

Note: Draft minutes are subject to corrections, additions and deletions.

December 4, 2017

PRESENT: Jim Waddell, Chairman  
Regina Barnes, Vice-Chairman  
Rick Griffin, Selectman  
Phil Bean, Selectman  
Rusty Bridle, Selectman  
Frederick Welch, Town Manager  
Mark Gearreald, Town Attorney

7:00 PM Public Meeting

SALUTE TO THE FLAG

#### I. Public Comment Period

Halyna Sorensen, 7 Greene Street: wants to thank everyone on the Board for all their efforts and having a warrant article issued; efforts going on to resolve the problems in the flooding areas.

Charlie Preston, 47 Glade Path: thank you for your action last week on the Ashworth Avenue parking lot; state also said they were going to try to do stuff with their lot, north of Ashworth; maybe next year we will get rid of the parking ban.

Mary-Louise Woolsey, 148 Little River Road: at last meeting manager said we are getting nothing done, just picking up trash; memo warning residents not getting recycling pick up due to repair needs; lose around 17 employees in the DPW; short staffing results in loss of work being accomplished; not happy seeing report in Hampton Union. Asking public for \$15,000,000 bond in March and you have conditions in the DPW that are reflective in the Wastewater Facilities Plan. I suggest that you stop the collection of waste from commercial entities at the beach; spending money on vehicles and other accessories at the DPW that they would not need, time has come to stop collecting commercial staff, should never have been started. Wright-Pierce's report caught my eye as heading on this says Selectmen billing residents for sewer; read from page 2-11, industrial surcharge fee; read from page 2-17.

Chairman Waddell: I have given you the same amount of time that I gave Charlie. Mary-Louise Woolsey: wait one minute; continued reading from page 2-17.

Chairman Waddell: please. Mary-Louise Woolsey: continued reading.

Chairman Waddell: thank you. Mary-Louise Woolsey: you have got better.

Chairman Waddell: thank you. Mary-Louise Woolsey: you have to do better with the DPW.

Chairman Waddell: thank you very much. Mary-Louise Woolsey: yes, I know.

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Chairman Waddell: I know. Mary-Louise Woolsey: at some point in time if one could sit down and have a civilized discussion with the Board that might be very nice.

Chairman Waddell: thank you very much.

## II. Announcements and Community Calendar (12:45)

Selectman Bridle: had a great tree lighting and wonderful Christmas Parade; good to see all the businesses and groups that participated; thank the voters who supported the warrant article last year; one of the best-attended parades we have had in a long time.

Selectman Griffin: did they have singers at the tree lighting.

Selectman Bridle: they had a DJ; 5-6 restaurants and organizations giving out snacks; probably over 1,000 people at the tree lighting.

Chairman Waddell: reiterate the Christmas Parade was one of the best, well attended; tree lighting was super, well attended; if anyone sees Santa Claus they should wish him well because he has a sore shoulder.

## III. Appointments (14:00)

1. John Herlihy, Dan Lawrence, Carl McMorran, John Walsh, Alan Hewitt and Brian Mills  
Aquarion Water Company
  - a. PFC Studies
  - b. PFC Treatment Alternatives Analysis

Mr. Walsh: provide update on the PFCs that we are finding in our wells; provide with a summary of the alternatives to address the PFCs and the cost associated to those alternatives; levels.

Mr. Herlihy: 7 wells in the Winnicut Road Wellfield, 6 wells in the Mill Road Wellfield, 3 individual wells, one in Rye, one in North Hampton and the other in Hampton. Have been monitoring the wells since June; 6 locations in distribution system since August.

### **9 PFC Have Been Detected in Mill Road Wells**

<b>Name</b>	<b>Abbreviation</b>	<b>Number of Carbons</b>
1. Perfluorononanoic acid	PFNA	9
2. Perfluorooctanoic acid	PFOA	8
3. Perfluorooctane-sulfonate	PFOS	8
4. Perfluoroheptanoic acid	PFHpA	7
5. Perfluorohexane-sulfonate	PFHxS	6
6. Perfluorohexanoic acid	PFHxA	6
7. Perfluoropentanoic acid	PFPeA	5
8. Perfluorobutane-sulfonate	PFBS	4
9. Perfluorobutanoic acid	PFBA	4

Mr. Herlihy: #2 and #3 are the two that have limits in NH, USEPA and ME; the levels of the PFOA and PFOS combined are low compared to the current standard in NH and lower than NJ; levels have been very consistent over the last 3 months. In October detected two new compounds; have remained consistent; all less than any standard that is out there. The highest contamination in Well 6; picking up some PFC levels in Well 14; fingerprint average; new

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compound detected in Well 6, will help identify where the contamination is coming from. Continue to work with DES to plan a monitoring round out beyond our production wells; DES will be performing sample collection; Aquarion will pay for the testing, cost about \$20,000.

Mr. Lawrence: November 6, 2017 provided copy of our treatment analysis; costs and impacts to Town; have three main options; remove wells from service, blend sources and treat effective wells. Well 6 is critical infrastructure, as it is needed during high demand periods; wells are blended already; wells have separate entries into the distribution system; combine all the wells and create one entry point into the system; chemical treatment facility; results in overall lower PFCs.

**Blending Will Maintain concentrations Below Regulatory Levels**

	<b>Regulation (ng/L)</b>	<b>Blending All Wells (ng/L)<sup>1</sup></b>
PFOA/PFOS (ng/L)	70 (USEPA, NH, ME)	11
PFOA (ng/L)	14 (NJ <sup>2</sup> ) 20 (VT)	8
PFOS (ng/L)	13 (NJ <sup>2</sup> )	<4 <sup>3</sup>
Total PFC (ng/L)	No Standard	40

PFCs Treatment Technologies.

- Granular Activated Carbon (GAC) Proven technologies.
- Ion Exchange (IX) Lower capital and annual operating costs.
- High Pressure Membranes Smaller waste streams.

Mr. Lawrence: the two looked at were the top two; Ion Exchange is newer.

**3 Treatment Alternatives were Evaluated**

Scenario 1: Treat Well 6

- Highest concentration well
- 360 gallons per minute

Scenario 2: Treat Wells 6, 9, 11, 8A

- All overburden wells
- 1,930 gallons per minute

Scenario 3: Treat wells 6, 9, 11, 8A, 20, and 21

- All Mill Road Wells
- 2,120 gallons per minute

**Treatment Will Decrease PFC Concentrations**

	<b>Regulations</b>	<b>Blending All Wells</b>	<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3 (ng/L)</b>
PFOA/PFOS <sup>1</sup>	70	11	6	<4 <sup>2</sup>	<4 <sup>2</sup>
PFOA <sup>1</sup>	14 (NJ <sup>3</sup> )	8	4	<4 <sup>2</sup>	<4 <sup>2</sup>
PFOS	13 (NJ <sup>3</sup> )	<4 <sup>2</sup>	<4 <sup>2</sup>	<4 <sup>2</sup>	<4 <sup>2</sup>
Total PFC <sup>1</sup>	No Standard	40	18	<4 <sup>2</sup>	<4 <sup>2</sup>

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<sup>1</sup> Based on maximum concentration of PFCs in well waters in 2017, concentration are as entering the distribution system

<sup>2</sup> Method Reporting Limit (MRL) assumed to be 4 ng/L

<sup>3</sup> NJ MCLs are proposed and not final

### Conceptual Treatment Costs

	Blending All Wells	Scenario 1	Scenario 2	Scenario 3
PFOA/PFOS (ng/L) <sup>1</sup>	11	5	<4 <sup>2</sup>	<4 <sup>2</sup>
PFOA (ng/L) <sup>1</sup>	8	4	<4 <sup>2</sup>	<4 <sup>2</sup>
PFOS (ng/L) <sup>1</sup>	<4 <sup>2</sup>	<4 <sup>2</sup>	<4 <sup>2</sup>	<4 <sup>2</sup>
Total PFC (ng/L) <sup>1</sup>	40	18	<4 <sup>2</sup>	<4 <sup>2</sup>
Conceptual capital cost <sup>3</sup>	\$0	\$1.9M	\$5.8M	\$5.7M
Conceptual annual O&M costs <sup>4</sup>	\$0	\$0.1M	\$0.3M	\$0.3M
Rate increase required <sup>5</sup>	0%	5%	16%	16%

<sup>1</sup> Based on maximum concentration of PFCs in well waters in 2017, concentration are as entering the distribution system

<sup>2</sup> Method Reporting Limit (MRL) assumed to be 4 ng/L

<sup>3</sup> Conceptual capital costs have an expected accuracy of -32%/+52%

<sup>4</sup> Annual O&M costs for GAC are based on a one-year replacement frequency

<sup>5</sup> Actual rate increase required will depend on final capital and annual O&M costs

<sup>6</sup> Connecting Wells 9 and 11 is planned under a separate project

### Funding Opportunities

- Groundwater and Drinking Water Trust Fund
- Aquarion reached out to Rick Skarinka from NHDES to better understand the program, timelines and funding.
- RSA 485f is the controlling statute that establishes a 19 member advisory commission and is chaired by Senator Chuck Morse. The committee holds monthly public meetings and the next meeting is December 19, 2017 at SH Room 103
- No rules or guidelines have been established or defined. This will be developing in the first half of 2018. The next possibility may be as early as the 2<sup>nd</sup> quarter of 2018 to submit a request for funding.
- Grants are probably, maybe as high as ~50%, but some or all of the fund may be administered through the State Revolving Fund (SRF) Program. Broad scope of water projects will be considered including infrastructure, source protection, and land purchases.
- Funding Available - \$278 M (total). The yearly allocation for projects has not been defined at this time.

Mr. Lawrence: not the easiest information to find as it is not a program that is established; help communities find money.

Selectman Barnes: scenario 2 would not be an option, but as far as scenario 3 is the ideal situation, even getting funding would be more ideal, sounds like not too sure, when funding will be available. Mr. Lawrence: what we have been told is that the next application could be as early as 2018, but no guarantee.

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Selectman Barnes: you are still working on an agreement with NHDES. Mr. Lawrence: one of the things that are important to us, we selected 50 locations throughout the communities; not good data of where contamination might be coming from and what type of contamination; would like to understand that better to make sure we are moving in the right direction.

Selectman Barnes: when do you think we can have all the testing? Mr. Lawrence: we are finalizing the contractual terms with DES, should be done by the end of the year of the first part of January; they have a staff to call people to arrange for sampling; when we have contract going out to bid for the results; first quarter spent collecting the data; results goes direct to the DES. There are a number of landfills around besides Coakley; understand potential sources; proceed with blending

Selectman Bridle: sounds like with the blending use old adage the best solution for pollution is dilution. Mr. Lawrence: not going to stop investigating.

Selectman Griffin: depending on you to make sure things stay the way, they need to be.

Selectman Bean: Dr. Ballestero testified November 15<sup>th</sup> in North Hampton; CLG brief; were any of you at the meeting in North Hampton.

Selectman Bean: has anyone seen Dr. Ballestero's synopsis of his comment. Mr. Lawrence has.

Selectman Bean: Dr. Ballestero states the challenge of the plume coming from Coakley; the well shut down produced just over 65,000,000 gallons of water per year; overburdened well; 4 other wells nearby; water supply has recognized it has insufficient supply in storage to meet the water needs of the communities it serves; magnified water shortage. Aquarion seeking to put online a bedrock well in the same vicinity as its other wells; DES has recognized the PFC contamination may be drawn into this well and is requiring monitoring for this and other contaminants. The communities served by Aquarion Water and by private wells are now caught in the precarious position of not owning the company; downgrading the landfill plume. Communities are requesting additional monitoring of wells; initial response is Coakley Landfill is not the source of PFCs that shut the well down; all the data suggests against this conclusion. Regulatory response is there are other sources much closer to the shut down well; concentration in well is cumulative metric; represents totality of all sources; he states CLG and not Aquarion should pick up the tab for additional testing; Dr. Ballestero taught the senior EPA representative in Boston. I heard people from your company earlier in the year said blending was not a good idea; I do not think it is a good idea; Ms. Messmer is doing great work in Concord. We support Eversource and Aquarion; support your attempts at solution and ask that you work closely with our scientist on solutions. Chairman of the PUC said we have direct access to courses of action we can pursue with them to protect our interest in filings, legal actions or hearings; prudent for Board to do that if we are not satisfied with the courses of actions you are taking.

Chairman Waddell: the water being delivered right now is below the most conservative standards in the country, is that true. Mr. Herlihy: yes.

Chairman Waddell: If it was blending, it would be below the most conservative standard; think you have to go with science that is available right now; want people to know they are receiving safe water right now according to all standards. Aquarion has been very transparent and has gone above and beyond.

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Selectman Barnes: we talked about blending at the meeting today; and blending was not going to be the way we were going to treat this; treat well 6 and then blend; if you could get together with Dr. Ballestero. My alternate is to have scenario 3, but do not think Aquarion or the ratepayer should have to pay; the polluter should have to pay.

Selectman Bean: On August 28, it appears to be 15. Mr. Herlihy: that is total PFCs.

Selectman Bean: well 6 lost 65 million gallons of capacity. Mr. Herlihy: when you blend those 6 wells together as is, the max level would be 11.

Selectman Bean: looking at limits approaching 30, is that correct. Mr. Herlihy: that is PFOA plus PFOS; if you add NJ 14 for PFOA and 13 PFOS, that is 27; we are right around there before we blend.

Selectman Bean: my comfort level is much different from the chairs; you are higher than NJ and going to blend that with good water; can you tell me what the numbers on page 7 are about. Mr. Herlihy: those are the totals of the 9 PFCs that have been detected.

Selectman Bean: how do those compare with NJ. Mr. Herlihy: no state has a standard for total PFCs.

Selectman Bean: these PFCs are they carcinogens. Mr. Herlihy: I am not qualified to answer that; do not think they have determination; PFOA they have said is carcinogen.

Selectman Bean: did you shut down well 6 because you were confident there were not carcinogens. Mr. Herlihy: we shut down well 6 out of an abundance of caution, we did not have enough information about the levels the wells were producing and what is safe.

Selectman Bean: these are emerging threats; aggressive; science is evolving almost on a daily basis. Attorney Gearreald: ever since the Board and my office were informed this summer that there was a level of contamination in well 6, this Board has been very vigorous in our approach encouraging further monitoring to find out the source of the contamination; encouraging treatment in the meantime. Aquarion and the Towns of Hampton and North Hampton entered into an agreement to further the monitoring effort as well as explore the treatment possibilities. Thank Aquarion for following up on that agreement; in January will be able to provide input to Aquarion as to whether there would be a go or no go with response to these treatment legalities that have been mentioned. This Board's opinion will be heard by Aquarion and be followed up on; aggressively pursuing the contamination and what to do about it. Dr. Ballestero gave a very well informed presentation and has submitted this in writing to EPA and Aquarion; find out whether Coakley is the source of the contamination; have offered Dr. Ballestero's assistance to Aquarion and hope they will take advantage of that.

#### IV. Approval of Minutes (1:02:44)

##### 1. November 20, 2017

Selectman Bean MOTIONED to APPROVE the Minutes of November 20, 2017 as submitted SECONDED by Selectman Bridle.

VOTE: 5-0-0

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VI. Town Manager's Report (1:02:52)

1. The gates at the Ashworth Avenue Parking Lot are open and the lot is available in accordance with the Boards previous vote.
2. Submission of petitioned zoning warrant articles are due by December 13th and submission of all other petitioned warrant article are due by January 9, 2018 except for articles dealing with bonding, which are due by January 5, 2018.
3. Please remember that on street parking is not permitted from 1AM to 7 AM daily.
4. If you have bags of leaves that have not been picked up, please call Public Works.
5. Please remember to remove your trash and recycling containers and moveable basketball hoops off the street surfaces in preparation for plowing.
6. Hired a trapper for the areas of Ice Pond and Mill Pond to help keep it open
7. Opened bids for the Mill Pond Dam and had 8 bidders, require petitioned article.

VII. Old Business (1:06:04)

1. Warrant Articles

Town Manager Welch: originally, you had approved the paralegal for the Legal Department, we would like to finish that warrant article and submit the final draft to the Board for final approval and vote; the same with the Town Clerk's Assistant. We have the DPW vehicle purchase requirements; would you like to have the DPW come in and discuss.

All Selectmen agreed to have the DPW come in. Town Manager Welch: looking for permission to draft the final document and bring forward to you, will draft and bring into next meeting for final approval. All Selectmen agreed.

Selectman Bridle: also have one about manpower for the Fire Department. Town Manager Welch: currently under study; talked with State and they do not expect to have the documents ready until March.

Selectman Bridle: for the grants. Town Manager Welch: yes.

Selectman Bridle: should we have a warrant article in place stipulating if we can get the grants will proceed with that. Town Manager Welch: we can draw that warrant article for the Board's approval.

Selectman Bridle: so we do not have to wait another year; we should have a motion on the entertainment article; police chief involved with that; have a motion that directs the police chief to present the Board amendments to the entertainment ordinance so we can have a warrant article and the people can have a chance to vote on it

Selectman Bridle MOTIONED to Direct the Police Chief to present the Board with amendments to the Entertainment Ordinance regarding noise levels SECONDED by Selectman Griffin.

VOTE: 5-0-0

Selectman Griffin: The Chief needs to come in and discuss.

Selectman Bean: is there a court challenge to the current one? Town Manager Welch: no.

Chairman Waddell: we will have him draw something up and come in to discuss.

a. Information Technology Upgrades

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Town Manager Welch: Jamie Sullivan will be back for your next meeting and he has a draft article for Information Technology Upgrades.

Selectman Griffin: what is the final warrant article about the \$15,000,000 is it going to be \$13.8 million or \$15 million. Town Manager Welch: the \$13.8 million is what the consultants recommended; but if you do this, you will have to go back and rip out some of the things that you have done, so we put extra money in there so we would not do that; it is a contingency.

Selectman Griffin: I personally would like to see it at \$13.8 million. Town Manager Welch: will discuss next week.

- b. Study Sewer Enterprise Fund – Not discussed.
- c. Study Town Flooding Issues – Not discussed.

## 2. Exeter-Hampton Sewer Agreement (1:11:05)

Town Manager Welch: we did receive a response back from Exeter in regards to the sewer agreement; we bill on property tax; they bill on enterprise fund based on certain assumptions. They suggested they bill quarterly or half year; rather not do that; have them send us the bill and we will pay; their rates have gone up, but ours have stayed the same.

Chairman Waddell: they had to build a new plant, so they raised their rates. Town Manager Welch: yes; they have option to include within their rate for the bonding; town meeting has the option to not do that; study.

Selectman Barnes: I have looked at the way Exeter has it set up, but do not think that is how you have to set it up; we are an entirely different type of community here.

Selectman Griffin: important factor doing it one way the people can deduct from taxes, but doing another way they cannot; important factor.

Attorney Gearreald: this is in the form of an intergovernmental agreement, so ultimately there is an Attorney General's approval that will come into play. Town Manager Welch: will do the final draft for your approval.

Selectman Bean MOTIONED to APPROVE the proposed changes in the Exeter-Hampton Sewer Agreement SECONDED by Selectman Griffin.

VOTE: 5-0-0

Chairman Waddell: we finalized the Assistant Town Manager's report and it runs until July 2020; at a certain time there will be a change that the Assistant Town Manager becomes the Town Manager and the Town Manager becomes the Assistant Town Manager and becomes part time.

Selectman Barnes: my mind is at ease knowing both Jamie & Fred are in place.

Selectman Bridle: good choices on both.

Selectman Bean: thank you for your leadership in the contract negotiations for both Mr. Sullivan and Mr. Welch; glad to have both accepting our offer.

Chairman Waddell: stability is an important thing over the next three years, not having new people coming in with the infrastructure, contracts, bonds and bonds coming up, very pleased with it.

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Selectman Bean MOTIONED to place Dr. Ballesteros letter dated December 4, 2017 to the Selectmen on the Town's Website SECONDED by Selectman Barnes.

VOTE: 5-0-0

VIII. New Business (1:16:12)

1. 2017 Annual Report Front and Back Cover

Selectman Griffin: accept Kristina's report, the front and back, looks great.

Selectman Bridle: having a relative on there I will second that.

Town Manager Welch: the front cover will be a picture of the World War I and other wars monument that is on the front of the library; back cover will be all the heroes that were photographed on November 11, 1919; very impressive; all named.

Selectman Griffin: which is your relative, Rusty? Selectman Bridle: Marvin Young, my grandfather.

Chairman Waddell: a great cover and back page; we need a vote on this. Town Manager Welch: no, if you say no we will do something else.

The Selectman were in agreement on the Annual Report covers.

2. Ambulance Bid Waivers from Purchasing Policy and Purchasing Procedures Section 718-4.b (1) Exceeding \$50,000, (2) Less than three bidders, & 718.5.1 Policy Waiver

Town Manager Welch: we have gone out to bid for the ambulance, which we do every three years; in excess of the amount, required to be approved by Board; was a successful low bidder \$234,931; new ambulance; need to replace 2009 ambulance.

Chairman Waddell: less than three bidders. Town Manager Welch: yes.

Selectman Bridle: there are only 3-4 manufacturers that build ambulances.

Selectman Bridle MOTIONED to APPROVE the Ambulance Bid Waivers from Purchasing Policy and Purchasing Procedures Section 718-4.b (1) Exceeding \$50,000, (2) Less than three bidders, & 718.5.1 Policy Waiver for \$234,931 SECONDED by Selectman Barnes.

VOTE: 5-0-0

IX. Closing Comments

Selectman Bean: John Nyhan and I were at the State Parks Advisory Council meeting; great work by John, the Director and Commissioner; other communities have some of the challenges we do, very fruitful for the Town of Hampton. Will be meeting tomorrow with the Seacoast Cancer Cluster investigation; requesting data from the CLG.

X. Adjournment

On MOTION of Selectman Barnes, SECONDED by Selectman Bridle, the Board of Selectmen voted unanimously by roll call (5-0) to go into a non-public session at 8:21PM under RSA 91-A:3, II (e) [Litigation].

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Frederick Welch, Town Manager  
Mark Gearreald, Town Attorney

1. Appeal from Administrative order in Water Council Docket No. 17-03 WC

Town Attorney Gearreald explained the terms upon which the Town's Administrative Appeal to the Water Council from the DES Administrative Order following the marsh pipe rupture was to be concluded. The Board had previously approved the settlement direction taken by outside counsel George Moore in dealing with the Attorney General's Office and based this morning's 2<sup>nd</sup> Pre-hearing conference, the resolution can be achieved. In return for DPW's implementation of an SOP involving additional monitoring efforts, DES will be withdrawing the Administrative Order without prejudice, and the Town will be withdrawing its appeal.

On MOTION of Selectman Bean, SECONDED by Selectman Barnes, passed unanimously (5-0), the Selectmen gave formal approval to this resolution of the case. The Town Attorney will communicate this approval to Attorney Moore.

2. Materials to be provided to Budget Committee on Litigation

Town Attorney Gearreald provided to the Board the materials on litigation that he has developed to provide to the Budget Committee on Thursday, December 7, 2017 when the Legal Department's budget is to be presented. As directed by the Board of Selectmen, there will not be a discussion of litigation in a non-public session with the Budget Committee and the cases will not be discussed with the Committee in the public session beyond what is public information. The Town Attorney also indicated that the Finance Department had updated a chart to be provided to the Budget Committee showing the history of Legal Department expenditures and budgets since its inception in 2003.

On MOTION of Selectman Griffin, SECONDED by Selectman Barnes, passed unanimously (5-0), the Selectmen gave formal approval to the Town Attorney's providing these materials to the Budget Committee.

At 8:30 PM, on MOTION of Selectman Barnes, SECONDED by Selectmen Bridle, the Board of Selectmen voted unanimously by roll call (5-0) to adjourn the non-public session and returned to their public session.

On MOTION of Selectman Barnes, SECONDED by Selectman Bridle, the Selectmen voted unanimously (5-0) to adjourn their public session at 8:31 PM.

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James Waddell, Chairman