



Emerald Lake Village District  
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Emerald Lake Village District (ELVD) **Commissioner Workshop Meeting**

Thursday, September 5, 2024

In attendance:

Brett Taber (Commissioner)  
Michael Carr (Commissioner)

Lorinda Giarrusso (District Clerk)  
Carolyn Renken (Treasurer)

Other people in attendance:

Melissa Taber  
Scott Bourcier  
June Fitzpatrick

Pledge of Allegiance was said.

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

**PUBLIC COMMENTS:**

Resident June Fitzpatrick asked, "is there anyone that can come out and remove the silt in my ditch, which is just going to fill up, again? There must be something that can be done. I live on Hummingbird".

Commissioner Taber responded that we just received two (2) quotes, today, for re-doing that ditch cleaning. Earlier in the season, it had been dug out and then we had heavy rains again. The Board needs to review the pricing and review the work and at what cost. Commissioner Carr asked, is this for Hummingbird/Hemlock? Commissioner Taber stated, yes - it is for the area along Hummingbird towards the beach area. This issue is definitely on our work list to get this ditch line cleaned out and we will also review how we can best support the residents as well as the winter run off.

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Ms. Fitzpatrick asked, are we still buying water? Commissioner Taber responded “yes. We have had some for intermittent reasons. One, the second week of having to purchase any water, we lost Well 8, which was down for a week. The Well produces 30,000 gallons/week”. So, without that, we had to bring in 30–40,000 gallons of water, a week, to make sure the District had adequate water volume for everyday usage. We have also had a couple of other leaks. We continue to chew down that volume and the leaks have been repaired. With SUR starting on the roads, we are seeing a reduction of almost 7,000 gallons of water loss, each day, as they make those new repairs; we should see that sustained. So, that is an extra 30-40,000 gallons a week that we are not having the pumps run. It gives them a break. It also improves our reduction to potentially having to truck more water in. Will there still be circumstances where we have to truck in water? “yes”, but it is a lot less than the last two (2) years. The funds were allocated to protect ourselves in those events and we will continue to watch for that. We will also continue adjusting the budget accordingly as well as understanding the risk level.

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Melissa Taber asked if SUR Construction could repeatedly put down water on the roads, while they work, as the dust is terrible. She said SUR has been very courteous with any interactions she has had with them. Commissioner Taber stated he will ask SUR to continue putting the water down.

### **OTHER BUSINESS**

Scott Bourcier, from Gale Associates, spoke to the Board and all attendees. He stated he brought two (2) copies, and flash drives of the spreadsheets, of the ELVD Storm Water Asset Program User Manual and Training Manual. He stated he wanted to deliver them in person, not just put them in the mail. He asked the Board to please review them and call with any questions or if you find any problems or concerns. Commissioner Taber stated to Mr. Bourcier that we greatly appreciated Gale’s work and efforts and support over the past year-and-a-half to prepare the manual, and hopefully this information will provide us with what we need to meet improvement opportunities and to know the State’s requirements, for a variety of projects, now and in the future.

Mr. Boucier said he believes this will help in identifying inventory, working on infrastructure and the storm water assets that we have. He stated that ELVD was not originally designed to be year-round residency, and now it is, so as a result, having a Master Plan will assist with those challenges. Hopefully, it will help with erosion problems and mitigate issues with abutters. As noted in the report, you may want to do a SW Master Plan. which will help you find out where things are and help with funding opportunities and budget constraints. Mr. Boucier stated he wanted to be a resource for us. Commissioner Taber thanked him, again, for all his work, working with the NHDES and managing all the re-dos that were needed.

PUBLIC COMMENTS CONCLUDED AT 6:44 pm.

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### **BEACH EROSION**

Commissioner Taber stated, currently, both Hummingbird Beach and Meeting House Beach have had two (2) work parties to restore the beaches’ condition. We have made great progress. Thank you to ALL the volunteers that showed up to help! We are having another work party, this Saturday, at Meeting House @ 9 a.m.. If you can, bring rakes and wheelbarrows. We would appreciate anyone’s help.

**ROAD WORK**

Commissioner Taber stated we continue to look at the ditch line at Hummingbird Beach. Our Road Contractor Agent went through, two weeks ago, and did another subtle grading and pothole repairs in the more severely affected areas. SUR is trying to maintain the areas as they travel and work on as their project that has commenced again.

Commissioner Carr asked, will we review the quotes, tonight, or at a special meeting. I know, two weeks ago, we were hoping to have the quotes; this would mean potentially putting review and approval off for another week. I can appreciate waiting, if we have to. Melissa Taber stated, “we can’t keep putting everything off”. We did that with the beaches. Summer is gone. As a resident, this is my opinion. Commissioner Carr stated even if we voted on it, tonight, it would probably not start until the second week of October. If when the work begins is a crucial component, then let us get that specific timeframe. Commissioner Taber stated, we do need that clarity. Once you get into October and November, you never know what the weather is going to be. Once the cold weather comes, the frost comes and we’re in a time crunch before the ground freezes. Ideally, October might still be OK. Commissioner Carr stated he will reach out to Commissioner Auger to get the needed information.

Melissa Taber asked if Commissioner Taber could share the bids received. They are as follows:

|          |             |                          |
|----------|-------------|--------------------------|
| BOUCHARD | w/equipment | \$2,420.00 (12-hour day) |
| BO SMITH | 10-hour day | \$2,000.00               |

\*\* Materials are supplied by the District.

Commissioner Carr stated he will get the information from Sara.

**PORTA POTTS PICK UP**

It was discussed and agreed to have the Porta Potts picked up by mid-September. Commissioner Taber mentioned that once we notify the company that we need pick-up, it will be at their convenience to do the pick-up. I would like it done by September 20<sup>th</sup>. We will relay this information to the company.

**OTHER – LAKE DRAW DOWNS**

Commissioner Taber reported that he had received some phone calls, from residents, as to when the lake will be drawn down. In the past, we have always used Columbus Day as a target. (approximately 10/10 – 10/12). It will be done six (6) inches a week, with a total of six (6) draws. The 6 inches will drain overnight. Commissioner Taber proposed starting around the weekend of September 20<sup>th</sup>, or the next week, and complete by October 10<sup>th</sup>. It would involve pulling the boards at the dam. This will allow fifteen (15) days’ notice to the residents and will allow them to have time to get their docks and boats out of the water. Commissioner Taber stated he will get this Notice out by this weekend.

## **HUMMINGBIRD GENERATOR**

Commissioner Taber stated that our Water Operators have said that the generator has some faults, and they are not able to restart it. It needs additional technical work to be completed. It could not be done within the two (2) maintenance calls already completed. Commissioner Carr stated, even during the summer, we had two (2) power outages. Commissioner Taber reminded everyone that The Hummingbird Well runs 24-hours a day to support the District. Commissioner Taber stated he will call Powers Generator and set up that maintenance call.

## **SOURCE WATER PROTECTION GRANT (due November 1, 2024)**

Commissioner Taber stated that if we wish to apply for Grants, **we need to apply by November 1, 2024. There are two types of Grants, from \$20,000 to \$30,000.** Commissioner Taber asked if anyone had suggestions for a project(s) we could choose to put these funds towards if we apply for a Source Water Grant? You can have more than one Grant, at a time, up to the total allowed. Melissa Taber stated, how about the Hummingbird Beach Gate? Commissioner Taber stated that was a "good thought". That answer would require a follow-up answer from Wright Pearce. We would have to see if that would be included in an improvement site. He reminded us that the purchase of Property Grants is a 50/50 match, and the other Source Water match is a 100% match. It might require a lot of legal work and engineering studies. Commissioner Taber said we would table this discussion until our next meeting, to give people a chance to think of more suggestions.

## **FALL WATER COMMITMENT LIST**

Commissioner Taber said that as we discussed in the last meeting, it is time for us to submit the Fall Water Commitment List to the Tax Collector in order for new Fall water bill to be in order to complete the balance of this year's budget. This will also support the minimal abatements, and the balance sum of \$318,784. The due date is October 29<sup>th</sup>. He reminded us that the Tax Collector sends the bills out before September 29<sup>th</sup>. We must have this List prepared, signed and submitted to the Tax Collector so they have time to prepare everything. At the same time, we would prepare and issue the warrant letter and the few abatements we have, concerning dormant curb stops, so they can address those at the same time. Commissioner Carr asked, do we provide them with a per user rate? Commissioner Taber stated it is calculated and is based on 544 users, and the current estimate of this Fall's rate is \$586.00. A discussion was held between the Commissioners and attendees which explained how the amount is determined. Commissioner Taber also stated that if the Town has any questions, or clarity is needed, we provide all answers in a timely manner, and all Board members are notified if there is an Amendment that needs to be done.

Commissioner Taber **MADE A MOTION** to approve the second issue, water warrant for 2024 in the amount of \$318,784.00 payable on the 29<sup>th</sup> of October. **MOTION SECONDED** by Commissioner Carr. **MOTION APPROVED.**

**Commissioner Taber stated he will get this submitted.**

Commissioner Taber **MADE A MOTION** to complete and generate the abatements for the known Water Users with dormant curb stops and adjusted agreements with the District for prior years. (I believe there are ten (10) at this moment). **MOTION SECONDED** by Commissioner Carr. **MOTION APPROVED.**

## **PROJECT UPDATES:**

Commissioner Taber stated that SUR is working on the roads - Chipmunk, Firefly Lane, Rainbow's End, Dawn Street and Forest Lake Drive. There are two full crews at work. They expect their work to be completed by the end of September.

We are currently working with Wright Pearce to get the environment reviews completed for the additional roadways that have identified – and those, potentially, were Greenfield Drive, Bog Road (connecting to Deer Point, Gould Pond Road connecting to from Sandbrook towards Bog Road, and in that area, and Midnight Walk. We are hoping that the documentation will be cleaned up and ready to go before the end of September so they can move right in on working on these identified roads.

## **PATTEN HILL**

Commissioner Taber stated that the cement work for the pads will be completed by next week. That will allow Aquaman to begin, towards the middle or last half of September, installation of water treatment at that location. We are finishing up with the NHDES, and the other quotes regarding the plumbing, heating and electrical work still needs to be completed. The project sign has been obtained and installed and this project is ready to go and moving forward. Melissa Taber asked, did the Board pick who was doing the plumbing and heating work, yet? Commissioner Taber stated we need the State's decision. There was some overlap on the plumbing and heating quotes. There are a lot of extra rules because there are Arpa Funds. Commissioner Taber stated we are moving the heating system and the tank building to the other side of the building to allow for chemical storage. Once the cement hardens, the walls can be built for the chemical storage room which will tie into when the electrician does his electrical work and exhaust fan.

## **EASTMAN WELL**

Commissioner Taber stated that it should be within the next 2-4 weeks that you will see work beginning. They have been working on the transmission line connection at Eastman Well so Aquaman can begin pilot testing behind that. Within the next 30-60 days, we should see many of these projects being worked on.

## **TOILET FLAPPER PROJECT**

Commissioner Taber reported that Commissioner Auger is collecting the feedback from the Questionnaires received. Melissa Taber stated, there are Flyers at the Beaches so residents can have the needed information. It is also on our Facebook and website.

## **DRINKING WATER ASSET MANAGEMENT PROJECT**

Commissioner Taber stated this has been completed.

## **YTD REVIEW BUDGET**

Commissioner Taber stated that the Board is continuing to work with the Auditors and our CPA. We are continuing to review to finalize our 2024 Budget. I sent the Auditor the payouts, from 2023, which we received from the State.

Commissioner Taber stated that the State has reached out and provided feedback. They have told us we will probably need a federal audit completed due to the SRF Funding for the Roadway Project. Even though the amount of ARPA funds in 2023 were considerably less than the \$750,000 threshold of all the projects that we

received funds, the State ended up using federal funds to support the SRF Funds, so that put us over. That will now require us to have to have a Federal Audit. The State is drafting another Agreement Letter which will show the cost of approximately \$4,500, which was not budgeted for. We will have to look at where we are YTD, manage that and pose the question to the State, if necessary - can we possibly include the cost use against Project Costs because they used federal funds, which we were not made aware of. There may be options there. We've got the next three (3) months to manage the Budget, accordingly to that. Commissioner Taber stated our Auditor is evaluating this. Depending on what projects get started or finished this year, we may or may not need a Federal Audit, next year, based on the timing of the other projects going forward. Commissioner Carr said we should budget for one, next year. Commissioner Taber stated the way it was presented to us, before, is why we told our Auditor we did not anticipate a Federal Audit for 2023, because all the ARPA Funds did not add up to the limit.

### **APPROVE 8/22/24 MEETING MINUTES**

Commissioner Carr asked that the following corrections be made:

Under Meeting House Beach – ARPA Funds to show a corrected expiration date of 6/2025.

Under Road Erosion – It originally referred to three (3) truckloads which was not actually Approved. It went into discussion. An Amendment was made, and the **MOTION** was changed to ten (10) truckloads and then Seconded and Approved.

Commissioner Carr **MADE A MOTION** to accept and approve the 8/22/24 Minutes with Amendments. **MOTION SECONDED** by Commissioner Taber. **MOTION APPROVED**.

### **CAPITAL RESERVE FUNDS:**

Commissioner Taber spoke about Capital Reserve Deposits. Now that we are past mid-year, the Town has provided settling deposits into the General. It appears we have adequate funds to cover the balance for the year's expenses, our warrant articles and everything else.

Commissioner Taber **MADE A MOTION** to have himself and our Treasurer, Carolyn Renken, draft and submit a capital reserve deposit to General in the amount of \$19,500 which covers Roads and Bridges and the Dam Repair/warrant articles for this year. Commissioner Carr **SECONDED THE MOTION. MOTION APPROVED**.

Commissioner Carr asked for clarification. "So, we have the funding currently to now allocate that funding to the CRF where it belongs"? Commissioner Taber stated "correct".

Commissioner Taber stated he wanted to do another Capital Reserve Deposit, for Article #8 of the 2024 Warrant, to establish a capital reserve fund for Beach Repairs and Maintenance for \$20,000. I would like to make that deposit also. This would come out of General and into the CRF for Beach Maintenance and Repairs. Commissioner Carr asked, would we then proceed to draw from that CRF for the Erosion Steps recently completed? Commissioner Taber stated, "correct".

Commissioner Taber **MADE A MOTION** to have himself and our Treasurer, Carolyn Renken, draft and submit a capital reserve deposit from the General and into the CRF for Beach Maintenance and Repairs in the amount of \$20,000, which covers Roads and Bridges and the Dam Repair/warrant articles for this year. Commissioner Carr **SECONDED THE MOTION. MOTION APPROVED**.

**WATER USE VIOLATION**

Commissioner Carr asked the following question – In general terms, would providing a Violation Notice to a Resident be against our own rules? Commissioner Taber said, it would depend on the evidence and if you have to go to Court. Commissioner Carr stated that the reason he asked is because I observed, and the resident admitted to, violating a water use rule. I wanted to send him a Warning Letter. Are we required to send a Letter? Commissioner Taber stated that normally it would result in a FINE. Commissioner Taber stated that the challenge is showing equity and being equitable to everyone. If there are any other specifics or details, we may need a non-public meeting. Commissioner Carr asked, should we wait to discuss. Commissioner Taber suggested we have a non-public meeting with full details. Commissioner Taber stated the Rules have not worked in the past, so any fee or fine needs a non-public meeting. Commissioner Carr said, OK we can talk about it at the next meeting.

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Commissioner Taber **MADE A MOTION** to adjourn the meeting at 7:44 pm. **MOTION SECONDED** by Commissioner Carr. **MOTION APPROVED.**

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TIME MEETING ADJOURNED: 7:44 PM.

NAME OF PERSON TAKING MINUTES: Lorinda Giarrusso

\_\_\_\_\_  
Brett Taber, Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael Carr, Commissioner

\_\_\_\_\_  
Date

Respectfully submitted by Lorinda Giarrusso, District Clerk.