



Emerald Lake Village District

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Meeting Minutes

Meeting Minutes Emerald Lake Village District (ELVD) Commissioners' Workshop Meeting
Thursday Sept.7th, 2023

Board Attendees:

Brett Taber, Commissioner (Chair)
Sara Auger, Commissioner
Michael Carr Commissioner
Carolyn Renken, Treasurer
Marc Croatti, District Clerk

Meeting Visitors:

Melissa Taber

Meeting called to order by Chairman Taber at 6:30 PM
Pledge of Allegiance
Roll call of officials completed.

Status of Open Projects:

- Sept. 7th had training for the RGIS. RGIS is a license for our drinking water, clean water, storm water Asset management grants. For documenting infrastructure.
 - Commissioner Carr commented that the instructor did an overview, provided information on how to use RGIS and what programs may be available besides RGIS. Six different training modules would need to be gone through to get familiar with the program. After this discussion, instructor asked if there were any questions.

- Ray Pierce gave an update on a variety of projects that have been going on within the district.
 - **Patten Hill Treatment** – Plans for specs should be ready for review by the next meeting. 9/21.
 - **Drinking Water Asset Management** – They have submitted the quarterly status report to NH DES. They are advising the Cam Strip residential meter options and cost information is supposed to be fwd. to the board next week. As requested during the presentation, Ratelli's who is the subcontractor for Ray Pierce will present the rate analysis for the asset management project by the next board meeting. 9/21

- **The Distribution Infrastructure Project** – SUR is done. Final pay requisition is being submitted and reviewed for submission to the state. They still need to look at the timing of the riser installs for the twelve residential meter pits that were installed. There is still a flushing hydrant that needs to be installed and 1-2 item punch list to complete. That is supposed to be finished in the fall. They are also going to provide a final financial estimate from where we are at within the project. Once submitted, this will give direction to the board on how to proceed with some of the other misc. expenses as well as what kind of money is left on the table if any.
- **Meeting house Treatment Project** – This design, potential capital costs are all dependent on the Eastman well pilot effort. No change to this project.
- **Hummingbird Well Project** – They should have a design review by next week. This project is still contingent on the review and signing of the NH Governors Council.
- **Strategic Planning Grant** – Still waiting on piloting efforts and details
- Other questions?
 - Commissioner Auger stated another piece of information. The district met the FRS list for our additional funding for the water main replacement. This could be a possibility to get more roads done if the district chooses to go fwd. with the warrant article. They are not sure about the principal forgiveness at this point but likely it would be 10-20% depending on the specifics. Commissioner Taber stated that this is key, the original application for this was 1.3 -1.5 million. We already chewed up a lot of the roads that were part of that with the excess funds we had from the current water projects which left 3-5 of the roads we had I.D. Now this will allow us to (if approved next year) research and do additional roads on the list and dig deeper into the repairs. More homework to do going fwd. Any additional roads will require environmental reviews before they are able to be added to this project.
- **The Asset Management Grant** – We are approx. \$40K into this grant with cost from Ray Pierce. They drafted a pay reimbursement submission for the state. If we agree with those values to date, then we can sign and get it back to the state for reimbursement payments because to date, we have paid through our operating costs without reimbursement yet. The Asset Management Grant was a 100k Grant. It was broken up into six tasks. To date out of those six tasks, a portion has been submitted against each task with a total value of \$40,946.06. Those costs have been incurred since Nov. 1st, 2022 through July 28th 2023. None of which have been completed individual task and they included all their prior invoices with this communication as well to provide as backup. Let's take a chance to look at those and see if they make sense or not so that Commissioner Taber can get a response back to Ray Pierce next week.
- Aug. 31st the auditors were here hoping to finalize where we were. We were working on 3 to 5 items. Some of those were data seeking from the town. Most of that has been attained and fwd. to the auditor. We are now down to two items. We are working on finding invoices for them and then they will have everything they need to complete the audit and then generate the MS535 for this year.
- Commissioner Taber asked Treasurer Renken if Commissioner Carr submitted his documents for payroll to move fwd. Are we all set with everyone else at this point? Renken replied; she just needs a copy of Marc Croatti's license. Other than that, we are all set.
- Commissioner Taber shared an email earlier from a legal counsel from 10+ years ago for the district that reached out saying they are basically looking to clear documents since they merged. They were looking to dump 10 years or older documents. They shared a list of anything they had going back to 2004. At this point and not fully knowing what they are and reaching out to our council and everything else, I would like to incline that we want

the documents. Then on our own time, review them to see if we need to retain them or not. Does that make sense? Yes.

- **Acceptance of Meeting Minutes:**

- Commissioner Taber - I'm aware that we had Aug. 17th and Aug. 31. Does anyone have any suggestions or concerns on the meeting minutes for those two dates at all?
- Aug 17th meeting minutes, on the last page there are two notes referencing Sara Taber those need to be changed to Mellissa Taber and the signature section on the last page for the active commissioners it should be listed as myself, Sara Auger and now Michael Carr added.
- Commissioner Carr said there was a small correction on Aug. 17th review of the meeting minutes it says all in favor, 2nd that, sustained
- Commissioner Auger commented that also for the Aug. 17th, on page five; 1st bullet, paragraph's says Greg Pierce and should read Wright Pierce our engineering company. Also, it says that the fluoride was at the 2nd violation? It is not a question. It is the second violation.

Commissioner Taber makes a motion to accept the meeting minutes as amended for August 17th 2023 and Aug. 31st 2023. Seconded by Commissioner Carr. All in favor. I. Motion has passed.

- **Review and complete draft of 2023 Fall Water Warrant for signing**

- 1st payment in the springtime is always 50% of the prior year's budget and the fall payment is the make-up, either shorter or hire to complete the approved budget that we had for the year with any abatements considered.
- The first spring warrant that was issued \$305,553 the annual budget was total capital reserves and budget was \$626,507 leaves ruff balance of \$320,954. We have abatements totaling \$2,669 that are anticipated after this invoice issuance. To offset that cost the fall water warrant would need to be \$323,518 to make it even. That is based on 541 users. That will generate a \$598 dollar water warrant.
- I'm looking to generate the water warrant letter to the town tax collector for the amount of \$323,518 need discussion on this.
- Still need to continue some validation of the draft list that town provided. If nothing changes this will stand. \$323,518 with a due date of Oct. 25th

Commissioner Taber makes a motion to submit Fall Water Warrant letter to the town tax collector in the amount of \$323,518 payable by Oct. 25th 2023. Seconded by Commissioner Auger. All in favor. I. Motion has passed.

Other Topics:

- **Commissioner Auger:**

- A question came up about arsenic. Our yearly average is .046. last quarter it was over but for the year it is still under so we don't need a notice on this.
- Road Agent communicated a couple of updates about providing culvert cleanouts due in Sept. time frame as well as a list of streets to mow and he will be sending his updated contract over to us.
- Work on a bad weather policy plan for the district gives us a layer of protection against liability and looking at our emergency plan hasn't been updated since 2021.
- Commissioner Auger attended a meeting for the planning board in Hillsborough to get clarification on the zoning ordinances. Airbnb operating. They don't prohibit it but it is unclear how they are operating in the district under the zoning ordinances. They did not have a precise answer either. They said bed and breakfasts are allowed but Airbnb is

relatively new term and it is not even mentioned. They do not manage or regulate any short-term rental spaces and don't currently receive any tax from them. Commissioner Taber asked if the town board was interested in pursuing this issue. Yes, a couple of board members felt this could become a bigger issue. To make a change, the district would have to do a petition warrant article. Commissioner Auger asked why would we have to do a petition when it is the town looking into it? Commissioner Taber commented that based on what is being asked of the town to change it may be needed. If the zoning board has a particular classification for zoning tables, this could potentially change things. Until we have water meters installed, the district cannot sustain Airbnb's because of the water use and not being regulated. Commissioner Taber stated we have the authority to manage the water, if we choose to investigate that and what is a reasonable rule towards these types of things that might be one approach vs trying to change a town rule or generating a partition article for the town. If we choose to go the route of submitting a petition, it will have to be submitted by Jan. 2024 to be considered. Petition article would need 10% of registered voters to sign to even consider this. Commissioner Carr mentioned zoning and the overcrowding issue of residence. He could investigate this. Commissioner Auger said the only issue with this was the septic issues but that is on new buildings.

- Question from Melissa Taber – People using Airbnb are using the beaches. People renting through Airbnb should not be using our beaches. A lot of things going on now at the beaches. Fires found. Is this from people renting?
- Commissioner Auger asked if they were keeping an ongoing list of the properties. They do not. Also, there is no list of Bed and Breakfast either.
- Commissioner Auger would like to do the Trunk or Treat again this year. It will be the 7th annual. Last year residents were interested in helping. Discuss more at the Sept. 21 meeting.
- Question from Melissa Taber – Is there anything in the rules and regulations about live stock? Commissioner Taber - At the current time, I'm not aware about agricultural rules and it is very limited. Most of this deals with the town and zoning. The town will be responsible for most of it for what we have control of. Commissioner Carr commented that there is no regulations about chickens. Some towns have regulations depending on acreage. Melissa Taber – Could we just adopt that? Commissioner Taber stated our limit is on town road, beaches and water systems only. We have no authority on anything else. Melissa Taber was questioning the waste from these animals and where was it going? District Clerk mentioned he thought there was a number of deeds that mentioned this and the restriction that it was not allowed? This has expired now and wasn't reinstated. Commissioner Auger stated that you cannot own a farm unless you have more than 5 acres. Her understanding is you can have animals if you are not profiting from them. If you have a farm and you are running a business that shouldn't be allowed.
- District Clerk – Asked question about fireworks. Commissioner Taber stated town does not restrict personal fireworks on your own property. The restriction that the board has implemented this past year is on district owned property. The district is not taking on the liability due to fireworks

Commissioner Taber makes a motion to Adjourn the meeting at 7:28pm Commissioner Carr 2nd the motion all in favor I.

Respectfully submitted by: _____ Marc Croatti District Clerk Date: _____

Approved by:

Brett Taber, Commissioner (Chair) _____ Date: _____

Sara Murphy, Commissioner _____ Date: _____

Michael Carr Commissioner _____ Date: _____