

**Kingston, New Hampshire
Board of Selectmen
Meeting of March 4, 2019
FINAL MINUTES**

The meeting was called to order at 6:30 PM in the Selectmen's Office at the Town Hall.

PRESENT: Chairman Mark Heitz; Phillip Coombs, Kevin St. James, Donald Briggs, Jr., Selectmen.

ABSENT: George Korn, Selectman

ADMINISTRATIVE: APPLICATIONS, PURCHASE ORDERS, CORRESPONDENCE:

The Selectmen reviewed correspondence and signed purchase orders.

SCHEDULED APPOINTMENTS

Water Sampling and Testing, Update and Discussion

Dave Allwine of Stantec and Road Agent Rich St. Hilaire came forward to discuss this subject with the Board and residents present.

Mr. St. Hilaire said that recently new requests were sent out asking residents to allow their water to be sampled for PFOA and PFA contaminants, some for the first time and some in order to collect new data. He said that the test results showed that the house next to the Town Hall was found to have a high level of contaminants. The resident was contacted right away and supplied with bottled drinking water. Mr. St. Hilaire said he is in the process of waiting for a third quote to buy a water treatment system for the affected well. He said the State and Mr. Allwine were notified of these actions.

Mr. Allwine said that in this round of testing there were also several instances where trace amounts of contaminants were found in locations where charcoal filters had been installed after the first round of testing. He explained that the samples are taken from the water before it enters the filter, in between the two charcoal tanks, and after it comes out at the end. In 5 tests from this round, trace amounts of some of the chemicals were found in the mid- filter and post-filter samples. Mr. Allwine said that he found it odd that these samples were not clear, as the filters were recently serviced, but after looking at the data from the State and from what Stantec's lab had tested, he found that one difference is how many compounds are tested for. The company that the State uses tests for 23 different chemicals, while the previous test had been for only 9 chemicals. He said that some of these things will not be filtered out with charcoal; however, these items were found in trace amounts and nothing above New Hampshire standards for drinking water. He added that this is not a case of the charcoal being worn out.

Chairman Heitz said that the testing is supposed to be for PFA's, and asked if the other substances are an issue for the State. Mr. Allwine gave an explanation of the different reporting practices, and said that reporting detection levels vs. reporting limits also makes a difference in whether a chemical will be on the report. He said that to him it makes more sense to report at the reporting limit rather than what appears at amounts below the reporting limit. Chairman Heitz asked what NH DES required for reporting,

and Mr. Allwine said that reporting only what appears above the reporting limit is fine, but that he would talk to them before the next round.

Mr. St. Hilaire said that when he realized the difference in reporting, he went through the 100 pages of detail to compare house to house. He said he could see that something was wrong, so did not notify those people; he said he thinks the filters are working fine.

Chairman Heitz said that as to the high levels at 161 Main Street, this seems to be significantly outside of the flow area where the problem was thought to be. Mr. Allwine said that finding the levels they did was not expected, based on the understanding of the source. He said he wants to talk to the Fire Chief to find out if anything happened in that area that might be a cause.

Chief Bill Seaman said that there have been some fires, but no Class B foam has been used since he has been on the job. Mr. St. Hilaire said his opinion is that it could be traced to the former home owner who had brought home the empty buckets from the foam and rinsed them in his yard. Mr. Allwine said there was something else curious about that sample, in that while generally the PFOAs are significantly higher than the PFOs, in this case it was the reverse. This made him wonder if the source was something other than the Class B foam.

Mr. Allwine then said that it should be kept in mind that a lot of samples were collected and that PFAs were found in nearly every sample, no matter where on the gradient the source was. The hottest area apart from 161 Main Street was the fire station and monitored wells. The residential wells with carbon systems have not changed a lot. He said there is a lot of the contamination around, and the NH DES is trying to get a handle on it. Fire training areas are a big issue.

Chairman Heitz said that there are numerous other sources of the chemicals. Mr. Allwine said that Scotch Guard is almost pure PFAs; Teflon and the paper used to wrap hamburgers are other examples. He said that there are literally hundreds if not thousands of items, that it seems to be everywhere and he is not sure in the end the fire station will prove to be the source of all the contamination in Kingston. Chairman Heitz asked how the State is responding to the latest results; Mr. Allwine said they have the preliminary data and will be waiting to receive it in an official format from him.

Going forward, Mr. Allwine said the plan is to continue with the 9 months (January, April and July) of monitoring for 2019. Results will be evaluated to determine the next steps. As long as any samples exceed standards, sampling will continue.

Chairman Heitz asked if the state has indicated how widespread the contamination is state-wide. Mr. Allwine said they are trying to get a handle on occurrences across the state and started going back to other related sites, such as landfills and hazardous waste sites. He said this is the biggest problem facing the NH DES at this time. He said there is also some discussion on lowering the standards and adding new standards; in the future there may be five or six compounds with standards rather than two.

Mr. St. Hilaire said that the Kingston landfill is regularly tested and was tested last time the water was tested, for the set of 9 compounds; he said that nothing exceeded standards. Mr. Allwine said he uses a map to show, with red and blue dots, where contaminants have been detected and where they were found to be above acceptable levels. He said the data as it stands seems to show the levels are not rising, but fluctuate.

There was a discussion of the number of compounds to test and what labs they are sent to. Mr. Allwine said he would like to find a local lab to use, as currently the samples are sent to Washington State. He said a local lab would be easier to deal with, but it is up to the state if they want to reduce the number of compounds tested for, and any change will probably have to wait until after the three 2019 sample events are completed.

Mr. St. Hilaire said that there may be another request from the State to sample another 500' radius because of the hit on 161 Main Street. He said that residents might be getting a letter from the State or the Town, and should allow samples to be taken from their wells. He said if they have questions they can call him or the Health Officer or the Town Hall, but the samples need to be obtained.

Selectman St. James said that he thinks the number of substances tested for needs to be standardized, as well as the way the results are communicated, so that it is easier to understand. Chairman Heitz asked if the State is looking at setting standards, and Mr. Allwine said they are looking at 23 items because they want to know what's in the water.

Selectman St. James said that in the process of trying to find causes and remediate the problem, he wondered if the source of the contamination will be determined, as he thinks it may be on the Plains rather than at the fire station. Mr. Allwine said that samples from a big dug well right across from the fire station showed lower levels of contamination than at the fire station, so on the surface, this suggests a bigger source at the fire station.

Selectman Briggs asked if soil samples were taken from the Plains. Mr. St. Hilaire said they had not, as the Plains had not been used in 20 years and that the perc rate in the sandy soil is very high. He said the chemicals will probably not be found in the soil; they move with the water. Selectman Briggs said that for years, non-profits held car washes on the Plains; Mr. Allwine said he did not know what soap they used, but that it could be a contributing factor.

Chairman Heitz said that the level to exceed the standard is 70 parts per trillion; he said he had asked what this equated to and was told it is equal to 1 drop in 7 Olympic sized swimming pools, making the point that it only takes a tiny amount of chemicals to contaminate a large volume of water to an unacceptable level.

Selectman St. James said it is known that PFAs are found in the Class B foam, and that the contamination is still present at the fire house property. However, he said that contrary to misinformation that is going around, this should not deter people from voting for the new fire house to go on the property, as the problem is already known, and the

town will do due diligence to build to standards and take care of the contamination on the site.

Selectman Briggs asked if the PFA/PFOAs break down over a period of time. Mr. Allwine said that these compounds have a very stable bond that is very difficult to break apart, making them very recalcitrant. Selectman Briggs said that the Town will be dealing with this problem for a long time, and he recommended that the board look into joining a class action lawsuit to protect the Town from liability for what will be a costly process. Mr. St. Hilaire said he had talked to Primex, the Town's insurance carrier, and learned that because the Town has a pollution disclaimer, the most Primex will pay is \$10,000. Selectman Coombs said that the State Senators and Representatives should be approached to see what can be done on the federal level. Selectman Briggs offered to research if any suits or superfunds are being pursued by the State.

Selectman St. James asked if the Health Officer had anything to share. Health Officer Peter Broderick came forward and went through the steps that were taken following the results of 161 Main Street being received; he said he could not think of anything else that needs to be done. Mr. Allwine agreed, saying he thought the situation was handled just right.

The Chairman said he would move the first Public Comment period forward on the agenda, as several residents were present to listen to this topic.

Chip Dodge of 121 Main Street asked why nothing has been started, as far as bringing in equipment to pump or dig out the contaminated areas. Mr. Allwine answered that the problem with these compounds is that there are not as many options for treatment as there are for things such as petroleum. The carbon filters are state of the art at this time. He said that so far, no large area of soil has been identified that could be dug out to remove the source. He said it could well be as Mr. St. Hilaire suggested, that the chemicals have already leached out of the soil.

Mr. Allwine said that as the water levels change, there will be changes in concentration in the samples over time. Selectman Briggs asked if more wells were tested it would tell more about where the water is moving and the source of the contaminants. Mr. Allwine said he would never say no to more data, but that information from monitoring wells would be a very small piece. He said more wells may be required to be installed to test, to monitor water levels and get a better idea of the flow field. Mr. St. Hilaire said that Dana Truslow may have a lot of data that may be helpful.

Brandon Marrs of 161 Main Street asked about the map Mr. Allwine had created to show the results of testing with blue and red dots to depict levels below and above the standard. He asked if the raw water is treated as well as the filtered water, which it is, and if those levels were decreasing at all. Mr. Allwine said that some have gone down, due most likely to water migration, or any number of things. He said that is why it is important to look at a number of results over time.

It was agreed that a larger version of Mr. Allwine's maps would be helpful for information. Selectman Briggs suggested research should be done into what other towns are doing about this problem. Selectman Coombs said a letter should be sent to the Maggie Hassan, Jeanne Shaheen and Chris Pappas, as this will be very costly and could rise to the federal level.

Selectman Coombs said that this meeting was put together rather quickly, and that he would like to do another and this time put out notices to residents. Mr. Allwine suggested inviting KateEmma Schlosser of the NH DES. This meeting will be set after the results of the April testing have been received.

Fire Department:

Fire Chief Bill Seaman informed the Board that following the loss of Berwick Fire Captain Barnes in a fire, the Seacoast Fire Chiefs are taking turns helping out in Berwick. Kingston will be putting an engine in Berwick on Sunday to staff the Berwick fire department.

APPROVAL OF MEETING MINUTES:

MOTION: by Selectman St. James to approve the public and non-public meeting minutes of February 25, as written.

SECOND: by Selectman Briggs.

It was noted in discussion that Chairman Heitz was incorrectly quoted about the source of PFOAs on page 5.

MOTION: by Selectman St. James to approve the public and non-public meeting minutes of February 25, as amended.

SECOND: by Selectman Briggs.

All in favor.

NEW BUSINESS

Rockingham Planning Commission Electricity Supply Aggregation: Invitation to participate - Discussion

Correspondence has been received from Tim Roache, Executive Director of the Rockingham Planning Commission, asking if the Town is interested in participating in an electricity supply aggregation the RPC is forming. It was agreed to answer the questionnaire expressing interest, and that Selectman St. James will attend an informational meeting on March 18.

ADMINISTRATIVE: APPLICATIONS, PURCHASE ORDERS, CORRESPONDENCE

- A solar power contractor has contacted the town and asked to meet with the Selectmen about a possible future solar installation at the landfill. It was agreed that Todd Stewart of Solar Power Financial will be invited to a future meeting.
- A question has been received via the Town's website about distribution of leaflets around town. There is no prohibition on this at this time, but the person will be advised to check with property owners before putting leaflets on cars, for example at the Carriage Towne Plaza.
- The facilities use form for use of Magnusson Field by a baseball league on Sundays is still awaiting signatures, pending payment of the agreed-upon \$200.

- A facilities use application from a resident wishing to use the meeting room for a family gathering was denied due to the fact that both maintenance employees are unavailable. (Motion St. James, Second Coombs, all opposed)
- A decision will be made by Friday whether or not a meeting will be held on March 11. If there is no pressing business, the meeting will be cancelled as the Selectmen will be required to attend the Town Meeting on Tuesday.

Non-Public Session

MOTION: Upon motion of Selectman St. James, **SECOND** of Selectman Briggs, it was voted by roll call to adjourn to Non-Public session under the provisions of NH RSA 91-A:3, II (I): Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

In Favor: Heitz, Briggs, St. James, Coombs; Motion passed.

The Board adjourned at 8:30 PM

MOTION: Upon motion of Selectman St. James, **SECOND** of Selectman Coombs, it was voted by roll call to return to public session at 9:22 PM.

In Favor: Heitz, Briggs, Coombs, St. James; Motion passed.

MOTION: By Selectman Briggs, to seal the minutes of the non-public session for an indefinite length of time, as releasing the minutes would affect adversely the reputation of any person other than a member of this board.

SECOND: By Selectman Coombs

In Favor: Heitz, Briggs, Coombs St. James; Motion passed.

Adjournment:

MOTION: by Chairman Heitz to adjourn at 9:25 PM.

SECOND: by Selectman Coombs.

All in favor.

Respectfully submitted,
Susan Ayer
Administrative Assistant