PILLSBURY LAKE DISTRICT ANNUAL MEETING – March 11, 2020

Moderator Alison Scott opened the meeting at 6:00 pm.  Moderator Alison Scott welcomed all the PLVD residents and set some ground rules.  Moderator Alison Scott asked those who speak to give your name and address and speak loudly so everyone can hear.  The Moderato shared that this year there are hand held microphones. Please wait to speak until the microphone is given to you.  The Moderator asked the Pillsbury Lake Village District board to introduce themselves: Jamie Dow, Treasurer, Marcia Pawlowski, Clerk, Joe Pawlowski, Commissioner, Ray Scott, Commissioner and Ali Vasquez, Commissioner.

The Moderator read: To the inhabitants of Pillsbury Lake District, Town of Webster, Merrimack County, State of New Hampshire, who are qualified to vote on District affairs, you are hereby notified that the Annual District Meeting will be held on Wednesday, the 11 day of March 2020, at 6:00 p.m. at the Webster Town Hall, 945 Battle St., Webster, N.H.

Voting on Article’s 1 and 2 will be conducted by ballot. The polls will open at 6:00 p.m. and close no earlier than 7:30 p.m. The Moderator shared that voting on Article’s 1 and 2 shall be conducted by ballot. The polls will open for an hour for each Article.

The Moderator read Article 1. To vote for the following District offices: Commissioner for a term of three years; Moderator for a term of one year; Clerk for a term of one year; and Treasurer for a term of one year.

Do we have any nominations from the floor:  There were no nominations.

A motion was made by MJ Turcotte to allow those running for Office to introduce themselves and share why you are running for the position.  Motioned seconded and unanimously approved. Each candidate on the ballot stood, introduced themselves and shared why they were running for the position.

The Moderator made a motion to move Article 1.   Motion seconded and the Moderator shared that the green box is now available for you to place your vote and the voting will remain open for an hour.

The Moderator read Article 2. To see if the District will vote to raise and appropriate the sum of $500,000 for Engineering, Architectural Work and Installation of a New Well, Pump House and other necessary Infrastructure, and to authorize the issuance of not more than $500,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33), and to authorize the municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon as well as apply for, obtain and accept Federal, State Grants or other forms of aid and assistance which may be available for said project. All principal and interest payments for this debt will be paid by Water Customers only. Commissioners Recommend.     2/3 ballot vote required.

The Moderator introduced two guests form DES.  Shelly Frost DWGB Small PWS Sanitary Survey Manager and Technical Systems, and Abigail Fopiano, DES, P.G. Water Well Program Manager.  The Moderator made a motion that we allow the two guests from DES to speak and share their expertise. Motion seconded and all in favor say Aye all opposed say no.

The Aye’s in favor of the motion.   Motion passed.

Commissioner Scott shared that we are asking for $500,000.00 bond and this would be approximately $46.00 a month for each water user household.  Commissioner Scott shared that we are working with an Engineering Firm. Commissioner Scott shared that he received verbal confirmation today that the grant we applied for ($40,000.00 for the study) that we received a grant for $20,000.00.  This still has to go through the committee. The way this will work is $20,000.00 from the grant, $10,000.00 from the board and in-kind work by the board and volunteers and $10,000.00 in cash. We are working to put together a short-term, mid-term and long-term plan.  The long-term plan will be out past ten years so that we will not be where we are today. There is a lot of work to be done. We will need to take an inventory of everything. If it is not completed in a year, we can apply for this same grant again. What we are creating is a business plan for the District.   It will be a living document that may change with time, but we will have a plan in place.

 Moderator opened for discussion.

There were many questions regarding who will be paying on the bond and it was responded to that the water users will be paying the bond.   A question was asked regarding the fines on the infractions and who would be responsible. It was responded that all District residents would be responsible for the fines because that is how the law states.   During the discussion it was shared that 206 homes in the District have wells and there are 80 homes on the water system. It was also shared that the full $500,000 would not be borrowed at one time, and that with grants and loan forgiveness the monthly cost per household could be less.   There is a fine of $4000.00 per infraction, however we are hoping that the bond will pass to avoid these.

The Moderator made a motion that David Hemenway, a newly elected Selectman would be allowed to speak.  Motion seconded and all in favor say Aye all opposed say no.

The Aye’s in favor of the motion.   Motion passed.

David Hemenway had two questions and one was to DES.  How often do the fines possibly get imposed? If they get fined could they get fined again and would it be the same offenses or new offenses.

Shelly Frost, from DES shared that the fines would be for the current infractions and if more infractions would be created then there would be additional fines.

David Hemenway said that if the current infractions fines were paid, could not be fined again in a year or five years.

Shelly Frost commented that PLVD would be working on that infraction so that would not happen.

David Hemenway directed his second question to the PLVD Board.  With the $500,000.00 bond requested you mentioned that you do not have a current plan in place and that is understandable.   Is this for the pump house, well and infrastructure but you do not have a total. Do you have any rough estimate as to how much could be for the well and pump house versus actual infrastructure?

Commissioner Scott responded that it is way too early to come up with a price.   If we get a good clean sand and gravel well, we may not need a pump house. If there is arsenic or something else that would require the filtration system, we will need the pump house.   At the present we are not spending your money and awaiting the grant to be approved to get the engineering study. Without the engineering study we cannot get other grants and that is why we are on hold.

Dave Klumb asked if this bond does not pass, what are the consequences?

Shelly Frost responded that they would implement the fines from the violations.   It is a process that would take some time and would be sent to Administrative Department to proceed.

Georgette Bachelder asked if we vote for the bond would that hold the violations back.

Shelly Frost responded yes.

Robert Porter asked that at one of the Emergency Meetings it was shared that there were several lots that would not meet the regulations to put in wells.   Now it appears that with 30 plus wells being installed that for some reason they were told they could install the wells. There appears to be an incentive that if you get off the water system, you do not have to pay that only water users pay for improvements generated with the bond.

Abigail Fopiano shared that there was some confusion on DES as to who could drill wells and what the community could do.   It has since been discovered with the Subsurface Systems Bureau that your lots were established and on record before rules were in place essentially and since the December meeting there has been more discussion.   So, because of that there is more leniency to be able to put a well on properties. There are still some limitations on some lots and you need to look into it and follow the protocols that have been laid out.

Rhonda Lara shared concern that there are several who could not attend.  Why is there not an absentee ballot allowed?

The Moderator shared that because the Warrants could change there cannot be absentee votes and that it is a state regulation.

Tom McWilliams shared that he is not going to request the bond be amended so that all within the District pay for the bond.   What I am going to ask is that as a water user you support us as your neighbors and that you vote for the bond so that we can continue to have our water and that as a community we do not get fined by the state of New Hampshire.

After some discussion the Moderator made a motion to move Article 2.   Motioned seconded and it was shared that the blue box is now available for you to place your vote and the voting will remain open for an hour.

The Moderator read Article 3. To see if the District will vote to raise and appropriate $174,910 for the following purposes:

Commissioners Stipends             $3,000

Clerk Stipend                    $1,000

Treasurer Stipend    $5,000

Moderator Stipend                         $50

Auditor                                   $10,000

Legal Fees                                         $50

Building Maintenance                 $500

Property Maintenance-plowing         $3,000

Insurance                      $5,100

Office Expenses                 $4,500

Water Distribution & Treatment Electricity $21,000

Gas                         $1,600

Licensed Operator Service                   $18,000

Permit to Operate                     $400

Telephone                    $1,400

Water Meter Software                $3,500

 Water Service Alarm Monitoring System    $1,000

System Maintenance                       $90,000

Water Testing                    $3,500

Parks and Recreation                     $500

Property Maintenance-mowing         $1,800

Tax Anticipation Interest                   $10

Total Article 3             **$174,910**

The Moderator opened the floor for discussion.

Georgette Bachelder questioned why there was no money in the budget for deweeding.

Commissioner Scott shared that we still have half the money in the account for deweeding and the plan is to go forward as last year.   They will look to see how effective the work was and if need be, they would even work with us. In lieu of the other expenses, we decided as a Board not to add any monies since we have $10,000.00.

Rhonda Lara requested to table the budget until the elections are decided, because the new board might have different ideas for the budget.

The Moderator shared that it is the responsibility of the current board to prepare the budget for the Annual Meeting.

Commissioner Vasquez shared that these budget lines were prepared looking at last year’s budget and the board made adjustments as needed and many of the items were kept in line from last year.

Commissioner Scott shared that two of the Commissioners will remain on the board.   There will be one new Commissioner. Commissioner Scott then also shared that the Treasurer does not have a vote.

It was then shared that there is a second on the floor to table the budget.

With further discussion it was shared that if the budget gets tabled the electric bill cannot be paid to run the water system.   If the budget is not passed, we will not have a budget until next year and nothing will be paid without a budget.

After further discussion, Bianca Acebron Peco moved to end discussion on tabling the budget.  Motion seconded and the Moderator said all in favor say Aye all opposed say no.

The Aye’s in favor of the motion.   Motion passed to not table the budget.

The Moderator made a motion to move Article 3.  Motion seconded and all in favor say Aye, all opposed say no.

The Aye’s in favor of the motion.  Article 3 passed.

The Moderator read Article 4. To see if the District will vote to raise and appropriate the sum of $26,819 for the Dam Repair Bond payment for 2020. It is anticipated that $10,000 will come from the Town of Webster. Should the town’s article not pass, the entire amount will come from taxation. This article is non-lapsing until 12/31/2021. Commissioners Recommend.

Moderator opened for discussion.

Commissioner Scott asked the PLVD residents to show up on Saturday at the Town Meeting to vote for this to pass.

The Moderator asked for a motion to move Article 4.  Motion made by Dave Klumb. Motion seconded and all in favor say Aye, all opposed say no.

The Aye’s in favor of the motion.  Article 4 passed.

Article 5. To see if the District will vote to raise and appropriate the sum of $27,978 for the Water Filtration SRF Loan Payment for 2020.

The Moderator asked for a motion to move Article 5.  Motion to move Article 5 made by Georgette Bachelder.  Motion seconded and all in favor say Aye, all opposed say no.

The Aye’s in favor of the motion.  Article 5 passed.

Article 6. To see if the District will vote to raise and appropriate the sum of $7,366 for the Water Meter Installation SRF Loan Payment for 2020, with $7,366 to be paid by Water Customers only. This will be billed on the 1st and 3rd quarter invoices. No monies will be raised from taxation. 2020 is the final year for this bond.

The Moderator asked for a motion to move Article 6.  Motion to move Article 6 made by Phil Strittmatter. Motion seconded and all in favor say Aye, all opposed say no.

The Aye’s in favor of the motion.  Article 6 passed.

Article 7. To see if the District will vote to raise and appropriate the sum of $25,000 to be added to the Emergencies Expendable Trust Fund. Commissioners Recommend.

Commissioner Scott shared that this is to replenish the Emergencies Expendable Trust Fund as the Deer Meadow Project nearly drained this fund.

The Moderator asked for a motion to move Article 7.  Motion to move Article 7 made by Gary French. Motion seconded and all in favor say Aye, all opposed say no.

The Aye’s in favor of the motion.  Article 7 passed.

Article 8. To see if the District will vote to raise and appropriate the sum of $2,000 to be added to the Land Survey Capital Reserve Fund. Commissioners Recommend.

Commissioner Scott shared that it is important to build this fund so monies are available to do a survey prior to the next cut which is down the road about 15-20 years.

The Moderator asked for a motion to move Article 8.  Motion to move Article 8 made by Frank Baker. Motion seconded and all in favor say Aye, all opposed say no.

The Aye’s in favor of the motion.  Article 8 passed.

Article 9. We the undersigned petition the selectmen of the town of Webster to redefine the boundaries of the Pillsbury Lake Village District to exclude the following properties that are on a private road (Newport Circle) which is not maintained by the town or Pillsbury Lake Village District, that the residents maintain the privately owned road, that the properties are not on the Pillsbury Lake water system and have private wells, that the properties are not on the lake, that the properties are much larger than any other properties in the district boundaries, and therefore pay the additional taxes without a benefit.

1. 10-1-74
2. 10-1-76
3. 10-1-78
4. 10-l-81AB

Lisa Robinson shared that she has researched this and had maps stating that these properties are part of PLVD.   Lisa Robinson said she would like to make a motion to table Article 9 based on the way it is written until we have been able to talk to an attorney about this because the wording is, they are petitioning the selectmen and not the PLVD residents.  Motion seconded.

Jamie Dow commented that the wording is statutory—it has to say selectmen.

The Moderator opened the floor for discussion.

Brandon Doherty asked how much of our HOA dollars have been spent on this.   Commissioner Scott shared that we have not spent any money. Brandon Doherty said you spent zero dollars?  Commissioner Scott confirmed – we have spent zero dollars. Commissioner Pawlowski said shared the money you pay in annual dues goes to Pillsbury Lake Management not Pillsbury Lake Village District.  Brandon Doherty commented – We are voting on something for residents to leave the District. We just found out about this. Can we just take it off the ballot? Commissioner Scott shared you cannot take something off the Articles.  Commissioner Scott shared that if we vote for this, it still has to go to the Town of Webster next year.

Sandy Estep said it is my understanding this road is not maintained by the Town or the District.   Who pays for the maintenance of it? Jamie Dow shared that she and her husband and Phil and Joann Strittmatter.  A few years ago, we learned that this road was never turned over to the town, we went to District and they said they did not own it, we then went to Management and they said they do not own it.   Jamie Dow shared that Christie Marston researched the deeds (not the same deed Lisa is referring to) that there were 4 roads that were not turned over to anyone. Brandon Doherty asked Christie Marston what was spent on legal fees.  Christie Marston shared about $1200.00. Brandon Doherty said that $1200.00 of HOA were spent. Moderator Scott said point of order this is not a Management meeting this is a PLVD meeting and we are not discussing what Management spent.   Lisa Robinson continued to ask what the results of this legal advice and spending by Management was.

Selectwomen Bianca Acebron Peco asked to allow Leslie Palmer to speak to this.  Motion made to allow Leslie Palmer to speak on this. Motion seconded. All in favor say Aye, all opposed no. Aye’s have it.

Leslie Palmer shared that the Select Board did receive this Petition.   It is the Select Board that has the authority to change boundaries. That is what was requested.  Statute 52:5. We received the Petition on September 23rd.  On the 10th the Commission asked their attorney.  They received a petition warrant article to change the boundaries.   The Select Board did not make a decision to change the boundaries. If the board in the first instance didn’t vote to change the boundaries there is nothing else to vote on.  This vote tonight would be advisory in nature testing the water to see if people feel it makes sense for them to leave the District, but it would not have any legal effect.

Selectwoman Bianca Acebron Peco responded the board did vote on this and they voted ‘no not to seek a hearing’ and then the board changed members and again they voted ‘no’.

The Moderator said there is a motion on the floor by Lisa Robinson to table Article 9.  Motion seconded, and all in favor say Aye, all opposed say no.

The Aye’s in favor of tabling.  Article 9 tabled.

Article 10. To transact any other business that may come before this meeting.

Lisa Robinson asked if there would be an interest in dissolving the District.   If you would like to see this, please raise your hands. This will give me a guideline on how to move forward this next year.

Moderator shared with that she will allow that, but that it is inappropriate for this meeting.

There was a question as to the Board’s power for the recent special assessment.

Commissioner Scott shared that it was an emergency well that was needed to keep the water running.  Because it was in the middle of the year and an emergency, we had to do this. Commissioner Vasquez shared that with the delivery of water that depleted the flow of money, we had to do a well because without it we would have had no water.

Results of voting

**Article 1**

Treasurer:  Brandon Doherty

Commissioner:  Lisa Robinson

Moderator:  Alison Scott

Clerk position is still open.

**Article 2**

The Bond passed.

After the meeting Commissioner Scott swore in Lisa Robinson, Commissioner, Brandon Doherty, Treasurer and Alison Scott, Moderator.

Moderator adjourned the meeting at 8:47pm.

Signed

Marcia K. Pawlowski, Clerk

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Pillsbury Lake Village District