

**RYE WATER DISTRICT
MEETING
Wednesday, June 7, 2023 – 9:00 a.m.
Water District Office – 60 Sagamore Rd.**

Commissioners Present:

**Ralph Hickson, Chair
Scott Marion
Rosalie Lopresto**

Others Present:

**Arik Jones, Superintendent
Dyana Ledger, Business Manager
Tom Mack, Resident**

I. Call to Order

Chair Hickson called the meeting to order at 9:02 a.m.

II. Approval of Minutes

- May 3, 2023

Motion by Scott Marion to approve the minutes of May 3, 2023 as amended. Seconded by Rosalie Lopresto. All in favor.

III. Chris Berg, Wright-Pierce – Project Update

Not present at meeting

IV. Superintendent’s Monthly Report, Pumping Chart, and Data Report, and Bacteria Tests for May

Superintendent Arik Jones reviewed his monthly reports and pumping charts for the month of May.

- The water usage is down from this time last year, due to the recent rainfall received over the past month. Last year, May had 2.15 inches of rain and this May, almost 5 inches of rain has been received.
- There are no concerns with the well levels at this time, nor the pumping of gallons per minute.
- The construction of the point of entry building is anticipated to be completed by the end of the week. This project was done to provide a single point of entry for all the

wells. This will allow for a more uniform blend of water before going out to customers. It will also allow for a single point of chlorination and will potentially allow for sequestering to hold the iron in suspension. The HVAC system for the building will be done within the next two weeks. An electrical conduit will be dug from the Garland well to the building. The reason for this over a new service is because this building will be in control of the generator used in case of failure. There will be enough load capacity to supply the point of entry building and the Garland pump house from the one generator.

- Lead and copper samples are being collected or have been scheduled to go out (24 out of the 40). The samples are required to be done by the end of June. Another round of 40 samples is due the second half of the year.
- Backflow testing is about 90% complete.
- The June bacteria samples are being pulled today. Quarter 2 PFAS samples were pulled last week, so the results should be ready within two weeks.
- Work has been done with CMA Engineering to access the monitoring wells to look at static and pumping levels. From this point forward, CMA will be required to submit PFAS information also.
- The tank mixer at Breakfast Hill had a hard fault failure a couple of months ago. A full diagnostic was done and it was determined that there is a default in the equipment. The manufacturing company has issued a new mixer under warranty. The install will be scheduled with Underwater Solutions soon and final connections will be made by Ewing Electrical.
- Rye Water has been fortunate to acquire a leak detection grant from DES, almost every year it's been available. DES will be coming out on June 13th to perform leak detection work in the District. The applications for the grant are already being submitted for next year.
- DES has wrapped up water audit work being done by Tighe and Bond Engineering. A conference is being held at DES on June 15th for the finalization of the audit report.
- The Wallis Road project is on hold at this time for the summer season. A progress meeting was held on June 6th with Wright-Pierce and the contractor. There were some issues with the submittals for payment with the contractor for payment; however, that has since been resolved.
- An irrigation permit form is being drafted and will be reviewed by the building inspector. A copy of the draft will be submitted to the Commission for review once completed.

Motion by Scott Marion to approve the Superintendent's report for the month of May. Seconded by Rosalie Lopresto. All in favor.

V. Cash Flow Reports for May

The Commissioners reviewed the cash flow reports and expenditure graphs for the month of May. There was a question in regards to the permits and licensing budget item, and the main repairs line item. Business Manager Dyana Ledger will follow up on these figures to confirm accuracy of year-to-date expenditures for these items.

Motion by Scott Marion to approve the cash flow reports for the month of May. Seconded by Rosalie Lopresto. All in favor.

VI. Correspondence

The following correspondence was received for projects going before the Planning Board at their next meeting. The Commission did not see any issues of concern with the projects being proposed that may affect water district property.

- a. Rye Planning Board – abutter’s notice for 33 Sagamore Road**
- b. Rye Planning Board – abutter’s notice for 850 Washington Road**

VII. Old Business

a. Aquarion Water Discussion

The Commission had a brief discussion about the meeting that was held with Aquarion Water on May 31st regarding a possible merger.

Commissioner Marion commented that the proposal should be presented to the residents of the District.

Commissioner Lopresto stated she was very impressed with the people from Aquarion and Carl McMorran does an excellent job. She has spoken with Frank Drake at Rye Beach and he has been very happy with Aquarion through the years. She thought it was a very good meeting with Aquarion and it needs to be presented to the Town, as well as presenting the discussion that was had with Portsmouth that they would like to continue as is in an informal partnership. She pointed out the customers have to decide.

Commissioner Marion noted that Aquarion is looking for more information from Rye Water. The Commission needs to authorize the Business Manager and Superintendent to provide that information, so Aquarion can make a decision on whether they want to move forward.

Commissioner Lopresto stated that the other question that needs to be asked is whether the District stays as is. Speaking to Superintendent Jones, Commissioner Lopresto asked how he sees the Rye Water District in five years.

Superintendent Jones stated that he would like to see the Rye Water District maintain its control within itself. In looking at external merging, the only route that should be considered, if it goes in that direction, is with the Town.

Commissioner Lopresto stated this is something that should be considered also, meeting with the Town.

Commissioner Marion agreed that the Town should be involved. He is not sure of the governance structure and how it would work.

Commissioner Hickson commented that he believes it would become part of public works, just like Portsmouth and other towns.

Commissioner Lopresto stated there needs to be a long-term plan. RWD could look at a three-year plan and stay as is. If the treatment plan comes into play, it's going to require more personnel.

Superintendent Jones commented that in his opinion, there really isn't a choice about the central treatment plant. The ruling is coming and there is no question. He noted that Aquarion is asking for RWD to divulge a lot of information, and they want to review the assets and financials. It's expected that RWD is going to "open the door." He pointed out that he asked for one small thing and they shut it down. Superintendent Jones stated the door is not going both ways. He commented that Henniker was purchased by Aquarion. It was a very similar community like Rye. Aquarion boasted that they were going to have good rates and once they got in, every year the rates were increased. Aquarion's sales pitch that they have a 95% customer satisfaction is not correct.

Commissioner Lopresto agreed with Superintendent Jones.

Superintendent Jones continued that he thinks personally, especially with what happened with the boil order, that RWD owes the people that they serve the rebuilding of trust in RWD. The District should start moving forward with doing the right thing with treating the water. Five years down the road, after the work has been done, maybe Aquarion should be considered. He is concerned that the sale of the Rye Water District will transpire without proper information and the residents will regret what they have done down the road.

Business Manager Ledger commented that people are in a vulnerable state right now because of the past boil order. They might make a decision that they wouldn't have made a year ago.

Commissioner Lopresto commented that she thinks people have moved on from the boil order.

Commissioner Marion stated that as a commissioner, it doesn't matter what we think as an individual. The Commissioners need to do the due diligence as a responsibility to the District. The information should be presented to the public at informational sessions. It's a legitimate proposal. He feels the Commission needs to be open.

Chair Hickson agreed. It has to be presented to the public to get their input.

Commissioner Lopresto commented she would like to get their input; however, they are also going to ask what the Commission thinks. She does not know what the answer is right now. She is not sure what is best for the Town.

Superintendent Jones pointed out that Aquarion will need to present the information and let the people make the decision.

Business Manager Ledger agreed that people will look to the Commissioners for advice.

Commissioner Marion noted the proposal is not at that point. This is just initial information sessions to address questions.

Business Manager Ledger pointed out that it should be brought to the residents' attention that Aquarion is not going to be paying for this merger. Aquarion was talking about a merger surcharge. The residents are going to be paying for the merger. In regards to the treatment plant, not all residents are going to pitch in to help build a treatment plant, as it would not benefit all Aquarion customers. There will be a surcharge to the residents for the treatment plant.

Commissioner Lopresto pointed out that Aquarion bought out the water rights in Haverhill and provided the water for over eighteen years. The City of Haverhill ended up paying one hundred and fourteen million to get its control back.

Business Manager Ledger commented there would have to be a vote to dissolve the District. She also commented that the Rye Beach and Jenness Beach Precincts collect a tax, in order to pay Aquarion for hydrants used for fire protection. The question would be whether the Rye Water District could even dissolve because there would still be a tax for hydrants.

Superintendent Jones pointed out there are also customers in the District who are supplied by Portsmouth, so this would have to be factored in. Is the Rye Water District still going to exist for those customers?

Commissioner Marion stated these are all legal issues. That is why there needs to be more ears involved. The Town is going to be implicated in some way. It would probably be cleanest for the Town if the District still existed, so hydrants and such could be dealt with.

There was some discussion about setting up a meeting with the Town Selectmen. It was agreed this should be the first meeting for the Commissioners. There was also some discussion about providing Aquarion with the additional information that they requested. The Commissioners agreed that they should be provided the information. Commissioner Marion agreed to reach out to Selectman Tom King to set up a meeting.

Tom Mack, resident, asked to make a brief comment on Aquarion. He stated that twenty years ago during a study of this area, he went to all the towns and asked for data. The towns opened their doors, Rye included. With Aquarion, it was entirely different as a corporation. They would respond with a lot of pressure and would only allow certain data to be given. Aquarion won't be as open about what they're doing. They go through a process with their consultants about what can be shared.

Commissioner Marion noted this is part of the things that people will have to understand. People are not going to be able to just walk up to the superintendent and talk to him for an hour. He reiterated that they have to bring the information to the residents. By law, they have to be more open. He thinks the Commission needs to follow this through.

It was noted that a two-thirds vote is needed to dissolve a district. Chair Hickson agreed that this proposal needs to be brought to the residents. He summarized that a meeting should be set up with the Select Board to get their input. It was agreed to try to set up a meeting with the Select Board for June 21st.

Motion by Scott Marion to authorize the Business Manager and Superintendent to provide the information requested by Aquarion. Seconded by Rosalie Lopresto. All in favor.

b. Cell Lease – SPRINTCOM, INC.

The Commission reviewed the renewal lease for SPRINTCOM, INC for cell equipment located on the Breakfast Hill tank. Attorney Frank Quinn has reviewed the lease for RWD and has made some recommended edits. The lease begins in April of 2024. The Commissioners did not have any issues with Attorney Quinn’s edits. The draft lease will be sent back to SPRINTCOM for their final review and approval. The lease will come back to the Commissioners for a vote and signatures before going into effect.

VIII. New Business

None

IX. Town Planning and Zoning Minutes

No concerns or issues were noted in the Planning Board or ZBA minutes.

X. Other Business

a. Water Operator job posting

The Commissioners reviewed and agreed with the water operator job posting. The job posting will be put on the website and on the State’s municipal job posting sites.

b. Non-Public Session per RSA 91-A:3, II (c) Reputation

At 10:50 a.m., Scott Marion made a motion to go into non-public session per RSA 91-A:3, II (c) Reputation. Seconded by Rosalie Lopresto.

Roll Call: Scott Marion – Aye; Rosalie Lopresto – Aye; Ralph Hickson – Aye

The Commission came out of non-public session at 11:08 a.m.

Adjournment

Motion by Scott Marion to adjourn at 11:09 a.m. Seconded by Rosalie Lopresto. All in favor.

Respectfully Submitted,
Dyana F. Ledger