

**Newington Sewer Commission 12/17/15 APPROVED MINUTES**

**Meeting** called to order at 9:05am

**Present:** T. Cole Chairman, T.Field, J.Richardson. D.Messier Plant Operator and S.Bullard Utility Partners.

**Minutes:** Minutes from 11/18/15 reviewed. Motion by T.Field, to approve as amended, seconded by J.Richardson. Approved.

**Treasurer’s report:** Motion made to approve the Treasurer’s report by T. Field, seconded by J.Richardson. Approved & signed.

Discussion on bills received, delinquent notices have been sent out, approximately \$58,000 outstanding. There was a changing in billing, 1 bill was sent with 2 dates instead of 2 separate bi-annual bills. D. Messier called outstanding accounts to clarify and feels most will be current shortly.

**Manifest Approval:** Motion made to approve the 12/17/15 manifest by T. Field in the amount of \$149,879.74, seconded by J.Richardson. Approved & signed.

**Plant operators report:**

Flows are even from last year and sludge is what was billed. Maintenance has been performed. One of the three return activator sludge pumps has failed. Two will get us by as new pumps are part of the plant upgrade, useable parts have been removed for spare parts.

Wright-Pierce has gone through the schedule and everything is in place, ready to go. First request for disbursement from the state fund was done before 11/24 for ads and work done by FD Chief and outside engineer. Forms filled out for a possible state grant for septage receiving. It may be minimal, but every little bit helps the budget. Since we are an emergency receiver we may receive more grant monies.

The DES has accepted the professional service agreement. D. Messier has also met with the budget committee and it will be going forward to the Public Budget Hearing on February 6, 2016.

Plant upgrade will to bid 1/7/16, it is a pre-bid walkthrough. Bid schedule dates could change by a day or two.

100% stamp	12/4/2015
NHDES review	12/9/2015
Receive NHDES Approval	12/16/2015
Advertise/pencils down	12/18/2015
Hard-copy sets available	12/21/2015
Pre-Bid meeting	1/7/2016
Final Addenda to NHDES for review	1/13/2016
Issue final addenda	1/15/2016
Bid Opening	1/21/2016

Notices were sent out for delinquent sewer use.

Will make notifications to Town Hall and DES that there was no public comment to sewer plant upgrade.

**Old Business:**

J.Richardson advised he has been following up with Martha and Anita on the establishment of our current sewer fund. In 1981 the Sewer Law stated that the Town Treasurer would hold surplus sewer funds and the commissioners were authorized to expend those funds, which is what was set up. However the law was changed in 1994. Surplus sewer funds were to be deposited into a special fund held by the Trustees of the Trust Funds. What the commission needs to do now is to dissolve the current fund and transfer custody of the fund to the Trustees of the Trust Funds to comply with the 1994 law. The Trustees of the Trust Fund cannot disburse funds from this new Sewer Trust Fun without the vote of the Sewer Commission. This fund will cover major and emergency sewer repairs, but not operational maintenance. Also the current fund does not comply with RSA 149-I as the interest is rolled back into the fund.

Discussion ensued on the copies of all emails between J. Richardson and the town hall about the sewer fund. It does not seem to have been reviewed by the town auditors. Types of maintenance were discussed as operational maintenance is not included, but several commissioners wanted major maintenance covered under this fund so that repairs, rather than replacement are available options. Further discussion on how funds would be disbursed in the event of an emergent situation – sewer line break on Shattuck Way was used as an example.

**I. VOTE TO ESTABLISH A SURPLUS CAPITAL RESERVE ACCOUNT FOR SEWER**

**I vote to establish a SURPLUS CAPITAL RESERVE ACCOUNT FOR SEWER, pursuant to the provisions of RSA 149-I: 10, III and RSA 35:7, using accumulated surplus sewer rentals from the Town of Newington Sewer District's fund, to be held by the Trustees of the Trust Funds of the Town for the purpose of construction, reconstruction, major emergency maintenance, and/or acquisition of capital improvements and/or equipment used in the operation of the District's sewer system and all legal, engineering and other costs related to such allowed purposes.**

**Said surplus capital reserve account for sewer shall be held by the Trustees of the Trust Funds and expended by order of the Board of Commissioners for the Town of Newington Sewer District as provided for by RSA 35:15.**

Roll call vote taken. T. Cole Chairman-yes, T.Field-yes, J.Richardson-yes. Motion carried

**II. VOTE TO DISCONTINUE THE ACCUMULATED SEWER SURPLUS ENTERPRISE FUND AND TRANSFER THE ENTIRE ACCUMULATED SURPLUS TO THE SURPLUS CAPITAL RESERVE ACCOUNT FOR SEWER**

**I vote to discontinue the ACCUMULATED SEWER SURPLUS ENTERPRISE FUND and transfer the entire accumulated surplus to the SURPLUS CAPITAL RESERVE ACCOUNT FOR SEWER, pursuant to RSA 35:3 and RSA 35:11, and to order the Treasurer to pay the same amount to the Trustees of the Trust Funds to be held for the purposes for which the SURPLUS CAPITAL RESERVE ACCOUNT FOR SEWER was established pursuant to RSA 149-I: 10, III and RSA 35:7. Balance of the SEWER SURPLUS ENTERPRISE FUND as of 11/30/2015 was \$997, 179.85.**

Roll call vote taken. T. Cole Chairman-yes, T.Field-yes, J.Richardson-yes. Motion carried

Additional documents relating to the review of the sewer accounts are on file at the Wastewater Treatment Plant.

D.Messier will follow up with the town to update the accounts.

**New Business:**

Meeting schedule. The Sewer Commission voted to continue to meet on the third Wednesday of each month through June 2016. 2016 meeting dates will be: January 20<sup>th</sup>, February 17<sup>th</sup>, March 16<sup>th</sup>, April 20<sup>th</sup>, May 18<sup>th</sup>, June 15<sup>th</sup>. Additional meetings will be scheduled as needed.

**Other Business that may come before the board:**

Discussion on legal domicile of J. Richardson who is temporarily residing outside of Newington. He is looking to purchase and move back to town. The NHMA was consulted for legal advice, as he has a short-term lease that expires on 5/15/16 it is legal for him to remain on the board at this time.

**Adjournment 10:13pm**