

WATER COUNCIL MEETING

Dept. of Environmental Services
29 Hazen Dr., Concord, N.H.

September 12, 2007
9:00 a.m.

Members present: Chairman Bridges, Councilors Bradley, Butler, Christie, Cowan, Czysz, Decker, Densberger, Dupee, Lyons, Rawnsley, Rastallis, and Varotsis

Members absent: Councilors Barrett, Lussier, and Phillips

John Bridges, Chairman, called the meeting to order at 9:00 a.m.

Chairman Bridges introduced Scott Decker, new member of the Water Council representing Fish and Game.

1. Approval of Minutes of July 11, 2007 Meeting

A motion was made by Councilor Bradley to accept the minutes of the July 11, 2007, second by Councilor Varotsis. Councilor Christie asked for an addition to the minutes. The Council unanimously voted to approve this motion with the addition.

3. Rules

1) Barbara Hoffman, Compliance and Enforcement Manager for the Air Resources Division, reviewed the Water Council Procedural Rules Env-Wc 100 and Env-Wc 200 in Attorney Hamel's absence.

Councilor Bradley made a motion to adopt Env- Wc 100 and Env-Wc 200. Councilor Densberger seconded the motion. The Council unanimously voted in favor of this motion.

4. Status of Appeals

Attorney Blenkinsop reviewed the Cases Awaiting Council Action portion of the Appeals Status Report with the council.

- **Docket No. 05-21 WC - Appeal of Save Our Groundwater**

The Council voted January 10, 2007 unanimously to Decline to Accept this Appeal. A Written Decision and Order has been issued. No action is required by the Council.

- **Docket No. 05-22 WC - Appeal of Town of Nottingham**

The Council voted January 10, 2007 unanimously to Decline to Accept this Appeal. A written Decision and Order has been issued. No action is required by the Council.

- **Docket No. 07-17 WC – Ross Realty Trust & Tippicanoe Campground, Inc.**

Councilor Christie made a motion to Deny the request for hearing by Ross Realty and Tippicanoe Campground. Councilor Varotsis seconded the motion. The Council voted in favor of this motion with Councilor Cowan abstaining.

- **Docket No. 07-19 WC – Presby Environmental, Inc.**

Councilor Butler made a motion to Accept this Appeal. Councilor Christie seconded the motion. Motion passed with one nay vote.

At 9:25 Council votes unanimously to go into Attorney/Client closed door session.

At 9:52 Council resumes Public session.

Councilor Densberger moves to rescind the previous vote to allow the Appeal. Councilor Bradley seconded the motion. The motion passed with Councilor Cowan abstaining.

Councilor Densberger made a motion that the Appeal be accepted but that the Council is open to receiving further documentation and motions regarding standing. Councilor Varotsis seconded the motion. The motion passed with Councilor Cowan abstaining.

- **Docket No. 07-21 WC – Tuftonboro Conservation Commission**

Councilor Cowan made a motion to table the decision until next month while the Council can review and determine whether there is a standing issue on this particular appeal. Councilor Butler seconded the motion. The Council voted unanimously to approve this motion.

Councilor Cowan noted that a Continuance has been accepted for Appeal No. 07-05 so it will not be heard today.

Councilor Bradley noted that 07-04 is awaiting test results from the test wells.

3, Rules Continued...

- 2) Env-Dw 301 Small Production Wells – changes were presented by Rene Pelletier, Assistant Director for the Water Division.

Councilor Bradley moved the recommendation of Dw 301 and Dw 302 Large and Small production Well Rules. Councilor Densberger seconded the motion. The Council voted unanimously to approve this motion.

2. Approval of State Aid Grants

Steve Snell of the Wastewater Engineering Bureau requested approval of five new state aid grants as set forth in a memo from Bureau Administrator John R. Bush, P.E. to Harry T. Stewart, P.E., Director, Water Division dated August 23, 2007.

Councilor Varotsis moved to approve the grants and recommend favorable action by the Governor and Executive Council by adoption of the following resolution in its entirety. Councilor Cowan seconded the motion and it was unanimously voted.

A. WHEREAS, The following municipality has applied to the Department of Environmental Services, under the provisions of RSA 486, for a grant in the amount listed to aid in the defraying of the costs resulting from the construction of sewage disposal facilities, as defined in said Chapter:

<u>MUNICIPALITY</u>	<u>PROJ. NO.</u>	<u>PROJECT DESCRIPTION</u>	<u>AMOUNT</u>
Plymouth Village Water & Sewer District	C-755	Septage Receiving System	\$ 55,792

WHEREAS, The Department of Environmental Services has examined said application as to the eligibility of the construction costs for a State contribution; and

WHEREAS, The Water Council finds that said project is intended to control or reduce pollution in the surface waters of the State, as defined in RSA 485-A.

NOW THEREFORE, The Water Council finds that all of the provisions of RSA 486 have been met by said applicant, and respectfully recommends that the Governor and Executive Council approve said grant and authorize payment thereof through the Department of Environmental Services as provided for in said Chapter.

Steve Snell of the Wastewater Engineering Bureau requested approval of the amendment to a grant as set forth in a memo from Bureau Administrator John R. Bush, P.E. to Harry T. Stewart, P.E., Director, Water Division dated August 22, 2007.

B. It is requested that the Water Council approve an amendment to an existing grant to correct a clerical error. State Aid Grant C-726 to the Town of Rollinsford in the amount of \$1,088,268 for a Wastewater Treatment Facility upgrade was approved by the water Council on October 11, 2006 and by the Governor and Executive Council on November 29, 2006. This amendment would replace all references to the Town of Rollinsford with the Rollinsford Water and Sewer District.

Councilor Densberger moved to approve the grant amendment and recommend favorable action by the Governor and Executive Council by adoption of the following resolution in its entirety. Councilor Rawnsley seconded the motion and it was unanimously voted.

3. Rules

3) Bill Evans, Bureau Administrator Subsurface Systems Bureau, reviewed Env – Ws 1000 rules being converted to Env-Wq 1000, Proposed Subdivision/Individual Sewage Disposal System Rules. They are currently in interim rules status.

Councilor Bradley made a motion to support the Env-Wq 1000 rules to continue with the process. Councilor Varotsis seconded the motion. Motion was denied with a vote of 4 ayes and 7nays.

Councilor Lyons made a motion that the Department be encouraged to continue with rule making and the Council will review the rules next month. Councilor Dupee seconded the motion and it was unanimously voted.

10:25 AM Councilor Butler leaves the meeting.

Councilor Cowan asked it to be on record that he would like to have the Bureau keep track of the numbers of waivers and the waivers of which particular rules, which is not being recorded at this point. Bill Evans reported the electronic permitting software is being worked on and when it is rolled out it will be part of the new software.

4. Update by Director Harry Stewart

1) Director Stewart reviewed the Water bills that passed in 2007 that was prepared by Pat Gruttemeyer, DES Information Representative. He did note that HB664- FN, Chapter 329, did allow the City of Manchester to create a storm water utility and collect fees to support this utility.

2) The City of Concord will be here in October or November to talk about their odor control measures.

3) A seminar is being developed for municipal waste water systems, with the target audience being the systems that have reached at least 70% of their hydraulic and organic capacity. There will be 2 levels – the sewer commission and selectman level and the other will be for technical people.

4) John Bush, Administrator of the Wastewater Engineering Bureau, retired 2 weeks ago and the process has begun for filling the position.

5. Other Business

None

6. Next Meeting

The next meeting is scheduled for October 10, 2007.

7. Adjournment

A motion was made by Councilor Varotsis at 10:32 to adjourn. The motion was seconded by Councilor Cowan and unanimously voted.