

**MINUTES**  
**REGIONAL ROUNDTABLE**  
**SATURDAY – SEPTEMBER 14, 2002**  
**9:30 AM**  
**NASHUA CITY HALL**

**Present:**

Bernard A. Streeter - Mayor, City of Nashua  
Paul Sharon - Town Administrator, Hudson  
Jay Minkarah - Community Devel. Director, Merrimack  
Kathy Hersh - Community Devel. Director, Nashua  
Bob Heaton - Chair, Amherst Board of Selectmen  
M. Crocker - Amherst Board of Selectmen  
Marilyn Peterman - Amherst Board of Selectmen  
Rhona Charbonneau - Hudson Board of Selectmen  
Shawn Jasper - Hudson Board of Selectmen  
Ann Seabury - Hudson Board of Selectmen  
Frank Byron - Litchfield Board of Selectmen  
Patricia Jewett - Litchfield Board of Selectmen  
Dick D'Amato - Chair, Milford Board of Selectmen  
Nancy Amato - Milford Board of Selectmen  
Cynthia Herman - Milford Board of Selectmen  
Mike Fimbel - Mont Vernon Board of Selectmen  
David Rootovich - President, Nashua Board of Aldermen  
Fred Britton - Nashua Board of Aldermen  
Paula Johnson - Nashua Board of Aldermen  
Bette Lasky - Chair, Nashua Planning Board  
Jack Balcom - NH State Representative, Merrimack  
Robert Milligan - NH State Representative, Merrimack  
Debra Pignatelli - NH State Senator, Nashua  
Nelson Allan - NH State Representative, Nashua

Mary Andosca - NH State Representative, Nashua  
Robert Daigle - NH State Representative, Nashua  
Nancy Ford - NH State Representative, Nashua  
Christine Furman - NH State Representative, Nashua  
Ruth Ginsburg - NH State Representative, Nashua  
Mary Gorman - NH State Representative, Nashua  
Mary Ellen Martin - NH State Representative, Nashua  
Joan Schulze - NH State Representative, Nashua  
Andrew Singelakis - Executive Director, NRPC  
David Connell - City Attorney, Nashua  
Amy Prouty Gill - DPW, Nashua  
Maurice Arel - President & CEO, Pennichuck Water Works  
Allan Fuller - Pennichuck Watershed Council  
Barbara Pressly - Nashua  
Karen White - Planning Director, Bedford  
Michael Scanlon - Bedford Town Council  
Bill Van Angler - Bedford Town Council  
Chip Sullivan - Concord  
Michael Blaisdell - Keene  
Scott E. Green - Londonderry Times  
Maureen Mooney - Merrimack  
Malcolm Locor - Nashua  
Tom McGreevy - Nashua  
Ginny Hinkle - Nashua

Mayor Streeter opened the meeting with introductions and indicated that the meeting was being co-hosted by the Nashua Regional Planning Commission (NRPC).

The primary purpose of the meeting is to discuss the proposed merger of Pennichuck Corporation and Philadelphia Suburban water companies, which is currently before the NH Public Utilities Commission.

Dave Connell, Nashua Corporation Counsel and Amy Gill, DPW Engineer, discussed the City of Nashua's study, which is due in mid-October. That study will provide the City with recommendations regarding the merger, and will evaluate the assets and liabilities of both water companies, water capacity of the current system, watershed management issues, and regulatory and legal issues. The City has invested \$100,000 in the study, and is using Sansoucy Associates and Rizzo Associates as its consultants.

Andrew Singelakis, NRPC, discussed his agency's activities with respect to the merger. The merger affects over 20 communities in five planning regions in NH, but primarily in the greater Nashua area. He has been in contact with the other planning commissions with regard to this issue. NRPC is a planning agency, and therefore, its concerns are based primarily on planning related issues and submitted related questions through the PUC process. He has been working with Barbara Pressly's group, however, as a resource person. He distributed a policy adopted by the NRPC board which concludes that the agency will pursue a forum to coordinate planning issues with the owner of the system, other regional planning agencies, communities and watershed groups, and will seek assistance and support through the PUC process. NRPC takes no formal position on who should own the system, and is interested in obtaining feedback from its member communities.

**Minutes  
Regional Roundtable  
September 14, 2002  
Nashua City Hall**

---

Page 2

Barbara Pressly provided an overview of the activities of her committee, which is seeking to develop legislation that would enable the creation of a regional water district, and whether there is a possibility of creating a regional water district for communities with a customer base affected by the current holding and contracts of Pennichuck Corporation. A small committee has been formed to look at the issue.

Karen White, Bedford Town Planner and a committee member, provided a brief overview of the potential benefits of a regional water district, including: local control of the resource, lower operation costs, as a regional district is not subject to federal and state corporate income taxes, reduced overhead due to the absence of corporate expenses (profit) and the ability to raise capital at lower borrowing costs than a for-profit water utility. In addition, a regional district would have the ability to proactively protect watershed lands. The formation of a regional district would also have no impact on property tax rates, as funding for it would be through ratepayers.

Eugene (Chip) Sullivan, also a committee member, and an attorney in private practice in Concord who has worked for the PUC for 10 years, was referred by the Consumer Advocate. He is working on language for submission to the legislature that would enable the formation of a district. This language is being developed but would involve modifications of Chapters 53A (municipalities and joint ventures) and 38 of the RSA. If the communities are interested in pursuing a regional district, the proposal could be submitted as an alternative to the Philadelphia merger through the PUC. When an alternative is submitted, the test changes from "no net harm" to an evaluation of which alternative has the greatest "net benefit." While there is a tight time frame, it is possible to develop this and submit it in time.

The following were expressed by the group pursuing a regional water district as general ideas for the formation of the water district:

- A local water district will replace ownership of the entire company from private-for-profit to public consumer owned.
- The conversion of ownership from private to public shall not pose any loss in revenue for any municipality.
- A structure will be created where every municipality may choose to join or separate from the district as they wish.
- Any community with ratepayers and/or assets of the current system, including contracts, is eligible to join the district.
- Each municipality shall have at least one representative.
- A regional water district will create a management structure composed of balanced and fair representation.
- The water district will raise money to purchase the company by issue of tax-exempt revenue bonds.
- The budget and finances of the water district will in no way impact or be influenced by the budget and finances of the participating municipalities.
- The basic Pennichuck company structure will initially be kept in tact. All agreements, services, programs, and contracts will remain as currently structured. The only change is that the stockholders and the Board of Directors will be replaced with something like commissioners and representatives of ratepayers.

The floor was opened to questions from Selectmen/Aldermen present. Most agreed that it would be worthwhile pursuing. Representatives from Hudson pointed out that their community successfully purchased the private water company serving that town and the result was lower rates. Some present felt that it might not be possible to join in time for town meeting schedules, but that perhaps Nashua could take the lead on this. Nashua representatives cautioned the need to evaluate the outcome of its study. Others expressed concern that the system be taken over by Nashua alone.

**Minutes  
Regional Roundtable  
September 14, 2002  
Nashua City Hall**

---

Page 3

It was the consensus that the issue was worthy of further exploration. NRPC would take the lead in coordinating the study committee. Those present were asked to submit names of persons interested in participating and further solicitations will go out to other communities.

Allan Fuller, Chair of the Pennichuck Watershed Council<sup>1</sup> gave a presentation regarding his group's activities. He is currently working on an analysis showing the amount of conservation land necessary for the purchase of buffers up to 400'. He will also be looking at impervious surfaces in the watershed. He stated that he had meet with Gerry Nash who has a site plan pending on the Bon Terrain industrial park in Amherst and will be advocating for developing outside of the 400' buffers.

Andrew Singelakis gave an abbreviated transportation report due to time constraints. He primarily wanted to stress that NRPC is completing its Route 101 study. NRPC has been working with the Town of Bedford with VHB and Wallace Floyd Design Group. The study is recommending the widening to 4 lanes through Amherst and the Milford by-pass. In addition, the widened bypass will be extended westward to beyond Wilton Road in Wilton. Two intermediary steps are safety improvements and are recommended early on. These improvements will be at Hardy/Jenkins Road in Bedford, and will also involve the use of pylons to separate traffic on the Milford Bypass. It is very important for all four communities (Amherst, Bedford, Milford, Wilton) to work together to advocate for these improvements.

Mayor Streeter stated that the target date for the next regional roundtable would be on October 26 with a location to be determined.

The meeting adjourned at 11:45 AM.

**#200U-13**

---

<sup>1</sup> *The Pennichuck Watershed Council is a private, voluntary citizens group with no formal representation from the five communities in the watershed, although many of its members play roles in local government.*