



Emerald Lake Village District
Office: 147 West Main Street, Hillsborough, NH 03244
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Emerald Lake Village District (ELVD) Commissioner's Workshop Meeting

Thursday, April 2, 2026

In attendance:

Sara Auger (Chairman/Commissioner)
Brett Taber (Commissioner)
Mark Przybyla (Commissioner)
Lorinda Giarrusso (District Clerk)

Other people in attendance:

Melissa Taber
Stephen Bouchard
Mike & Nancy Fitzherbert, WRF Landscaping

Pledge of Allegiance was said.

Roll call of officials completed. The meeting was called to order at 6:30 pm by Commissioner Auger. We had a quorum.

Public Comments:

None

Commissioner Auger started the meeting by stating we would jump ahead to speak to Stephen Bouchard, our current Road Contractor, as he is present at tonight's meeting. Commissioner Auger thanked him for coming. She stated that she assumed he had received the Board's Notice of Termination Letter by now. Stephen asked, "what is the reason.?" Commissioner Auger stated that the reasons were in paragraph eleven (11) in the Terms of Agreement. Stephen stated he knew what that said. Commissioner Auger stated "I would prefer to wait to hear back from legal to see if I have to actually can give a reason before I give a reason. Stephen then stated, "OK, so I guess I shouldn't be here. My attorney should reach out, if we're going that route?" Commissioner Auger stated to Stephen, "that's up to you." I personally feel that I don't have to give a reason but if after legal reviews and then they reach back, we will.

see. At this time, I don't feel comfortable giving a reason. Commissioner Auger then asked, "should we move forward"? The point for you to come in, tonight, was to determine what the remaining work is that needs to be completed prior to 5/31/2026. (the 60-day exit date) and to discuss the proposal for installment obligations or lack thereof listed in the Letter. She asked Stephen, "did you read the Letter?" He stated, "yes, I read it". He asked, "in your pay period, how do you think I owe money"? "Do you know how much snow we got this winter?" "I owe you nothing". He asked to Commissioner Auger, "Do you understand contract obligations?" She said "yes, I do understand contract obligations and overhead. I am well versed. Commissioner Auger stated that we wanted to talk about Springtime grading and pothole repairs. Stephen reported that the pothole repairs were done. Commissioner Taber stated he did repair some potholes. Stephen stated he couldn't do any more pothole repairs due to ELVD budget constraints and lack of material being provided. He stated he had told Commissioner Auger several times, about the lack of material. He stated that Commissioner Taber did tell him the location of potholes so they could be repaired. Commissioner Auger stated that, "in her opinion, a Road Contractor would drive the roads, often, and be aware and acknowledge what needs to be done and communicate that effectively to the Board. I would be obligated to say that there's "no payment owed or payment due as long as all work is completed". Stephen responded, "the work is completed". Stephen stated, "I asked how many loads were required? "Our conversation is done. I am not accepting grading". Commissioner Auger stated, "then our conversation is over". Stephen left the meeting and stated, "if this is the way you want to play it, you'll be hearing from my lawyer". Commissioner Auger stated that the Board will follow up with Justin and email him for his legal advice.

Commissioner Taber stated that Mike Fitzherbert of WRF Landscaping (our new Summer Maintenance Contractor) is here tonight to discuss the terms of the Contract and sign the Agreement. We welcomed him and his wife, Nancy, and thanked them for coming. Mike stated he had received our email. Based on what I read, it would be a hard "no" based on the email the Board sent back to him regarding the clarification of the summer maintenance requirements. Mike addressed the Board. "Regarding the 2026 ELVD Contract that ELVD publicly put online and in the paper, the Messenger, I do agree to holding back \$1,000.00 and that will be due with the Contract per the email from Brett Taber. "There was big language added and put forth in your email. On March 5, 2026, we were told we were awarded the Contract Agreement by Brett Taber. On 4/2/2026, we received another email from Brett Taber asking if we would attend a Board meeting being held on 4/2/26. We said "yes" and are here tonight. Unfortunately, a lot of language was added to the Contract outside the scope of the Agreement that was bid on in the Invitation to Bid. The specifications far exceed what was stated for beaches, parks and roadside maintenance. When we put in our bid, the only language that was put in was an "Act of God" or a very severe thunderstorms and then I would reach out to the Board for any additional work that might be needed. (Example: a big pine tree fell and did damage).

The additional changes (extra work) are outside of our original Agreement that you reference in your email, and would need to be paid in two (2) installments: I deem these as “add-ons” and additional charges would be \$4,973.00 and would be paid as follows:

1. \$2,000.00 to be paid on 4/7/26.
2. \$2,973.00 to be paid on 6/19/26.

“I don’t want to do this”. I want to stick to the original Agreement with an option to bring it back to what it was.

Commissioner Taber stated, “I went back and read the Agreement and realized it was not clear or if I gave you the addresses of the beaches or parks that should have been included. I was trying to spell it out He asked, Mike, “Is there something you’re particularly hung up on”? Mike responded, “you changed a lot of things. You stated you wanted the lawns mowed 27 times and if not, you are going to subtract from the Contract. If people change the terms of the contract, there will be an additional charge. Those are considered add-ons. Why did you come up with these? Commissioner Taber stated, “he understood where he was coming from”. He stated that the Draft he had sent had mirrored the Contract from last year as well as the address locations. I did not pick up that it was a “set” number of work asked for. Mike stated, “the grass is not always mowed or weed-wacked to be able to maintain it. There’s not a set number. If you had asked that, we would have been willing to adjust our numbers. Commissioner Taber stated, “he totally understands”.

Commissioner Przybyla stated “I do Contracts, a lot and also do a lot of negotiations. Quite large ones. What is our recourse?” I believe it is normal to go back and forth with lawyers and negotiate the terms. “It’s the safest way and protects us if we don’t have any stipulations - you or us”. “It’s normal in my world”. Mike stated, “mow and trim as needed”. This is not the way we designed the bid. I am fine with the locations, but I will not sign tonight.

Commissioner Taber stated, I will look at the wording and see if we can come up with a compromise of what was already stated. I want to and will work with you. My apologies for the confusion.

Commissioner Auger stated that in the past, we have copied the specs and attached as part of the bid notice. We’ve done that for the last five (5) years. We can look into re-altering the Contract back to the original.

Commissioner Przybyla stated, “in my experience, this is the normal contract process.”

Mike stated, “I’m not trying to nickel-and-dime you. That’s why I came here in person. The Board thanked him for coming in person.

Commissioner Auger stated, so we can move forward, we will re-alter the Contract. I will review the bid specs. If you want both parties can review. Mike presented his copy of the Contract with the items in dispute being crossed out for clarification purposes. Melissa Taber made a copy and gave each Commissioner a copy so they could review.

It was agreed that a Summer Maintenance Contract will not be signed, tonight, but hopefully we can move forward and get this done within a week. The Board assured Mike that they would get a new Draft to him ASAP.

ANNUAL MEETING ITEMS:

Commissioner Taber stated that the date for the Supervisor of the Checklist will be on 4/16/26 from 5:00 – 5:30 pm at the ELVD office for the purpose of registering new ELVD voters or changes to names, address of party affiliations of Emerald Lake Village District voters. The ad will be in tonight’s paper.

Commissioner Auger stated that the ad announcing the Annual Meeting will be in next week by April 6th and published for the 10th. Anything less, we will miss our date requirement. The ad for Absentee Ballots will also be going in. Clerk, Lorinda Giarrusso will be in the office from 3 pm – 5 pm for anyone who wants to drop off an Absentee Ballot on April 24, 2026.

Commissioner Auger stated she will send the Annual Meeting report to the printer. Commissioner Przybyla stated that Commissioner Taber has sent me a lot of documents to review. I will work on them, this weekend, and have a draft out by Monday for the Commissioners to look at. Commissioner Taber stated that we need to get it to the Printer’s by the 10th in order to get it back by the 16th. Commissioner Przybyla asked, “is the cover of the Annual Report the same every year? Commissioner Taber said “no”. The Commissioners will review. Commissioner Taber stated he would finish populating all information this weekend.

Clerk, Lorinda Giarrusso, stated that she did confirm that the gym has been reserved for our Annual meeting. She provided updated Ballots to the Board for their review. She told the Board that she reviewed the NH Statute Section 669:24 showing Statute requirements for Ballots. It did state that each ballot shall be a different color, but it does not specifically state what color they have to be. She also called the State of NH to be sure. Commissioner Taber asked if we could put both the Commissioner positions on the ballot underneath each other for clarity. She said “yes” and she will make that change before they are printed. Our ballot will meet all required specifications. She confirmed with the Board that there will be a box to collect ballots and two (2) smaller boxes to collect the Bonds (Article 2 &3). It was agreed by all that we could print both Bonds on one (1) page. It was agreed that sixty (60) copies, each, will be made for the Ballots, Bonds and Warrant Articles and be available at the Annual Meeting. Lastly, it was confirmed that the Hillsboro Police Chief has been notified what day and where our Annual Meeting will be held.

HUMMINGBIRD BEACH:

Commissioner Auger reported she has an email out to the original person who approved our Shoreland Permit. They are not getting back to me. I’ll call the State tomorrow. If we have to re-do it completely, I’ll do it by next week. More than half of it will be the same. The current permit is approved for Repair Infiltration steps, only. The Permit is good, for five (5) years. In case we need it, I’ll make a MOTION tonight.

Commissioner Auger **MADE A MOTION** to submit a Shoreland Permit with a fee of \$200.00 for the Hummingbird Beach restoration. Commissioner Przybyla **SECONDED THE MOTION. ALL IN FAVOR.**

Commissioner Auger stated that her goal is to have it completed by our next meeting on 4/16/26. She will upload it next week and then there is a 5-day turnaround.

Commissioner Taber asked, “Do we know when they can start work? We need to have an answer by 4/16, so we have it done by 5/16/26. If Bow is in the middle of another job, it could be three (3) weeks out. Commissioner Auger stated, she understood that. I will have an answer for a timeline, next week. Once the permit is active is when they can begin work.

FLUORIDE PUBLIC NOTICE:

Commissioner Auger reported that this is done yearly; it is a Fluoride Secondary Maximum Contaminant Level Exceedance Notice. We usually include it in the mailing when we send out the CCR’s. (Consumer Confident Report on our water quality). It needs to be certified and sent to the State within ten (10) days. Commissioner Przybyla said he was “totally fine sending it out with the CCR’s”.

Commissioner Auger said she is working on preparing a Master List for any violations.

Commissioner Taber stated that his assumption is that Aquaman may not have even started working on the CCRs. He stated, “normally, we usually get these by late April or May”. Commissioner Auger stated she did send Aquaman an updated template. She believes these are due in June or July.

OTHER:

Melissa Taber stated a resident had reached out to advise her that Aquaman was on their driveway chopping it up, with no notification given to the owners. Could we please speak to Aquaman and ask them to give proper, prior to notification in the future? Commissioner Auger said, “absolutely and thanked Melissa for bringing this to the Board’s attention”.

PROJECT UPDATES:

Quotes for the Meter Pits for the final SRF.

Commissioner Taber reported that Aquaman is still waiting to hear from the Supplier for the cost of the vaults. As soon as they can get that, they can provide a quote.

HUMMINGBIRD TREATMENT

Commissioner Auger asked, “do we know the results of the generator impact load test”? Commissioner Taber stated, “they still don’t have that detail back from the manufacturer yet on the subsequent proposed generator so, we still have not selected a generator type.

Commissioner Przybyla stated, “if you can get the specs for the VFD that’s on there, he might be able to go directly to the manufacturer with the model number. Commissioner Taber stated he will check into getting the information he needs.

Commissioner Auger asked, “are we still waiting for the second discharge OR alternative options for discharge”? The State has not replied back to Wright Pearce so that is still on the table. Commissioner Taber stated that some of the Wright Pearce’s Engineers are at a conference until Monday. I will follow up with the State.

Commissioner Taber stated, “when I was evaluating the heater, I spoke to Aquaman and told them I was questioning the placement of the room heater above the vessel. One of the treatment vessels is less than 10 inches of clearance, to fill, which is not enough room. Wright Pearce is trying to get unit costing of vessels (24x65). They reached out to Aquaman to see if that would be an adequate clearance. Finished distance is 25 inches. I have asked Wright Pearce – “would that be sufficient”? We may still have to purchase those extra vessels and control head and sensors. Whatever the sizing, they may be able to be used for future treatment so they would still have a lot of use but not in the time we thought to use at Hummingbird.

Commissioner Taber reported that he just got the ARPA funding. We will still have a small amount for Meetinghouse to be consumed for funding by June. He is waiting for the next billing to see where we’re at.

EASTMAN:

Commissioner Auger stated she has questions out about Eastman. “How much water is being put in the system”? Commissioner Taber stated that the State was notified by Wright Pearce that they are discharging 12-15,000 gallons/day. Aquaman stated that a week and a half ago, they shut the system off at the end of the first week. They were going to come back, but they have not come back yet, to put it back online. The system is not discharging at this time. There had been some concern about discoloration in the water. This occurred at the same time as when they shut it down and were evaluating it.

We are waiting for Aquaman to figure out what’s wrong and get it back online.

HUMMINGBIRD TREATMENT:

Commissioner Taber reported that all concrete pads, for the doorway entrance and the generator pad and the fuel tank pad have all been laid. Rhymes should be on site tomorrow so they can understand what needs to be done for connections and propane lines and pressure tests. They are working on drip edge gravel around the perimeter of the building, and they will work on setting grade of all other materials.

They will continue electric work on the generator once they know the size. The anticipated in-service date is 5/31/26. It will require some other wiring for the transfer switch.

Commissioner Przybyla asked, “does this include the pump replacement for Eastman, so we don’t have to truck in water?”

EASTMAN

Commissioner Taber reported that Eastman is not online currently. When we shut down Hummingbird, for replacement, the desire was to have Eastman online and not to do the cleaning and prevent trucking in water. “Everything else is doing fairly well”.

APPROVE MINUTE MINUTES FROM 3/19/2026 & 3/26/2026:

These approvals will be postponed to our next meeting.

OTHER:

Melissa Taber asked, “Are we done with the current Road Contractor? When does Bow start?” Commissioner Taber stated, “both are unknown at this time”. It is my belief that Stephen Bourchard is paid thru 5/31. March 1, 2026 had started a new contract, whether it’s wintertime or not. That’s our position. Mr. Bouchard’s position is different. This first step is working on getting it all wrapped up. Potentially, it will end sooner than later.

If we make other adjustments, it will affect our Budget. Prior to that, we were \$2,000.00 - \$3,000.00 over for the calendar year. Any additional work will impact that. Adjustments or piecework, from our original plan, will have to be made on the floor at the Annual Meeting.

Commissioner Przybyla stated that a fixed rate contract means you agreed to getting paid at a fixed amount, no matter what work is; that’s about what you get paid. Each party has the right and responsibility to give 60 days’ notice. This is why I am a stickler on language. Sometimes Recipients or Contractors can make out. You set expectations so things don’t get messy. Commissioner Taber reminded the Board that no changes can be made because we’ve already finalized the Budget.

Commissioner Taber stated that 11 Old Lantern Road is seeking a driveway permit. They have provided the application, application fee, a rough site plan and a septic approval drawing of the site, which we’ll need to know for placement. Commissioner Taber stated he was available to go look at the property to make sure what they’re presenting to use is the same. They also submitted a water hook-up request. They have not paid the fee for this yet, as they are waiting to see if they get the permit. It will also be pending payment of the permit.

Commissioner Taber **MADE A MOTION** to approve both permits unless there’s a viable reason to object due to the site visit. Commissioner Auger **SECONDED THE MOTION. ALL IN FAVOR.**

Commissioner Przybyla stated, regarding road limits, he believes that the Town’s restrictions may be lifting next week. There is a high probability that it will be on Monday.

EASTER EGG HUNT:

Commissioner Przybyla reminded everyone that the Easter Egg Hunt will be on Saturday, April 4th @ 10:00 a.m. at Patten Hill.

Commissioner Auger MADE A MOTION to adjourn the meeting at 7:36 PM. Commissioner Przybyla SECONDED THE MOTION. ALL IN FAVOR.

TIME MEETING ADJOURNED: 7:436PM.

Sara Auger, Commissioner

Date

Brett Taber, Commissioner

Date

Mark Przybyla, Commissioner

Date

Respectfully submitted by Lorinda Giarrusso, District Clerk.

Lorinda Giarrusso, District Clerk