



**Emerald Lake Village District**  
**Hillsboro, New Hampshire, 03244**  
**Official Meeting Minutes**

**2008 Bond and Budget Hearing | Monday, March 31, 2008**

State of New Hampshire 2008

In attendance; Commissioners Bob Hutchinson, Denise DeForest, Troy Cornock, Secretary/Treasurer, Sue Hutchinson, District Clerk, Tricia Stefanelli.

The bond hearing for Article #2 began at 7pm and ended at 7:30pm.

**EMERALD LAKE VILLAGE DISTRICT WARRANT**

*To the Inhabitants of the Emerald Lake Village District, located within the Town of Hillsborough, County of Hillsborough in said State, qualified to vote in District affairs:*

You are hereby notified to meet in the Hillsborough Community Hall (Courtroom) located at 29 School Street, Hillsborough, NH on Friday the 25<sup>th</sup> day of April 2008, at five o'clock in the afternoon. Balloting on Article One, election of officers will take place between five o'clock and seven o'clock in the afternoon. Articles Two through Sixteen begin at 7:30P.M., at the Hillsborough-Deering Elementary School.

**Article 1.** To choose one Commissioner for three years, one Commissioner for one year, one Moderator for one year, one Clerk for one year and one Treasurer/Secretary for one year. (To Be Voted On By The Official Ballot)

**Article 2.** To see if the Village District will vote to raise and appropriate the sum of **Two Hundred Thirty Thousand Dollars (\$230,000)** to design, engineer, and construct a replacement bridge at the outflow of Gould Pond for Emerald Drive, and to reconstruct and improve the dam at the same location to safely allow the level of the pond to be controlled; and to borrow in the name of the municipality by issuance of serial notes or bonds, in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33), a sum not to exceed \$192,100 for the purpose of defraying the costs of the foregoing, and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and authorize the receipt and expenditure of federal grants in the amount of \$37,900.

[Explanation: The District will receive a State Bridge Aid Grant in 2012 for \$153,680 which equals 80% of the total cost less the FEMA Grant already received for repairing the existing culvert. The purpose of the bond is to make the needed repairs now without having to wait until 2012. The bond will be paid off when the state funds are received in 2012. The cost to the Village will be the 20% town portion estimated at \$38,420, which will be used to make the bond's principal payments until the state funding is available to pay off the loan.] **2/3rds majority, ballot vote required. Recommended by the Board of Commissioners.**

Jim Coffey stated the estimated for the bridge construction came in at \$225,000.00 with an additional \$5,000.00 for bond issuing fees and bond counsel.

**Article 3.** To see if the Village District will vote to raise and appropriate the sum of **Eighty Thousand Dollars (\$80,000)** to construct a water system control building to house controls, communications, flow meters and for pump testing and other work necessary for approval of Patten Hill well # 11, as required by the New Hampshire

Departmental Department of Environmental Services, by authorizing the issuance of not more than \$80,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and to authorize the Commissioners and Treasurer to issue and negotiate such bonds or notes and to determine the rate of interest thereon.”

[Explanation: This bond issue is anticipated to be for 5 years.]  
2/3rds majority, ballot vote required. Recommended by the Board of Commissioners and the DES Groundwater Bureau.

Sue Hutchinson said as of now we do not have a control building to house our wells. We need a control building to protect them from snowmobiles as there is a trail in the area. Joe D'Amore from Water Systems Operators was present and explained the importance of this issue.

**Article 4.** To hear the reports of the Village District Officers, Auditors, Agents, Committees or other officers heretofore chosen or appointed; or to take any other action in relation thereto. **Majority vote required**

Commissioner Bob Hutchinson explained the audit will include the years 2005 through 2007 and will cost a “hefty sum”. Jim Coffey is working with Secretary/Treasurer Sue Hutchinson at present reconciling the bank statements for 2008 and 2007 and will hope to have all of 2007 and 2006 completed by the annual meeting in April. All this information must be provided to the auditor before an actual audit can start. Right now we’re not exactly sure what our exact balance in our water and general fund accounts are. Sue Hutchinson explained we will be applying for grants for everything district related. Jim Coffey explained our district roads measure a total of 10.1 miles. That is more than some towns. Therefore, we may apply for Highway Block Grants. We may be eligible for \$20,000.00 to \$30,000.00. After the November elections there is a two week window when bills can be submitted. Ben Molinari asked if the audit would be a forensic audit. Jim Coffey asked what he meant by a forensic audit. He responded it meant a thorough, in depth audit. Bob Hutchinson explained it would be a forensic audit and that we need to get moving as no grants can be filed without the audit complete.

**Article 5.** To see if the Village District will vote to raise and appropriate the sum of **One Hundred and Fifty Four Thousand, Seven Hundred and Eighty Dollars (\$154,780)** for the operating expenses of the district including General Government, Streets, Bridges and Recreation, Debt Service, Operating Transfers Out and all other current expenses of the district. **Majority vote required. Recommended by the Board of Commissioners.**

Sue Hutchinson gave some detailed examples of what this total includes. An outstanding equipment rental bill charged to the district by former Commissioner Ray Stankunas for \$7,000.00. Crushed stone and calcimite for Skip Edwards for road maintenance. Along with Park maintenance and office costs.

**Article 6.** To see if the Village District will vote to raise and appropriate the sum of **Two Hundred and sixty-seven Thousand, Seven Hundred and Two Dollars (\$267,702)** for the purpose of operating the Water Department during 2008; said funds to be offset by the income to the Water Department of an equal amount. **Majority vote required. Recommended by the Board of Commissioners.**

A breakdown of this total includes; Water Systems Operators, The Treatment Center, Electricity for the Pumps, Relay Phones, Internet and Pipe Repairs.

**Article 7.** To see if the Village District will vote to raise and appropriate the sum of **Thirty Three Thousand Dollars (\$33,000)** for engineering and other technical support to develop a Water Supply Master Plan as required by the New Hampshire Department of Environmental Services. This will be a non-lapsing appropriation for a period of two years per RSA 32:7, VI and will not lapse until the project is complete or by December 31, 2009, whichever is sooner. **Majority vote required. Recommended by the Board of Commissioners.**

Tata and Howard our water engineers are devising our Master Plan as required by the state of New Hampshire. Whether the District residents vote in favor or not for this Article it is a requirement of the state. If we do not comply we will be fined.

Also, any upgrades or repairs need to have state approval. Joe D'Amore of WSO explained that whatever steps we take we must have state approval.

**Article 8.** To see if the Village District will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) to be placed in the Water Meter Capital Reserve Fund, previously established; said funds to be offset by the income to the Water Department of an equal amount. **Majority vote required. Recommended by the Board of Commissioners.**

Sue Hutchinson explained that the water fund issue was never an Article. The money had to be used to pay bills. The state of New Hampshire is actually quite lenient in the time frame for the required water meters. Sue explained the meters would most likely be installed throughout the district in sections to ease the financial costs all at once. The \$700,000 water bond was not enough to cover the water systems, new well and tank. We still owe WSO \$10,000.00. We have until August 2008 to complete the pump test. A new filter is needed which totals \$36,000.00 and is included in the total in Article 5. Ben Molinari asked about the condition of the underground pipes. Bob Hutchinson will contact DRA and DES to see if we can apply for grants to take care of this before the audit is complete just to get the ball rolling. We want to get as many grants as possible so we can avoid tax increases. The existing wells we have still do not have the necessary capacity. We need to find new sources.

**Article 9.** To see if the Village District will vote to authorize the Commissioners to hire a part time District Administrator to oversee the day to day financial management, assist with grant applications, represent the District with various State agencies as appropriate and other related duties; and to raise and appropriate the sum of **Twelve Thousand Dollars (\$12,000)** for said purpose. **Majority vote required. Recommended by the Board of Commissioners.**

Sue Hutchinson talked about hiring an administrator to help us write and file grants, write warrant articles and oversee finances. This person would also be responsible for getting the MS forms out on time. Sue Ireland said the town had offered to help us with these issues so wouldn't it be a better idea to go with the town. When they apply for their grants, which they are always doing they could just apply our grant along with theirs. Sue Hutchinson explained the town would charge us 10% and we need the full amount of the grant so we'd be better off doing it on our own. She was asked to weigh the difference, paying our own administrator versus giving the town the 10%. Sue Hutchinson also mentioned that the town employees are not allowed to work on our issues during the day so we would have to hire Iris Campbell to work after hours. Commissioner Denise DeForest said she didn't think working with the town would be a good idea at this point seeing as there is now town administrator at this time. She said the town has been working with Jim Coffey. Jim Coffey has been working on a strictly volunteer basis for the district. He was thanked by the people at the meeting. The Attorney General's office highly suggested we hire an administrator to help us out. Resident Karen Booth expressed concern over the \$12,000.00 amount as we have important issues such as the bridge, water and roads. Bob explained the \$12,000.00 figure was an estimate. Depending on the amount of time the hired person put in determined how much it would cost us. Bob Durant stated if we had hired someone 3, 4, 5 or 6 years ago we wouldn't be in the spot we're in now.

**Article 10.** To see if the Village District will vote to adopt RSA 31:95-b which allows the Board of Commissioners, indefinitely until specific rescission of such authority, to apply for, accept and expend, without further action by the village district meeting, unanticipated money from the state, federal or other governmental unit or private source which becomes available during the fiscal year. **Majority vote required. Recommended by the Board of Commissioners.**

This would give the Commissioners the authority to apply for grants once our audit is complete.

**Article 11.** To see if the Village District will vote to adopt RSA 33:7, which allows the district, indefinitely until specific rescission of such authority, to incur debt in anticipation of taxes and other revenue of the financial year in which the debt incurred in order to pay current maintenance and operating expenses without further action by the district. **Majority vote required. Recommended by the Board of Commissioners.**

Sue Hutchinson asked that we accept this article so if needed, we can apply for TAN loans in the event we run out of funds before our tax money becomes available to us. All loan funds would be replaced into the proper accounts.

**Article 12.** To see if the Village District will vote to adopt RSA 31:19 which allows the district, indefinitely until specific rescission of such authority, to take and hold in trust gifts, legacies, and such devices made to them without further action by the district. Majority vote required. **Recommended by the Board of Commissioners.** It was explained by Jim Coffey that if a resident or non resident passes away for example and wants to leave the District property or funds it is allowed.

**Article 13.** To see if the Village District will authorize the Board of Commissioners, pursuant to RSA 41:11-a to negotiate on behalf of the District long-term leases or other agreements for the placement of communications or other equipment on the District's water tower and other real or personal property in order to generate revenue for the District. **Majority vote required. Recommended by the Board of Commissioners.**

It was suggested we look into possible cell phone towers to generate revenue for the district. Several towns have gone this route to generate more funds. Residents with any ideas were encouraged to share.

**Article 14.** To see if the Village District will vote to discontinue the following Capital Reserve Funds, with accumulated interest to date of withdrawal, to be transferred to the Village District's general fund.

ELVD Water Storage Est. 1992 2007 Balance \$19,307.76

ELVD Bridge Recon Est. 1992 2007 Balance \$ 2,512.69

ELVD Main Wtr Line Est. 1992 2007 Balance \$ 2,143.14

ELVD Pumping Est. 1992 2007 Balance \$ 1,392.24

ELVD New Well Est. 1992 2007 Balance \$ 787.76

[Explanation: These capital reserve funds have been dormant or their purpose has already been addressed. By moving the money back to the general fund it can be used to lower the tax rate.] **Majority vote required. Recommended by the Board of Commissioners.**

The town holds these funds. It would benefit the district to move these funds into our general fund. It could offset our expenses. This money could not be spent. Resident Bob Burton asked if we ourselves could collect the tax money so the town can't hold it and collect interest on it. Also, could we change our tax due date, move it up by 3 months.. Jim Coffey said this was not possible as DRA sets the tax dates. It was expressed that Mr. Burton's idea was a good one, though.

**Article 15.** Are you in favor of changing the term of the elected town (district) treasurer from one year to 3 years, beginning with the term of the town(district) treasurer to be elected at next year's regular town meeting?"

Resident Sue Ireland asked if this pertains to this year's election. Sue Hutchinson explained it would be too late to include this on the 2008 ballot so therefore the vote is for the 2009 election. Sue explained that it could take up to 6 months for a newly elected treasurer/secretary to learn the software, etc. Then, 6 months later you have someone new coming in. A 3 year term would make the transition a lot smoother.

**Article 16.** To see if the voters of the Emerald Lake Village District will vote to terminate the existence of the Emerald Lake Village District in accordance with RSA 52:21. (2/3 vote required for passage) **Submitted by petition.**

Resident Dick Baldwin set up a petition to dissolve the district. It was voted down at the Annual Town Meeting. If we vote to dissolve at this point we will no longer exist as a district. Legally, Commissioner Bob Hutchinson would have to shut down all water systems and electricity. We would have to reorganize and establish a new district. This would mean lots of time and money spent in superior and supreme courts. This matter was discussed with ELVD lawyer Justin Richardson at an earlier date. It was Justin who alerted us of the dissolving ramifications. Jim Coffey said he feels that retaining local control of the district would be in our best interest.

## **General Discussion**

A discussion about the water bond issue was discussed again with facts and figures repeated. This will be touched on at length at the annual district meeting. Article 2 on this report is very informative.

The issue of Ray Stankunas was brought up. Does he own any property that leans can be attached to pay for the United Rental bill we have now become responsible for? Speculations were made as to whether or not he owns any property. We

lost the court case as the people who were supposed to attend the court date never showed up. The names of these parties were not mentioned. A resident suggested "these people" should be responsible for the \$7,000 plus bill. Another question asked was "Have Ray's blue police lights been found?" Bob Hutchinson said if and when they were found they will be put on top of the new bridge. This lightened the discussion as everyone had a laugh.

Grace Levingood from DES issued a report to Bob Hutchinson stating that our Dam is no good. There are no federal grants for Dams in the state of New Hampshire. Because this news is new to us we do not have an estimated cost to fix the Dam at this time. Bob said he will discuss it in detail at the April district meeting. He did say that in the report it states the left hand side of the Dam has receded 26 inches. The right hand side has receded 13 inches.

Resident Sue Ireland asked if we hire an administrator would we need our lawyer as much. Sue Hutchinson said we consult with Justin (our lawyer) on almost all issues. Ben Molinari asked Bob if he had acquired the information he requested, right to know, and Bob said he has almost everything he needs from Justin. He's working on it.

Jim Coffey touched on the subject of Rural Development Loans. They are very low interest loans. Just another suggestion to keep our tax rate down.

Resident Richard Booth questioned the tax analysis. He wanted to know why it is so much more this year. Sue Hutchinson explained last years analysis was under budgeted. An outstanding loan was overlooked; the budget was based on the previous year's tax rate.

The town and tax rate was compared. Bob Hutchinson stated an average family of 4 in the town pays an estimated \$1579.00 a year versus our \$500.00 a year.

A resident asked if there was any truth to there being 45 or so failing septic systems in the district. Bob said he didn't know. He has found 4 so far and the residents have fixed them.

Don Dwarska wrote up a proposal for the beach plans. He wants to put up cabled gates with a 50ft wide opening to keep kids from driving on the beaches at night. He is donating the wood and paint to repair all beach benches and tables. He asked Sue Ireland if she would be interested in helping with the Eastman beach project as she and her family have done such a great job in the past. Don also suggested putting neon flags on the hydrants so the snowmobilers won't hit them and get hurt. We have \$1200.00 in the Parks and Recreation fund.

It was suggested we have written votes on some of the issues at the annual meeting. Dick Cullen suggested having a ballot box and hand out yes and no slips to residents We will have vote counters in attendance to count as we go. A show of hands or yea and nay voting on these matters isn't always the best way to go.

A new ladder for the Emerald Beach dock will be purchased this year for \$170.00. It was stolen last year.

Street signs are still being stolen. Please report any stolen signs to the Commissioners.

A local resident suggested seceding from the town of Hillsboro. Jim Coffey said we would have to build our own schools, have our own fire and police dept, etc.

Meeting adjourned at 8:59pm

Respectfully Submitted  
Patricia Stefanelli  
District Clerk

Approved By: (Signatures on original)

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Bob Hutchinson

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Troy Cornock

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Denise DeForest