

**BOARD OF SELECTMEN MEETING MINUTES
TOWN OF EPPING, NEW HAMPSHIRE
Tuesday April 11, 2023**



ATTENDANCE

Chairman Joe Trombley, Vice-Chairman Tom Gauthier, Selectmen John Cody and Pamela Tibbetts; Town Administrator Gregory C. Dodge; Water and Sewer Commissioners, Chairman Tom Dwyer, Commissioner Marc Nickerson and Scott Pim; Water & Sewer Administrator Dennis Koch.

INVITED GUESTS

State Representative Michael Vose, State Representative Mark Vallone and Finance Director Lisa Fogg.

CALL TO ORDER

Chairman Joe Trombley called the meeting to order at 7:00 PM in the upstairs meeting room of the Epping Town Hall.

PLEDGE OF ALLEGIANCE

WATER AND SEWER ISSUES

Chairman Joe Trombley opened the meeting advising the viewing public that this meeting was called to get a Waste Water Plant update. Water and Sewer Commissioner Chairman Tom Dwyer wasn't sure as to where to start with his overview.

Vice-Chairman Tom Gauthier stated he had a few questions to start things off and stated that the new screener in the Headworks building is installed and working well. Mr. Dwyer said that the use of ARPA money enabled the Commissioners to have the screener purchased and installed. Commissioner Nickerson said that they did incur some delays.

The Water and Sewer Commissioners went into great detail on the problems incurred at the plant and proposed solutions. Everything being done is under the supervision of DES (Department of Environmental Service) and the US EPA (Environmental Protection Agency).

Details of what was discussed can be seen on the ETV video.

The Commission has submitted a CAP (Corrective Action Plan) to DES which has been approved.

Commissioner Pim stated that DES, EPA, Town of Durham, Engineers, or anyone for that matter has given any better solutions to what is already being done. The plans in place are DES approved.

The long-term plan is to build a new building but that is at least 3-5 years out.

ADMINISTRATIVE ORDER

The Commissioners spoke of a second Administrative Order that is forthcoming from EPA. The order was based on the Town's corrective action plan and is the enforcement piece to ensure the Town stays in compliance.

EPA has written the Administrative Order and sent in to DES for review and then it will be received by the Town.

TOWN OF DURHAM LETTER

The Selectmen and Board of Commissioners discussed a five-page letter received today from the Town of Durham. Durham was not very complimentary of the way in which the Town of Epping has been working through the issues. Durham being down stream from Epping utilizes water from the Lamprey River as a source for drinking water. When Epping discharges into the Lamprey the Town of Durham must change the way in which they treat their water.

Durham is on the bi-weekly calls that DES has with the Town of Epping and should be well aware of the procedures being used in Epping.

The Boards questioned the necessity of the letter in the first place.

Representative Vallone and Vose were given copies of the letter and a copy is attached to these minutes.

It was apparent that the Town of Durham was looking for stricter enforcement including the issuance of fines. Fines of course would be counterproductive.

Representative Vose, in a conversation with the Deputy Commissioner of DES, said last week that the "hammer" is about to come down on Epping. Not knowing what the "hammer" was the Deputy Commissioner said that fines up to \$30,000 a day could be assessed. Chairman Trombley said the on the phone call with EPA last week there was no mention of any fines

whatsoever. The Commissioners believe that the Town is not in line for fines as the CAP is being followed and fines are only assessed after other measures (warnings) are taken.

The Commissioners and Selectmen spoke about having the letter reviewed by Town Counsel. Additionally, the Board would like an attorney who has expertise in the field of water and sewer.

Motion by Selectman John Cody to send the letter to the Town Attorney for review and comment. Seconded by Vice-Chairman Tom Gauthier. Motion carried 4-0.

Motion by Chairman Joe Trombley to seek a special attorney to handle the issues facing the Water and Sewer Department. Seconded by Vice-Chairman Tom Gauthier. Motion carried 4-0.

For further detail, it is advised that the ETV tape be referred to.

FUNDING

Finance Director Lisa Fogg was in attendance to discuss the need to apply for an \$800,000 loan as it relates to the water line project on Railroad Avenue. Though it has been mentioned by the Town's Engineer, Dave Mercier that a loan may not be necessary due to costs being less and a surplus being expected the Town has a financial obligation for the water line project now and needs to pay its bills. Lisa Fogg suggested that the Town pursue the loan.

Motion by Chairman Joe Trombley to pursue an \$800,000 loan for the water line project. Seconded by Vice-Chairman Tom Gauthier. Motion carried 4-0.

Lisa Fogg, the Board and Commissioners also discussed the \$323,000 received back from the water treatment plant project. No decisions were made as to where the money should be spent however it was suggested that it be used on the water line project. A list of proposed uses is expected from DPW.

ARPA GRANT – NITROGEN ISSUE

Administrator Koch brought forward a request to extend the Total Nitrogen Reduction Grant in the amount of \$100,000. The nitrogen levels flowing downstream into Great Bay are of great importance now. This grant is being awarded to the Town so that we can conduct a study.

Motion by Vice-Chairman Tom Gauthier to extend the Total Nitrogen Reduction Grant in the amount of \$100,000 and to designate Town Administrator Gregory C. Dodge to sign any subsequent paperwork. Seconded by Selectman John Cody. Motion carried 4-0.

ADDITIONAL MEETING

It was important that this meeting happen so that our State Representatives be kept in the loop as to the problems and progress in correcting any of the issues. It was agreed upon that further meetings be scheduled. A follow-up to this meeting was suggested for May 9, 2023.

Note: This meeting was 2 ¼ hours in length and as suggested twice within these minutes it is highly suggested that the ETV tape be reference for greater detail.

ADJOURN

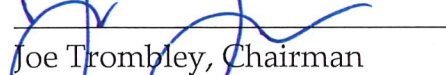
Motion by Vice-Chairman Tom Gauthier to adjourn the meeting. Seconded by Selectman John Cody. Motion carried 4-0.

Meeting adjourned at 8:15 PM.

Respectfully Submitted:



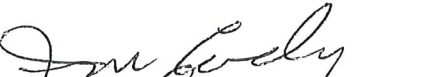
Gregory C. Dodge
Town Administrator



Joe Trombley, Chairman



Tom Gauthier, Vice-Chairman



John Cody, Selectman



Pam Tibbetts, Selectman

Note: Selectman Bob Jordan was excused.

Date: April 17, 2023