether they have additional questions. Issues can be created that weren’t there before.

Chairman Putnam said the issues being raised this evening are the same as those mentioned in the letter and are the same as he had mentioned to the Selectmen twice. In support of what Mr. White had said earlier, Mr. Putnam said he’s had to explain topics covered during BOS meetings to people who had not attended in person and had seen broadcasted meetings, when it was clear they had only caught half of a conversation. Mr. Schmidt acknowledged this is a legitimate problem when meeting topics will straddle multiple meetings, and conversation by board members should be kept in context. Mr. White said he wouldn’t expect much audience interest when the commissioners are discussing a grinder pump within the septage system. Mr. Finan said that after a month or two of being broadcast, the BOC wouldn’t even think about the equipment in the room, out of sight, out of mind, you wouldn’t even think about being on TV. He said the Recreation Commission, Conservation Commission and the Budget Committee were also against being televised. Mr. White reiterated that the BOC meetings have the requirements covered. The BOC does not feel the GTM don’t do a good job. Mr. Schmidt said if the BOC were not meeting requirements, the GTM would not be the solution. He said the GTM is really outside the Right to Know law. Being on TV does not improve or increase a board’s ability to meet Right to Know Law requirements. It was agreed people present to record meetings cannot interfere with the meeting proceedings. Mr. Putnam said BOC meetings only affect a percentage of Milford residents, not necessarily all taxpayers. People with wells and septic systems would not be interested, yet people who use town and school facilities might be.

Mr. Finan said the BOC’s position is understood and there is nothing personal, no one should take it personally if they come to a meeting to record. Mr. White invited inquiries by other committees of the legal opinion obtained. Mr. Schmidt said the GTM is in its 11th year and that the GTM prioritized the

list of 10 committees in response to the BOS request to expand coverage of meetings. He recalled that the pipeline was a high priority, and the GTM meetings had been requested to be aired. He said it is unfortunate that background information had not been communicated prior to Mr. Mike McInerney, Director of Community Media, coming to the BOC to announce media coverage would begin*. Commissioner Courage agreed that a general discussion initiated by the BOS would have helped. Mr. Schmidt said the videotaped BOS meeting of June 8, 2015 contained GTM's discussion with the BOS regarding the idea for adding a second meeting room at Town Hall for broadcasting meetings on the PEG Access channel.

*Postscript: On April 14, 2015, Mr. McInerney met with the Board of Commissioners.

Mr. Schmidt said the hassle of being on TV may be counterbalanced by the ability to sell what you need to be approved. Mr. White pointed out that a large ratio of the Water Utilities budget is necessary to meet regulatory agency mandates, as opposed to finding ways to spend money. Mr. Schmidt asked how many people know that there are separate commissioners. Mr. Finan said he bets not many know this. Mr. Boucher said that is why meeting agendas are posted in advance of meetings, including on the Milford Website, and minutes are available after meetings.

Director Boucher said even well publicized public hearings to discuss proposed water and sewer rate increases have resulted in low turnout, and that questions posed by those in attendance included off-topic inquiries such as whether future plans existed to extend water/sewer lines, as those people were not yet water/sewer users. In response to Mr. Finan's inquiries about the Emerson Road pump station, Mr. Courage explained Milford's water distribution system can only serve to a 390' elevation level without a booster and gave a brief history of Pennichuck's water connection near the Hampshire Dome. He said that Milford's contract with Nashua's Pennichuck expires in 2020 to purchase bulk water on an as-needed basis, when water demands exceeds what can be safely pumped from the Curtis Wells. Milford wants and needs this back-up water system, he said, and is something that the NH DES recommends every water community have in place prior to a water emergency. Mr. Putnam briefly explained how the Ashley Commons residents came to be Milford water customers after originally having its private system failed. Chairman Putnam turned the attention to the remainder of the agenda items, welcoming Mr. Finan and Mr. Schmidt to feel free to stay until the end of the meeting if they would like.

Decisions/Approvals

Approval of Meeting Minutes – Chairman Putnam asked for a motion regarding the minutes of the previous commissioners' meeting. Vice-Chairman White made the motion to approve the January 19, 2016 meeting minutes as presented. Commissioner Courage seconded the motion. All voted in favor.

Water Users Fee/Tax Collector's Warrant – The Commissioners signed the Tax Collector's Warrant for collection of taxes in the matter of water users fees for the January 2016 Bill Commitment 160129 and for the January 2016 Final Bills issued.

Sewer Users Fee/Tax Collector's Warrant – The Commissioners signed the Tax Collector's Warrant for collection of taxes in the matter of sewer users fees for the January 2016 Bill Commitment 160129 and for the January 2016 Final Bills issued.

Milford/Wilton 2014 Adjusted Cost of Operations – Chairman Putnam asked Director Boucher to discuss the calculations provided within printouts received from the Finance Department. Mr. Boucher said the 2014 financial audit is complete, and briefly overviewed the formulas that determine whether the Wilton Sewer Commissioners/Town of Wilton is owed a payment from Milford after accounting for Wilton's monthly paid share of Milford sewer budget expenses, factoring in Wilton's monthly flow, or whether Wilton owes Milford beyond the monthly amounts paid to Milford. The Wilton Board of Sewer Commissioners had been made aware that the amount owed to Milford was being calculated formally, yet hadn't received notification of the exact amount due for 2014, said Mr. Boucher. Milford's Finance Department requires approval by the Milford commissioners. Following discussion of the calculations, Vice-Chairman White made the motion to approve the Milford Finance Department sending the invoice to Wilton advising that the amount of \$8,098.00 is the total amount due from Wilton in payment of the 2014 Adjusted Cost of Operations, for Wilton's share of Milford sewer expenses. Commissioner Courage seconded the motion. All voted in favor.

Discussion/Information Items

Underwood Engineers - HVAC – Mr. Boucher said five HVAC companies have received an invitation to attend the non-mandatory pre-bid information meeting and site inspection for this project, which will be held at the Water Utilities Department on the 18th of February at 9:00 a.m., and the HVAC project bid opening meeting is scheduled to be held at the Water Utilities Department on the 3rd of March at 2:00 p.m.

U.V. Disinfection Upgrade Project – 1/26/16 Bid Opening Results – Mr. Boucher distributed the January 29, 2016 correspondence received from Underwood Engineers regarding the Award Recommendations for this project. The low bidder is the Penta Corporation with a total Base Bid Price of \$695,900.00. Underwood reviewed and determined that the bond information meets the project requirements. Mr. Boucher said that after Town Vote, should this warrant article be approved, the project award will be ready to go. Commissioner Courage recalled the brief presentation given during the January 30, 2016 Deliberative Session by Mr. Dave Mercier, Underwood Engineers, in which it was explained that future wastewater capital upgrades over 10+ years was originally estimated at \$950,000.00 and that the engineering portion would be paid from the capital reserve account. He said a motion had been made during the Deliberative Session by Selectman Gary Daniels to reduce the bond, to which Commissioner Courage spoke against, indicating the bonding amount should be left as proposed at \$950,000.00. Mr. Courage said he had figured that the \$695,000.00 would cover Underwood's engineering expense for this project, rather than taking it out of the capital reserve account, and that the unanticipated expenditure that the commissioners had been informed of, on the day of the bid opening, for an additional electrical upgrade that would be necessary between the Water Utilities Administration Building and the Main Pump Station, since underground wiring must be relocated to as not to interference with the Parshall Flume operations. The fact that Underwood Engineers didn't investigate the underground electrical situation prior to having proposed the location of the Parshall Flume, should not change the project cost. Any extra engineering expenses should not be paid for—it was their mistake, he said. Mr. Boucher said he would verify the amount, as Mr. Mercier could have been speaking about the previous amount already spent on the project, and the contract fees already paid, which are separate from the engineering fees for the actual oversight of the construction. Mr. Courage said whether it is right or wrong, whether the cost for the engineering fees for this specific project should be included in the project costs. Mr. Boucher said yes. Mr. White said and that is what makes up the \$950,000.00. Following discussion, Mr. Courage made the motion that the entire U.V.

Disinfection project should be done within the \$950,000.00 originally proposed by Underwood, including the construction, engineering and other costs, within the \$950,000.00; no further expenditures should be needed beyond this amount. Chairman Putnam seconded the motion. All voted in favor. Mr. White asked Mr. Boucher if he would take care of communicating this. Mr. Boucher said yes. Mr. White said Mr. Mercier is welcome to attend a future meeting if he has any questions.

Activities Report and Financial Reports – Received and reviewed by the commissioners.

Items not on the Agenda – Commissioner Courage requested 2016 Director’s Goals be on the next agenda for discussion.

Miscellaneous Water Utilities Department Project Updates – Mr. Boucher apprised the commissioners of the painting progress made in the pressroom walls and floor. The lower pump room has been repainted. The sewer crew has been working on Farley Street with UTS to televise the line to the interceptor. An easement exists and the line will be marked. Mr. Boucher responded to the commissioners’ questions regarding pipe construction and size.

Future Appointments/Meetings:

Tuesday, February 16, 2016 at 6:00 p.m. The next Commissioners’ meeting will be held at the Water Utilities Department, 564 Nashua Street.

Thursday, February 18, 2016 at 9:00 a.m. The non-mandatory pre-bid meeting regarding the HVAC project will be held at the Water Utilities Department, 564 Nashua Street.

Wednesday, March 2, 2016 at 2:00 p.m. The bid opening for the HVAC project will be held at the Water Utilities Department, 564 Nashua Street.

Adjournment: At 11:55 a.m. Chairman Putnam made the motion to adjourn the meeting, seconded by Commissioner Courage. All voted in favor.

Michael E. Putnam, Chairman

Date

Dale A. White, Vice-Chairman

Date

Robert E. Courage, Commissioner

Date