

**WINNIPESAUKEE RIVER BASIN PROGRAM**  
**CIP SUBCOMMITTEE**  
**MAY 22, 2013**  
**MINUTES**

Present: Paul Moynihan, Brian Sullivan, Ray Korber, Dan Leonard, Steve Dolloff, Sheldon Morgan and Sharon McMillin.

Brian Sullivan explained that the Advisory Board had asked the CIP Committee to review the Memorandum of Understanding (MOU) for the WRBP and provide a report on its status to the state agencies and the member communities. It is important document accomplishments as well as reasons for any deviations from the proposed schedule. Sharon McMillin provided a MOU Milestones Calendar which included the status of each step including comments. Members reviewed the MOU as follows:

1. *All requests for contracts for capital improvements require approval by the Governor and Executive Council.* On-going
2. *Annual DES Budget submitted to Advisory Board.* Budget was presented, goal met. The Budget is still pending. State Aid Grant (SAG) funding is pending legislative action and has not been included in the budget. If approved, the SAG funding would offset annual loan repayments for the dewatering project which is on the delayed and deferred list. No other project loans are likely to receive SAG funding.
3. *DES and Advisory Board to establish formal procedure for review, prioritization and concurrence by DES and the Board of CIP projects.* CIP Committee created and the process was formalized. This has been completed, but the annual report to the Advisory Board will not be ready for the July meeting. The goal is to have it ready for the Oct. meeting. The most important task is to go through the CIP, change dates and provide a summary report. A CIP has not yet been created for the collection system which needs to be looked at in more detail. Brian Sullivan agreed that the Board needs to get a handle on the collection system. Sharon McMillin stated that there is a place holder in the budget for the collection system but not enough information has been gathered yet. Steve Dolloff agreed that the CIP does not fully address the collection system. He added that as we look more carefully at the collection system we may need to re-adjust the priorities of CIP projects and the on-going MOM study will provide more information on the needs of the collection system. Sharon McMillin added that there will be still more information available when the flow metering is implemented. Brian Sullivan added that the Advisory Board needs to be informed that the collection system is a key component of the CIP that has not been fully addressed and that the CIP Committee is waiting for the results of the MOM study. He added that the Executive Summary also needs to include

this information and keep rate payers informed as to why rates are increasing. Sharon McMillin added that the Executive Summary needs to list what has been completed and what has not. Brian Sullivan agreed and would like to be proactive by stating that the committee is aware of the need for improvements to the collection system. Discussion followed relative to the need to insert costs for the collection system in the CIP and that further studies are necessary to determine what projects may be necessary, their priority and probable costs.

4. *Complete a review of information and studies relative to long term capital investment plans and outline a scope of work for additional studies.* Goal met. Annual review pending. Ray Korber recommended that the Committee wrap up the large ongoing projects and then push everything out to realistic dates. Sharon McMillin commented that better numbers are now available for the on-going projects which can be included in the plan and Executive Review. Sharon will draft the Executive Summary and send it by email for comments and suggestions. Ray Korber commented that we have to get the current projects completed, in particular the flow metering and disinfection projects, the MOM study and get repairs to the Gabion wall underway before any changes are made to the CIP.
5. *Advisory Board to adopt procedures and bylaws.* Goal met.
6. *If necessary, solicit proposals from an engineering firm to create the CIP.* Goal met, not deemed necessary.
- 7.1 *Determine locations for Flow Meters to be incorporated into Final Plan.* Goal met.
- 7.2 – 7.8: *DES and CIP Committee to provide the Advisory Board with alternatives for an updated assessment formula.* This is ongoing and needs to be included in a memo to the towns explaining the status of flow metering and the development of an assessment formula. The Board has not finalized the method of assessment which is a priority. Ray Korber suggested having a work plan on the flow metering project in order to know the schedule. It is necessary to work on a cost allocation formula as well as flow metering implementation. Ray volunteered to create a draft plan working with Steve and Sharon. Sharon McMillin informed the Committee that the contract with CDM for flow metering is still in discussion. CDM has backed off their previous recommendations for four locations and now are recommended only manual meter reading as opposed to having a solar with battery system linked via radio to the WRBP SCADA system. The manual meter reading does not allow the data to automatically go into the SCADA system. Steve Dolloff noted that a metering system could still be implemented with manual meter reading and that the basic functionality of the flow metering needs would be achieved with manual meter reading and that the goal of the project should not be lost if a few meters need to be read manually. It appears that CDM has backed off of their original recommendations and wants WRBP to sign off of any liability if the solar and battery systems do not work. Steve Dolloff explained that CDM designed the system based upon

the original requests from the WRBP. When that design was too expensive, WRBP cut back on the project and now CDM wants to cover themselves for any liability if the system does not work correctly. Sharon McMillin stated that CDM needs to give a technical reason as to why they are now concerned about items they had originally designed and recommended. Ray Korber would like to know why CDM feels there is a liability so that the Board can understand what mistakes it may be making if they accept one technology solution over another. Both Ray and Dan offered to assist with communications with CDM and meet with them if necessary to gain better understanding of the concerns expressed by Sharon and to move the project forward. Ray also pointed out that the Advisory Board voted to go ahead with CDM based upon the memo from CDM at a set price and should not now be paying for subsequent opinions or redesign. Dan Leonard supports creating the letter for CDM but would like to know why first. Brian Sullivan stated that the CIP Committee needs to support Sharon and Steve in these negotiations.

Sharon McMillin suggested that the Board has several options to complete this portion of the project. She noted that the project has already been split into three separate parts: (1) temporary metering or use of water meter data at some locations which deleted any permanent installations from the construction project, (2) installation using the WRBP staff and the earthwork firm already under-contract to the WRBP for magmeter locations, and (3) the much-reduced construction contract still being designed by CDM. So, the only portion under discussion with CDM is this last portion of work where new construction bid documents need to be prepared and stamped by a PE in order to be eligible for SRF loan funds. The first 2 parts will be funded through the existing O&M budget, with no impact to community assessments. Sharon suggested that the next step is to ask CDM to respond with the technical reasons for not supporting their design recommendations from the value engineering effort authorized by the Board. She added that WRBP staff or the meter vendors could easily install the equipment needed at these remaining sites and the only reason an engineering firm was solicited is because of state loan funding. This could provide the option to simply fund the project out of the sinking fund and not use an engineering firm for further design and just have an engineer (CDM or Wright-Pierce) perform an inspection of each installation. Ray Korber suggested that the committee look at the whole project and determine who takes on what liability before spending any more money. He suggested putting a work plan together to designate who is responsible for which portion from this point forward. Sharon McMillin expressed concern that this will take time and in order to get the flow metering in place this year, we need to go ahead with the contract and begin work. The Board had already voted to proceed with splitting the project into the three portions. She noted that only the three locations that CDM wants to re-design (one of which may be for manual readings) are at

issue, but CDM has not explained why they changed their thinking. Correspondence between CDM and WRBP technical staff indicated that these previously recommended battery/solar/radio installations were indeed technically feasible. Brian Sullivan suggested letting Sharon contact CDM about the technical reasons for their change in recommendations and, when she gets a response from CDM, the committee can decide how best to proceed. Ray Korber urged Sharon to impress upon CDM that we need to get the project going and ask for a date when bid documents will be ready. Ray suggested that an implementation schedule requested from CDM would largely complete the critical path work plan for that portion of the project. Ray also requested a cost breakdown for the locations where WRBP staff was doing part of the work to include all costs associated with project implementation and completion. Steve Dolloff confirmed with Ray that the cost breakdown he was requesting was comprehensive and included equipment and material costs, contract services costs as well as WRBP staff time in scoping and implementing the improvements at the locations.

Sheldon Morgan commented that communities are looking at the MOU schedule which has not been met for the flow metering and rate allocation project. The communities only see that WRBP is not meeting its agreed-upon timeline. Steve Dolloff commented that a work plan for the meter installation as suggested by Ray Korber is essential. Steve Dolloff stated that he believed as Ray suggested that the Board should get assurances of responsibilities and liabilities before proceeding to construction because, if components of the project do not function as intended or believed they should, then the responsibility for the shortcomings falls somewhere and it should be clear what was intended right from the beginning. Developing a work plan should not take a great deal of time or effort to assemble; therefore, should not delay project construction since design is not complete and additional information has been requested of CDM. Paul Moynihan recommended keeping the engineer tied to the whole project to keep it moving forward. Brian Sullivan stated that the committee's charge is to keep working on flow metering, prioritize a work plan for the MOU items that need to be accomplished, and update the CIP. The dates on the goals cannot be modified in the MOU document but there can be an explanation of delays when the work plan is finished. Sharon McMillin suggested putting that information in a transmittal cover letter rather than annotating the MOU; creating a very large document. The target for this MOU update report is October 2013.

8. *DES, DAS and Advisory Board to meet with member communities – pending MOM study.*
9. *DES and member communities meet to evaluate statutory alternatives – on-going.*

10. *DES to complete ownership inventory study* – Sharon McMillin stated that the inventory is complete but the decision-making process is not. The Attorney General is willing to assist in developing the process. The second component of this effort is the format for transferring ownership to the agreed upon entity. The communities will need to agree on definitions, etc. and at what level of repair the facilities must be at the time of transfer.
11. *DES and Advisory Board to have study completed to evaluate existing operations, etc.*  
The MOM study is ongoing and should be completed by 12-31-2013.
12. *Requests for information or financial reports* – ongoing.

The next Advisory Board will be July 9, 2013 at 9:00am in Gilford.

Meeting adjourned at 11:00 am.

*Minutes prepared by Eliza Conde*