

PENACOOK-BOSCAWEN WATER PRECINCT MINUTES OF THE 2021 ANNUAL MEETING

The Annual Meeting of the Penacook/Boscawen Water Precinct was called to order at 9 Woodbury Lane, Boscawen, N.H. on June 30, 2021, at 6:00 p.m. by Moderator Charles Niebling.

Introduction:

Chairman Bruce Crawford lead the attendees in the pledge of allegiance.

Moderator Charles Niebling recognized Commissioner Bruce Crawford, Chair, to introduce everyone at the head table as follows from left to right: Commissioner Bruce Crawford, Commissioner Nathan Young, Commissioner Bill Murphy, Precinct Attorney Jeffrey Christiansen, Precinct Administrative Consultant Cheryl Mitchell, and Clerk Lauren Hargrave.

Moderator Charles Niebling introduced Sarah Gerlack as Supervisor of the Checklist and himself as Moderator.

Moderator Charles Niebling questioned if the attendees who live in the Precinct and wished to speak, or vote, had checked in with Sarah Gerlack to verify their residency within the Precinct District. Everyone who was eligible and wished to vote was issued a red card which would to be utilized in case a voice vote is not clear to the Moderator.

Moderator Charles Niebling explained that he will read all the Articles unless the meeting wishes to dispense with the reading of the Articles. ***Commissioner Bruce Crawford made a motion to dispense with the reading of the Article. Seconded by Barbara Randall. Voice vote passed with 1 nay vote. Motion to dispense with the reading of the Article was adopted.***

Moderator Charles Niebling reviewed some rules of the meeting and procedural issues with the attendees as follows: He will recognize requests to speak or motions from the floor. If someone wishes to speak, he asked that they please come up to the table by the Clerk Lauren Hargrave and state their name and address before they speak so that everything is properly recorded for the meeting. Further, he apologized that no mobile mic was available. He asked that all comments or questions be limited to the pending motion and noted that if someone has spoken for a first time and other wish to speak for a first time, he will not recognize the same speaker for a second time until everyone has a chance to speak for the first time. Voting will be by voice vote unless the voice vote is not clear to the moderator, he will ask for a show of red cards and will do a count. Further, he explained that any resident of the Precinct can overturn any decision made by the Moderator by a simple majority at any time by a motion from the floor. A Motion to Restrict Reconsideration once action is taken on an Article will be recognize during the meeting.

In closing he asked if there were any questions regarding the rules or the meeting, questions about procedures, or point of orders during the meeting to please speak clearly and state your full name and address.

Articles

1. Elections: To elect all necessary Precinct Officers for the ensuing year.
 - a. Moderator Charles Niebling requested that Chairman Bruce Crawford make a nomination relative to the position of Moderator. **Commissioner Bruce Crawford nominated Charles Niebling as Moderator. Seconded by Commissioner Bill Murphy. Having no discussion or further nominations from the floor, Charles Niebling was elected Moderator for a term of 1 year for the ensuing years. Voice Vote Unanimous. Article #1a Adopted with Charles Niebling being appointed as Moderator.**
 - b. 1 Commissioners for 3 years: **Commissioner Bill Murphy nominated Bruce Crawford as Commissioner. Seconded by Commissioner Nathan Young. Having no discussion or further nominations from the floor, Bruce Crawford was elected Commissioner for a term of 3 years. Voice Vote Unanimous. Article #1b Adopted with Bruce Crawford being appointed as Commissioner.**
 - c. Treasurer: **Commissioner Bruce Crawford nominated Elaine Clow as Treasurer Seconded by Commissioner Nathan Young. Having no discussion or further nominations from the floor, Elaine Clow was elected Treasurer for a term of 1 year. Voice Vote Unanimous. Article #1c Adopted with Elaine Clow being appointed as Treasurer.**
 - d. Clerk: **Lorrie Carey nominated Lauren Hargrave as Clerk. Seconded by Commissioner Nathan Young. Having no discussion or further nominations from the floor, Lauren Hargrave was elected Clerk for a term of 1 year for the ensuing years. Voice Vote Unanimous. Article #1d Adopted with Lauren Hargrave being appointed as Clerk.**
2. To see if the Precinct will vote to raise and appropriate \$850,350.00 for general district operations as listed in the budget for 2021, not including appropriations by special warrant articles voted separately: **Commissioner Bruce Crawford made a Motion to adopt Article 2. Seconded by Commissioner Bill Murphy.** Charles Niebling asked if there were any Commissioners who would like to speak to Article 2 prior to him recognizing requests to speak from the floor.

Commissioner Bill Murphy explained that there is a modest increase in the budget due to inflation, and increased costs of processing and delivering water. Therefore, all the new budget will do is maintain to the status quo. Commissioner Nathan Young

explained that the new budget will ensure there is never a giant increase in years to come because the budget has fallen so behind. He additionally noted that if the budget does fall behind it will be difficult to recuperate.

Questions or Comments from the floor:

Moderator recognized Lorrie Carey from the floor. Lorrie Carey questioned if a Public Hearing on the budget was held and when it was as she did not see a public notice. Commissioner Bruce Crawford reported that one was held although he does not recall off the top of his head when it was held or how many attended. Commissioner Nathan Young noted the minutes would have to be reviewed to find out the date and who attended. Lorrie Carey further questioned if there are any Special Project being completed and if any of them reflect the CIP, and where the Commissioners are at related to the CIP. Commissioner Nathan Young explained that the Special Project included the upgrade of the PLC Program at the Corrosion Control Station. The main control unit for everything from the chemical pumps to the tanks being filled was a first-generation GE control system which was outdated, and the Precinct could not purchase replacement parts for. He explained if the main control unit goes down then all distribution of water would cease. The PLC Program was a large part of the 2020 Special Project budget and is being carried over into the 2021 budget. Also, there was one chemical tank which was leaking. Commissioner Bill Murphy explained that there are also Well improvements within the proposed 2021 budget under Special Projects. Additionally, he explained that following the CIP can be difficult at times due to things coming up with any water system which do not necessarily follow the CIP and the costs for those things end up coming out of the Special Project budget as a lot of it is unplanned. Commissioner Nathan Young pointed out that the CIP is being followed with the direct lines in the budget and the Special Project line in the budget addressed things which come up quickly or rapidly that were major projects not part of the CIP. Lorrie Carey questioned in reference to the CIP what has been completed. Commissioner Nathan Young explained that the largest item in the CIP which is being worked on relates to the furthering of the Well #4 project. It will take the most time, money, and is the most important item to address. The Commissioners have accomplished other things related to the Well #4 project such as going through all the stations and the analyzers. Looked at the major improvements as far as in the stations themselves. As well as Well #4 backtracking and where the Precinct is currently on the project and where it still needs to go with the project in the future.

Moderator recognized Roger Sanborn from the floor. Roger Sanborn questioned the Clerk as to when the Public Hearing on the budget was held. Lauren Hargrave, Clerk, explained that she did not have that information with her at this time. Roger Sanborn questioned who took the minutes of the hearing and Lauren Hargrave responded that she would have taken the minutes, but she does not have them with her, and they

are all posted on the Precinct Website for review. Roger Sanborn argued that he felt it was important to have the information before going forward with voting on the Article. Commissioner Bruce Crawford and Commissioner Nathan Young explained the meeting was part of a regular scheduled meeting and was posted. Roger Sanborn asked for them to supply a copy of the post. Commissioner Nathan Young explained again that it was posted on the Town and Precinct Websites but would have been removed now. He further asked where the public would like it posted in the future. Adel Sanborn stated that an email notice should be sent out to all Precinct customers and that they need to come into 2021. However, it was pointed out that the Precinct is unsure if they have current/updated email addresses for all their customers by Commissioner Nathan Young. Kevin Marshall argued that the posting should be on file and Commissioner Nathan Young explained that it is on file but is not currently on hand. Kevin Marshall's further stated that if the minutes and postings are kept that the Commissioners produce them. Commissioner Nathan Young explained the date would have been sometime within the last 6 months but to locate the exact meeting would mean going through every set of meeting minute. Again, it was pointed out that the minutes are available on the Precinct Website for review. Charles Niebling, Moderator interjected and explained he recognized the discussions being had are relevant to the budget, but clearly there are questions related to the process around notification of voters in the Precinct regarding the budget hearing and not the budget itself. Roger Sanborn again argued that the Clerk does not remember seeing the notice and the Commissioners do not remember when it was. Lorrie Carey would like the hearing notice to be posted on the Penacook Boscawen Website. Further she questioned if the Commissioners are still working on placing a water tower on Water Street for fire suppression to which the answer was no. ***Having no further questions or comments on Article #2 a voice vote was taken of those in favor to raise and appropriate \$850,350.00 for general district operations. Voice vote passed with 1 nay vote. Article #2 was adopted.***

3. To hear any reports of the Precinct Officers and to pass any vote relating thereto: Commissioner Nathan Young reported that a copy of the report of the Precinct Officers is located just beyond the cover page of the Annual Report, and it gives a quick rundown of the year. He reported it was a difficult year for everyone. An improvement completed in 2020 was a leak detection survey followed up by a lot of recognizing of leaks by sight visits. Going into 2020 the water loss for the Precinct was 16% which is above the goal of 12%. With a couple of major repairs and a lot of small repairs the Precinct brought that figure down to 11%. Additionally, a large effort to contact customers with large outstanding bills and work with them on manageable payment plans was undertaken. He reported that from 19 delinquent accounts they recovered over \$10,000 so it was a successful program. Going forward the PLC at the Corrosion Station puts the Precinct in good shape for many years to come. He explained the process which was taken to accomplish that task and further that there were some issues with the well pumps causing the Precinct to run Well #2 which has

a higher concentration of manganese and iron which caused coloration problems. They both are considered secondary contaminants, meaning they are not health risks. The Precinct did learn during this operation of the need to get the information out to the customers in a timely manner. Additionally, the larger project of Well #4 is getting a reliable, needed well and water source going into the future. Currently, if necessary, Well #2 must be utilized to supplement water when needed and it is not a good water source nor one that the Commissioner wish to use. He further noted that if something catastrophic happened to one of the other Wells, Well #2 cannot be relied upon as a long-term water source. Commissioner Nathan Young also explained that in 2001-2002 the then Commissioners hired a company who surveyed 6 or 7 possible well sights. The most desirable sight was determined to be behind the Veterans Cemetery, and then the process stopped. The next step in the process is to get a large water discharge permit for pumping, and a large water withdrawal permit. Those permits are only good for 5 years. Commissioner Nathan Young has contacted DES and explained the Precincts desire to go forward with the new Well. Now the Commissioners and are taking appropriate steps to acquiring funds for this project through the sale of Walker Pond property.

Lorrie Carey questioned if the Commissioners were able to recover the permit from the state for Well #4. Commissioner Nathan Young explained that there was never actually a permit issued and that the Well #4 project had been started previously, but no permit was never actually submitted. Further, Lorrie Carey questioned if the Precinct would have to go through the entire process again from the start by hiring a hydraulic company. need to go to another hydraulic report and take a cover page with the old report which states that over the past 20 years is that there are a few new homes in an area and that they will not draw enough water to affect this and therefore the study is still valid. DES will accept the old study with a new cover explanation. Lorrie Carey questioned when the Precinct plans to build Well #4 as there are potentially large developments going on in the town. Commissioner Nathan Young explained the selling of the Walker Pond property because right now there is no money to fund that big of a project without the funds. Lorrie Carey questioned how much is in the PDIP account (Public Deposit Investment Pool). Commissioner Bill Murphy explained that the figure is in the Annual Report within the Auditors report. A follow up question from Lorrie Carey was if the funds are sufficient to pay for Well #4. Commissioner Nathan Young explained that by itself the PDIP is only enough to get the project started and reminded the public that once the project is started if it is not completed that DES would require it be started over from the beginning. Therefore, the Precinct's goal is to acquire enough funds to fund the entire project to go forward. There are some steps which can be accomplished prior, but the PDIP account balance is not enough to move forward with the whole project at this time. Lorrie Carey then mentioned that within the CIP there was a combination of the PDIP money and some borrowing for the project. The Commissioners totally agreed that borrowing would also have to occur and that they are trying to avoid having to increase the water rates excessively to accomplish this project. Adel Sanborn questioned how

much money is needed for the Well #4 project. Commissioner Nathan Young explained that the Commissioners do not have a general number in general as treatment issues must be addressed prior to having a solid number. It will be approximately 5 to 10 million dollars although it could be lower or higher depending on what is found at the Well site. Cheryl Mitchell reported that the PDIP account currently has \$404,144 as of December 31, 2020. Adel Sanborn questioned what kind of Grant money is being investigated. Commissioner Nathan Young explained that the Commissioners will investigate Grant money for pumping of the Well sight exploration, but a lot of it Grants down to the actual building of the Well as they are build ready Grants. Kevin Marshall questioned when it would be a good time to investigate Grants. Commissioner Nathan Young explained that the Precinct's first step was to get through tonight's meeting to make sure that the Precinct can start. Then before going forward and any funds are spent that is the time to look a Grants. Commissioner Bruce Crawford additionally explained that most of the Grant money coming into the state is going towards Merrimack and Derry with the issues they are currently having with collusion problems. Commissioner Bill Murphy explained that there are things that can be done as far as prework for the project that do not include getting the state involved permit. Commissioner Nathan Young further reported that they have been investigating some Grants, such as having a gentlemen come in and give on how they can help small water systems with acquiring Grant money and by other means, however, after speaking to him, he determined the Precinct was in a good place and did not require his assistance. Reached out to Senator Shaheen's office because they sent out a letter regarding a/.Grant. The paperwork was filled out and sent in and a phone discussion took place with her office, but the Precinct did not fall under the qualifications they required to obtain the Grant. Commissioner Nathan Young believes that after the Hydraulic Survey has been updated that would be the correct time to start looking into Grants to see where the Precinct falls into. In closing of this Article, Moderator Charles Niebling, Moderator noted there are no votes needed on Article #3.

Moderator Charles Niebling explained that he would be reading the next 3 Articles with the publics consent as they are detailed, and he would like to make sure that everyone hears and reads them.

4. "To see if the Precinct will authorize the Commissioners to sell the parcels of land around Walker Pond in Boscawen described as: Map 45 lot 74 and lot 78 including the Walker Pond Dam to the Town of Boscawen to be used for conservation and recreation purposes. The proceeds of the sale shall be deposited in the Water Investment Fund account to be used for future improvements or upgrades to the water system. (Note: This is recommended by the Commissioners)": **Commissioner Bill Murphy made a motion to adopt Article #4. Seconded by Lyman Cousens.**

Questions or Comments from the floor:

Adel Sanborn questioned what monies would be acquired from the sale. Commissioner Bill Murphy explained that the first parcel includes the pump station around the northerly side of the pond 1600 to 1700 feet, and it also includes the boat launch and goes down a little beyond that point. The second parcel is to the southerly side of the pond, and it goes beyond the dam to the south including a small inlet at that location and up to, he believes is Mallard's camp. It is 40 to 50 acres. What the sale includes is approximately 70% of frontage on Walker Pond in Boscawen. Therefore, there is not much left that is privately owned. If Article #4 is approved the Precinct would not own any frontage on Walker Pond in Boscawen. The only piece of land which would still be owned by the Precinct is the land behind the Fisher property which was planned for a water tank. Commissioner Nathan Young reported the total for the 2 parcels is \$90,000 which was negotiated and was the basis of the signed purchase and sales agreement with the Town of Boscawen. Paul Mathews questioned if the Precinct would need right-of-way access to anything at Walker Pond, i.e., the pump house. The Commissioners explained the pump house is part of the sale as it is no longer functional and will become the property of the Town of Boscawen. The Precinct does not draw water from Walker Pond and never will and therefore does not need access. The Precinct does have a right-of-way to the other property for the water tower. ***Having no further questions or comments on Article #4 a voice vote was taken of those in favor. Voice vote passed unanimously. Article 4# was adopted.***

5. "To see if the Precinct will vote to authorize the Commissioners to sell the various parcels of land around Walker Pond that have become surplus to the needs of the Precinct. Described as: Webster tax map 6, lots; 6,18,35,109, 111. The parcels may be sold by auction, sealed bid, through a licensed real estate agent or broker or other commercially reasonable manner, as determined by the Commissioners. The proceeds from the sales shall be deposited in the Water Investment Fund account to be used for future improvements or upgrades to the PBWP water system. (Note: This is recommended by the Commissioners)": ***Commissioner Bill Murphy made a motion to adopt Article #5. Seconded by Commissioner Bruce Crawford.***

Commissioner Bill Murphy explained that there is one large parcel which is on the northerly side of the pond, and he additionally explained that none of the parcels within the Article are buildable, they would be good for other purposes other than building. 6-18 is about a 9-acre parcel half of which is wet there is usable land but not buildable. Moving south the parcels are small and wet. They would have value to an abutter but no real value to anyone else. The southerly most parcel takes in part of the inlet that goes down to the dam and takes in the area where the original dam was. The Precinct does not have any use for these properties and there are no compelling reasons to keep the properties. This would allow the Precinct to capitalize on the assets. Commissioner Bill Murphy also explained that there has been interest by various people buying some of the lots.

Questions or Comments from the floor:

Betsy Mallard questioned if the Webster Conservation Commissioner would have first option on the properties and if that could be included in the Article. Attorney Jeffrey Christianson explained that the Article as written does not put on any preference as a mandate to who it gets offered to first it only authorizes the Commissioners to sell the property though a commercially reasonable manner. If a Conservation Commissioner were interested in purchasing it could be one option and the Commissioners could certainly reach out to them regarding selling to them. However, the way it is written the Conservation Commission would not get special treatment which would include priority, right of first refusal, and a substantial discount. Commissioner Nathan Young explained that the properties as they stand now and what they could potentially be used for are probably going to bring around the same purchase price whether the Conservation Commission or Commercial are probably similar. Kevin Marshall questioned if someone else was interested in the purchase of the parcels. Commissioner Bill Murphy explained that the Precinct has had general inquires over the period of a year, year and a half, and there may be some interest. Kevin Marshall questioned if the Commissioners would automatically give the abutter the first option to buy if the Article is approved and the answer was no. Cheryl Mitchell requested to allow a Webster resident who abuts the property speak. Charles Niebling asked the eligible voters at the meeting to consent to allow a non-voter to speak. Having no objections, a non-eligible voter will be allowed to speak. Betsey Janeway of Webster has spent about 45 years studying the wildlife around Walker Pond and expressed how glad she was that the Precinct owned the Webster land because she believed they would be protected, open, and not allow them to be developed. Further, she feels the lots are valuable to the protection of Walker Pond and possible future use of the water. Commissioner Nathan Young explained again that none of the lots of Webster are developable, and that Walker Pond is never a viable drinking source of water due to both quality and volume. Further, Commissioner Nathan Young explained that due to aquifers not going through the cemetery and ending up in Well #4. Aquifers are deep underneath and coming far away from the cemetery into the Well. Commissioner Bill Murphy again explained that the properties are not going to be developed and noted that the Selectmen of Webster have not allowed building around Walker Pond for years. Additionally, many lots are not viable building lots as they are too small or very wet. There is also the issue of accessibility to some lots it will probably go to abutters. Adel Sanborn questioned what the Precinct is looking at for monies. The Precinct has not had any surveys done until the Article #5 is approved because if it is not approved the money spent for the surveys would be a waste of Precinct funds. Kevin Marshall asked what it cost the Precinct yearly to own the properties. The Commissioners explained that for taxes every year it only costs a few hundred dollars. Kevin Marshall then explained he believes it would be worth it for the Precinct to keep the property, but the Commissioners again explained it is an asset and even though the cost to keep the property is low it is a liability to the Precinct and an asset which can be used to fund the future Well#4. Lorrie Carey questioned if the sale of the properties would reduce the Precinct's insurance cost. Commissioner Bill Murphy

believes it may slightly reduce the insurance cost, but not dramatically. Additionally, Lorrie Carey questioned that if it is the will of this legislative body to make a public statement reflected in the record that it is their desire that this be first offered to Webster Conservation Commissioner, would the Commissioners honor that. Commissioner Nathan Young expressed that it would be dependent on if an offer to purchase was of a reasonable dollar amount or not. Commissioner Bill Murphy believes it is a moot point because if the Precinct is given the go ahead to sell the properties, they are not required to accept top dollar as the Commissioners have lead way on what offer they would accept so it would not necessarily go to the highest bidder. Bruce Johnson of Webster thanked the Commissioners for the thought they have placed into the sale of these properties and reported that at last weeks Webster Conservation Commission Meeting they approved of sending a letter to the Precinct Commissioners and expressed that they are interested in purchasing the Webster properties and would be willing to have a discussion with the Commissioners relative to the potential purchase. Paul Matthews questioned if the essential difference between Article #5 and Article #6 is that the Precinct does not have a buyer currently for the Webster properties. Further, he stated that he believes the only way to ensure the way it is not developed is to retain ownership of the property until the legislative body has a buyer that they are satisfied with. Commissioner Bill Murphy expressed that would happen if that were the direction the voters wish to go in. However, the Precinct could still get offers on the properties and get purchase and sales agreements and then it would come before the voters in a Special Meeting or at next years Annual Meeting for consideration. Noting that the Commissioners are still able to negotiate prices they just would not be able to complete the sale. Maria Santos of Webster is abutting a parcel in question and would like clarification on what Commissioner Bill Murphy was just speaking about. Commissioner Bill Murphy explained further, and Maria Santos then questioned what other Commercially reasonable manner means. Attorney Jeffrey Christianson explained that it is standard language to leave room open for something that you do not know of. Maria Santos asked the Commissioners to confirm that they do not yet have a fair market value on properties in question at this time, which was confirmed. Additionally, she asked if the Commissioners were going to be seeking an appraisal, to which Commissioner Nathan Young responded that yes absolutely, if the Article gets approved tonight appraisals will be done. Commissioner Bill Murphy explained that appraisals are warranted for the larger parcels but for the smaller parcels it will come out zero because it is inaccessible and is not valuable to anyone except an abutter. Roger Sanborn stated that he felt that it would be appropriate for the Commissioner ask for help from the Boscawen Conservation Commission to advise them regarding the sale of the properties. Commissioner Bill Murphy explained that the Conservation Commission are not appraisers. Roger Sanborn said the greatest concern is protecting the land and that as stated before the value of the land is virtually nothing, but they could get the Boscawen Conservation Commission to advise the Commissioners. Commissioner Nathan Young stated it would not be a bad idea, but a commercial option would still need to be procured for due diligence. Roger Sanborn disagreed with Commissioner

Nathan Youngs position. Kevin Marshall said he would feel much better voting on a sale knowing the buyer. Adel Sanborn expressed perhaps having the wording of the Article changed if the voters want to have the Webster Conservation Commission be the first alternative to buying this land. Moderator Charles Niebling explained that whether the intent of that amendment fundamentally changes the Article and that the amended intent was not warned properly to the people of the meeting and therefore people did not know that it would be amended to provide the Webster Conservation Commission first right of refusal. Attorney Jeffrey Christenson clarified that a Warrant Article is about one specific item. If a preference for the Webster Conservation Commission, it would have to be structured similarly to Article #4 and Article #6 presented at today's meeting. In that the first Article to offer it to the Webster Conservation Commission and then the second Article if the Webster Conservation Commission does not want the properties to then offer it to the market. Commissioner Nathan Young pointed out that the reason why it was not written in the manner offered is because they had no information regarding the Webster Conservation Commissions desire to have conversation regarding the purchasing of the parcels. Now that a letter has been sent to the Commissioners, he believes that the Commissioners have expressed very clearly that that is their intent. Steven Landry of Webster and Boscawen questioned what the best way was for an individual landowner to express their opinion and/or intent to the Commissioners relative to the Webster properties sale. Commissioner Nathan Young expressed that anyone is welcome to attend a regular scheduled meeting to have a full discussion with the Commissioners to express themselves and give their opinion. Commissioner Bill Murphy explained that a lot of the parcels on the Webster side are not worth anything except for the abutters. If the Webster residence form an association, then they would have complete control. Maria Santos questioned how she would go about purchasing all five parcels if she desired without having to go to a meeting. Commissioner Nathan Young explained that she has already met with the Commissioners to express her interest, so they are aware and are able to keep her in the loop. Roger Sanborn asked when the regular PBWP meetings are held. Commissioner Nathan Young responded that they are held the 2nd and 4th Wednesday of each month at 5:30 p.m. at the Precinct office and is also posted on the Website. **Having no further questions or comments on Article #5 a voice vote was taken of those in favor and opposed to Article #5 as introduced. The voice vote was not clear to the Moderator, so he asked for a show of cards from voters in the Precinct. In favor 11, opposed 10. Kevin Marshall requested a recount and asked the Supervisor of the Checklist, Sarah Gerlack if she lived in Boscawen. Sarah Gerlack does not wish to vote. Having no objection to the recount a show of cards from voters in the Precinct was completed. In favor 12, opposed 10. Article #5 was adopted.** Kevin Marshall questioned if someone did not vote and then voted, or why the count changed. Moderator Charles Niebling explained that a vote can change during a recount for different reasons, and it happens frequently. **Article #5 was adopted.**

Lorrie Carey made a motion to apply RSA 40:10 restrict reconsideration on

Article #4. Moderator Charles Niebling explained that if you are in favor of that Article, you are in favor of restricting any further consideration of that Article and a vote this evening or on it which cannot be taken up at a later date. If you are opposed, it is potentially allowing further consideration of the vote on Article #4. **A voice vote was taken of those in favor. Voice vote passed unanimously. Motion to restrict reconsideration on Article #4 per RSA 40:10 was adopted.**

Commissioner Bill Murphy made a motion to apply RSA 40:10 restrict reconsideration on Article #5. Seconded by Commissioner Bruce Crawford. **A voice vote was taken of those in favor. Voice vote passed unanimously. Motion to restrict reconsideration on Article #5 per RSA 40:10 was adopted.**

Kevin Marshall asked if the Supervisor of the Checklist, Sarah Gerlack could check to make sure she has 22 registered Precinct voters counted on her checklist. The meeting was paused while the count was taken by Sarah Gerlack and Charles Niebling. The count was reported to be 28 Registered Precinct Voters.

6. "To see if, in the event that the Commissioners do not reach an agreement with the Town of Boscawen to purchase parcels of land around Walker Pond in Boscawen described as Map 45, lot 74 and lot 78 including the Walker Pond Dam before April 1, 2022, the Precinct will authorize the Commissioners to sell such parcels of land by auction, sealed bid, through a licensed real estate agent or broker or other commercially reasonable manner, as determined by the Commissioners. The proceeds of the sale shall be deposited in the Penacook Boscawen Water Investment Fund to be used for future improvements or upgrades to the PBWP water system": **Roger Sanborn made a motion to table Article #6. Seconded by Adel Sanborn.** Charles Niebling explained this is a Non-Debatable Motion. A motion to table would suspend any further consideration of Article #6 at this time without prejudice for or against. If you are against you will continue to allow discussion and debate and another motion on Article #6. **A voice vote was taken of those in favor of Tabling Article #6. Voice vote passed with majority voting in favor and 3 opposed. Article #6 is tabled.**
7. To see if the Precinct will vote to confirm the new Addendum Schedule of Rates and Fees effective _____ attached to this Warrant: Cheryl Mitchell clarified that the date would be July 1, 2021, and was left blank due to Covid and all the uncertainties of the meeting. Roger Sanborn made a motion to accept Article #7 with the date of July 1, 2021. Seconded by Commissioner Nathan Young. Commissioner Nathan Young explained that it is the same discussion which was held regarding the budget and that the rates are based around an increase to keep the Precinct at a status quo. **Having no further questions or comments on Article #7 a voice vote was taken of those in favor. Voice vote passed unanimously. Article #7 was adopted.**

8. To see if the Precinct will vote to amend the Penacook Boscawen Water Precinct Rules and Regulations by adding: Final Bills: if the property is to be sold, the seller must contact the Penacook Boscawen Water Precinct at least 5 days prior to closing. Any unpaid water bills stay with the property, not the former owner, and to ensure that the new owners are not burdened with the bills that are not their own, a final bill must be ordered: Commissioner Bill Murphy made a motion to amend the Penacook Boscawen Water Precinct Rules and Regulations. Second by Cheryl Mitchell. Commissioner Nathan Young explained that there have been a few situations where the water bills have not been paid at closings and unknown to the buyers which have caused a difficulty for the Precinct to recover the money owed and for the buyers to be unhappy about the situation, etc. So, this Rule would simply clarify the issue.

Questions or Comments from the floor:

Kevin Marshall questioned if the rule would have legal standing with the sale of the property. Commissioner Nathan Young explained that there is legal standing with the sale of property as it stands now and that the rule just makes sure that it is done correctly so there is no battle after the sale, and therefore would be written into the closing. ***Having no further questions or comments on Article #8 a voice vote was taken of those in favor. Voice vote passed unanimously. Article #8 was adopted.***

9. To see if the Precinct will authorize the Commissioners to borrow money in anticipation of Precinct Taxes and other revenues for the year and to issue notes therefore at such time within one year and at such place as the Commissioners shall determine: ***Commissioner Bruce Crawford made a motion to adopt Article #9 as written. Seconded by Commissioner Nathan Young.***

Questions or Comments from the floor:

Lorrie Carey questioned what "Precinct Taxes" are as all their property is not taxed. Attorney Jeffrey Christianson explained that the Article is less to borrow money to pay taxes assessed against the Precinct, but rather is to more borrow against income coming into the Precinct. It is a way to balance that the income coming into the Precinct is not immediate. Lorrie Carey asked for clarification that the Article is not written to allow the Precinct to collect taxes. The issue is the word "taxes" is not the appropriate term. Cheryl Mitchell reported that it is similar to a tax anticipation note that you would pass for the Town. The Department of Revenue puts the word "tax" in, but it is not tax it is water collection for user fees. This Article went through DRA approval, and they insisted on the word "tax" when in fact it is user fees. The Precinct is funded by user fees and does not collect taxes. ***Having no further questions or comments on Article #9 a voice vote was taken of those in favor. Voice vote passed unanimously. Article #9 was adopted.***

10. To see if the Precinct will vote to give the Commissioners authority to transfer any

unexpended balances of money from one appropriation to another: ***Commission Bill Murphy made a motion to adopt Article #9 as written. Seconded by Cheryl Mitchell. Having no further questions or comments on Article #10 a voice vote was taken of those in favor. Voice vote passed unanimously. Article #10 was adopted.***

11. To transact any other business which may legally come before the meeting:

Kevin Marshall noted that 2 years ago he brought up the fact that there were complaints of faulty meters within the Precinct, and he was told that there was a single sole supplier and that there were some still in inventory but there was no recourse to send them back to the supplier for refunding. He questioned where the Precinct stands with this issue. Commissioner Bill Murphy explained that there are meters in inventory and most have all been tested out of all the meters which were tested, approximately 75 to 80, there were 3 meters that were malfunctioning and questionable. There were meters that were broken and/or frozen. The idea that there were a lot of faulty meters is not a reliable statement. Kevin Marshall explained that he was aware of one case where there was a faulty meter, and he does not know if the customer was every reimbursed for payments made while that meter was in use. Commissioner Bill Murphy did confirm that he tested that particular meter, and it was faulty as the battery was dead. The batteries last 20 years and the meter in question had run to the point where the battery had run out. Commissioner Nathan Young explained that Commissioner Bill Murphy has run a lot of tests on the meters and investigations were held on other customer complaints about faulty meters. It was found that many those faulty meters where faulty reads as the radio devises were not reading correctly at times. Several of those units have also been replaced. Commission Bruce Crawford explained that the contractor flat rated the installation of the meters and therefore some of the installations left a little bit to be desired. So, some situations were blamed on faulty meters, but the problem may have had to do with the installation, such as faulty wiring of the meter to the box, etc. The Commissioners believe that they have the meter issue well under control. Commissioner Bill Murphy further explained that when the meters first came out the company was sued because of it but fast forward to today most of the meters in Boscawen are not of that era. Kevin Marshall asked if there are still malfunctioning meters on the shelf. Commissioner Bill Murphy reported that all the inventory meters at the Precinct have been tested and are working. The meters read low somewhere between a percent to a percent and a half, none of them read 100%. This is well within the range of normal and have never tested high for him. People will complain about a bad meter sometimes and it ends up being a toilet running. The number one reason for water leaks is the toilet.

Clerk Lauren Hargrave reported that the minutes of February 10, 2021, first paragraph under New Business, will explain the budget hearing question previously asked by Roger Sanborn.

Meeting Closed:

Motion to Close the Meeting by Commissioner Bruce Crawford. Seconded by Commissioner Nathan Young. Passed unanimously. The meeting was adjourned at 7:29 p.m. by Moderator Charles Niebling.

Next Meeting:

The Next Regular Meeting Penacook/Boscawen Water Precinct, 9 Woodbury Lane, Boscawen, NH. on, Wednesday, July 14, 2021, at 5:30 p.m.

Minutes submitted by: Lauren Hargrave, Recording Clerk on July 5, 2021

Minutes approved by: _____ /s/ _____ on July 14, 2021

_____ /s/ _____ on July 14, 2021

_____ /s/ _____ on July 14, 2021