



25 Vaughan Mall
Portsmouth, NH 03801

MEMORANDUM OF UNDERSTANDING

To:

Board of Selectmen-Salem, NH
Board of Selectmen-Windham, NH
Board of Commissioners-GLSD

Reference:

Salem/Windham
Sewerage Program to Upgrade and
Extend Services Associated with
I-93 Reconstruction

Prepared By:

Underwood Engineers, Inc.

Date: January 31, 2011

This memorandum is provided as a working document and is intended to present the efforts to date to determine the feasibility of this sewerage program undertaking and to lay out a “template” as to what is required to implement this endeavor.

The project to date has been completed in several phases. Phase 1 was completed in 2009 with its findings presented in the report entitled “Windham/Salem Sewer Line Interconnection Feasibility Study”, November 30, 2009, and includes various route options for a sewerage connection from Windham to the GLSD through the Town of Salem. This second phase, funded throughout the I-93 Community Technical Assistance Program (CTAP) for New Hampshire Communities Planning Together, revolves around an initial assessment of the following aspects of the project.

Task 1	Technical Overview
Task 2	Administrative Overview
Task 3	Financial Overview
Task 4	Coordination and Meetings
Task 5	Deliverable

The full scope of work or the Work Plan is part of CTAP Grant Application, dated June 11, 2010 and Engineering Services Agreement dated August 3, 2010.

The following summary identifies the efforts and findings as part of the Phase 2 project.

Task 1 – Technical Overview

- GLSD (District)
 - GLSD owns, operates and maintains the interceptor network extending through the City of Lawrence, Town of Methuen and metering locations in the Town of Salem
 - Capacity exists in this interceptor network and within the original GLSD interceptor and treatment facilities located in North Andover

- Construction standards including metering must be complied with
- Salem
 - The proposed Westside Interceptor must be the point of acceptance of flows from Windham
 - The Cross Street metering structure primary flow insert device will need to be modified and/or removed
 - Hoyle, Tanner and Associates completed a 75% design of the Westside Interceptor, NHDES Project D-193-100, in 2002. A copy of these documents is on file at the Town of Salem
 - HTA has provided an initial review letter dated September 9, 2010 of the 75% design documents and will work the Town to update and finalize these comments
 - Route – The proposed inter municipal sewer route is shown on Figure 1, copy attached
 - The NHDOT needs to be part of the technical review process for any sewerage component located within the NHDOT R.O.W's or Limited Access R.O.W's
- Windham
 - Final sewerage program service area(s) including flows and loads need to be established
 - Ongoing mapping/conceptual sewerage planning effort is complete and a copy of the mapping is attached
 - It is anticipated that Phase 3 in 2011 will establish the cost/unit served basis for finalizing the sewer service area(s), flows and loads
 - The Town understands the role the GLSD and Town of Salem “Standards of Construction” will play in the overall implementation of the Windham Sewerage Program Buildout

Task 2 – Administrative Overview

- GLSD (District)
 - The need to renew the existing 1982 GLSD/Salem Agreement is of primary focus
 - Sewer service to Windham is feasible and will be a separate agreement between the GLSD and Windham including flows and service area delineations
 - The District has reinstated a subcommittee to work through the details of the Salem Renewal
 - The District intends to have the subcommittee involved in a GLSD/Windham Agreement
 - The District recently entered into an agreement with Dracut, Massachusetts for sewer service and the “Dracut Model” will serve as the basis for the GLSD/Windham agreement.

- Salem
 - Salem has a written request into the GLSD to initiate the renewal process and proceedings
 - An intermunicipal agreement will be needed between Salem/Windham due to the shared nature of the proposed sewerage improvements related to this project
 - Terms and conditions associated with the above two (2) agreements need to be determined
 - Documents used by other municipalities are available to serve as a working model

- Windham
 - An agreement with the GLSD must be pursued
 - An intermunicipal agreement with Salem must be pursued
 - Sewerage Build Policy must be established for sewer service in Town. Phase 3 is critical to defining this policy because the costs per unit served will be determined.
 - Sewerage Rules, Regulations and Sewer Construction Standards for both the GLSD and Salem must be adopted

Task 3 – Financial Overview

- GLSD (District)
 - It is intended that the “Dracut Model” will serve as the basis for a new agreement between the GLSD and Windham and for costing out the associated connection fees
 - The District Subcommittee will be charged with this task

- Salem
 - Cost sharing for sewerage facilities constructed in Salem will be included in the intermunicipal agreement
 - HTA is preparing updated costs which will be needed for planning purposes
 - Final costs will be based on actual project completion costs

- Windham
 - In accordance with the above agreements, costs to the Town associated with the GLSD and the Town of Salem will be determined
 - Within Windham, the Sewerage Buildout Program costs and methods to assess these costs must be determined
 - Phase 3 of the Town’s program will provide planning level opinions of cost and identify the total project costs/unit served

Task 4 – Coordination and Meetings

- GLSD (District)
 - A meeting with District staff and Underwood Engineers was held July 27, 2010 to provide an overview of the project

- Salem/Windham
 - Joint meetings of staff and selectmen representatives were held as follows:
 - August 18, 2010
 - August 23, 2010
 - September 14, 2010
 - September 30, 2010
 - November 4, 2010
 - January 6, 2011
 - January 31, 2011 (scheduled)

- NHDOT
 - The January 6, 2011 meeting with NHDOT was specifically to review the I-93 corridor route, the Sewerage Buildout Program concepts and discuss the shared use of both NHDOT R.O.W's and the I-93 corridor L.A. R.O.W.
 - The NHDOT does not support linear (parallel) utilities (sewers) within the L.A. R.O.W.
 - One topic of focus was the possible shared use of new pumping and piping for temporary storm water mitigation during highway construction, and subsequent conversion of these facilities to Windham's and Salem's for a sewerage trunk line connection following I-93 construction
 - NHDOT will contact Underwood Engineers when a more detailed review of the 95% PS&E documents can be scheduled. Further discussions will be required
 - Phase 3 of this study will be essential to continue this discourse

Task 5 – Deliverable

- This Working Draft “Memorandum of Understanding” (MOU), satisfies this task
- A joint meeting of the respective Boards of Selectmen in Salem and Windham needs to be scheduled
- Tentative dates are being reviewed

WHERE DO WE GO FROM HERE?

- The following Short Term Action Items provide a realistic schedule to complete the necessary steps to continue to implement the Sewerage Program. Long Term Action Items will depend on various local support efforts including Town Meeting votes.

SHORT TERM ACTION ITEMS

- Continue discussions with NHDOT
 - South Bound I-93 Barrel Construction currently scheduled to start in 2012
- GLSD/Salem Renewal of agreement
 - Schedule for 2011
- GLSD/Windham new agreement (Draft Documents)
 - Schedule for 2011
- Update Salem Westside project documents with cost opinion
 - Schedule for 2011
- Windham Sewerage Buildout Program concepts with cost opinion
 - Scheduled for 2011
- Subsequent Town Meeting actions in Salem and Windham to be determined for 2012.

LONG TERM ACTION ITEMS

- Develop funding strategy and time line for sewerage Cobbett's Pond, Canobie and Shadow Lake areas