

ADOPTED: AS Written
October 28, 2009

COMMISSIONERS MEETING
MINUTES
October 14, 2009

The Commissioner's meeting convened at 10:00 a.m. in the training room at the Wastewater Treatment Plant, 104 Sawmill Lane North Conway, NH. The following were present: Chairman James Umberger, Commissioner Robert Porter, Commissioner John Santuccio, Superintendent David Bernier, and Recording Secretary Kristine Cluff.

Chairman Umberger called the meeting to order at 10:11 a.m.

Commissioner Umberger reminded everyone the next meeting on October 28, 2009 is a night meeting starting at 7:00 p.m. here at the precinct office. Commissioner Umberger stated the Precinct will be receiving a check for Contract #7 from ARRA Funding through the Rural Development on Monday, October 26, 2009 and the public is invited to attend at 11:00 a.m.

Minutes

Motion of Commissioner Porter seconded by Commissioner Santuccio to accept the public and non public minutes of September 30, 2009 as written. Motion carried by voice vote 3-0-0.

Fire Department

As Chief Preece is not present, the fire department will be carried to the next meeting.

Joe Chisari:

Mr. Chisari stated he reviewed the emails back and forth between him and Chief Preece explaining that Chief Preece agreed to burn the building and then changed his mind upon receiving the letter with the 54 signatures. Mr. Chisari stated he received a letter from Peter Needham as a concerned citizen and not as a Commissioner of the Kearsarge Lighting Precinct asking him to reconsider tearing down the house. Mr. Needham's letter was passed on to Kristin Honsberger and Tom Pollard to formulate another letter that was signed by the neighbors. Mr. Chisari stated he talked with some builders and was told it would cost more to renovate the house than tear it down. Mr. & Mrs. Chisari are trying to build a colonial neo-classical structure. They could renovate and rent out the property but Mr. Chisari believes they can do better for the community and is frustrated with his neighbors concerns. Mr. Chisari went out and got his own signatures (84) stating they don't have concerns about donating the property to the fire department to burn. One neighbor told Mr. Chisari the former owner had not put a dime into the property since

1940 and it is best to level it. Mr. Chisari stated he is a chiropractor and it is in his job to work with nature to heal oneself. Mr. Chisari stated he is pretty respectful of his neighbors and the environment. Commissioner Umberger asked Mr. Chisari if he was here to ask the Board to overturn the Chief's decision. Mr. Chisari stated it was a small group of people putting pressure on the Chief to not burn this building. Both Commissioners Umberger and Porter have had phone calls regarding this matter. Mr. Chisari doesn't expect to leave with an answer today. Commissioner Umberger explained the Board would have given him an answer two weeks ago if he had not left the meeting. Mr. Chisari stated he basically was told by the chief he would do it and then told no and this is basically a political decision. **Motion of Commissioner Porter seconded by Commissioner Santuccio the board override Chief Preece's decision to not burn the house owned by Joseph Chisari at 810 Kearsarge Road. Motion was defeated by voice vote 0-3-0. Mr. Chisari departed the meeting at 10:32 a.m.**

ISO Letter

Commissioner Umberger explained there is a letter in the Commissioners packets stating we were able to get back to a class 4. Chief Preece will brief the board at the next meeting.

CDM Update

Jennifer Osgood explained that CDM had originally done Contract #7 and #8 together. Because of the ARRA Funding the design work for the two contracts have to be separated, most of Contract 8 is working in Bartlett.

Motion of Commissioner Porter seconded by Commissioner Santuccio to authorize Superintendent Bernier to sign the CDM Contract for Contract #8 for a total of \$94,000. Motion carried by voice vote 3-0-0.

Motion of Commissioner Porter and seconded by Commissioner Santuccio to authorize Superintendent Bernier to sign the Construction Phase Contract for Contract #7 with CDM. Motion carried by voice vote 3-0-0.

Commissioner Porter departed the meeting at 1045 a.m.

Michael Walsh explained the Alternative Energy project and presented amendment #1 for this project. Basically this amends the \$150,000.00 from Capital Reserve and the entire article will be bonded. **Motion of Commissioner Umberger seconded by Commissioner Santuccio to authorize Superintendent Bernier to sign Amendment #1 pertaining to the Alternative Energy Contract. Motion carried by voice 2-0-0.**

Commissioner Umberger explained that Artist Falls is now coming from stimulus money and not from taxes and capital reserve. CDM is working with the state on procuring the equipment and installation.

Joseph L. Santoro, CPA - Auditor

Mr. Santoro explained he would touch base on the highlights of the 2008 and the audit is done for reliability, asset management and accuracy. The Precinct's audit is done in conjunction with government standards and broken down into four sections: I. Table of Contents, II. Overview, III. Supplemental Information, IV Other Reports. Mr. Santoro explained the Management Discussion Analysis is provided by Superintendent and Office Manager. The Precinct's assets are continuing to grow through Contracts five, six and seven. The fire department has historically met or been below budget. Mr. Santoro distributed to the Board a handout for Water, Sewer, Fire and General Fund.

Mr. Santoro stated he would like to talk about unaccounted for water and concurs with Superintendent Bernier there is approximately \$100,000.00 given away by the Precinct in free water annually to churches, parks, schools, and cemeteries. Superintendent Bernier suggested going to annual meeting and asking the voters if they want to continue this precedent and Mr. Santoro agreed.

Mr. Santoro also discussed with the Board the issues of Fraud and what might cause a fraud situation. Board of Commissioners recently adopted a Fraud policy. Mr. Santoro also noted the personnel manual should be reviewed on a regular basis to make sure it covers the current rules and regulations.

Mr. Santoro also noted there are several due to and due from interdepartmental transfers that should be cleaned up and suggest a housekeeping article on the 2010 warrant. The Board of Commissioners agreed to look at this. Mr. Santoro stated the Precinct has an excellent staff and thoroughly believes there is no misrepresentation with the 2008 audit and there are no major issues or concerns. Superintendent Bernier stated Mr. Santoro did a thorough audit.

Superintendent's Report
(Copied from Superintendent's Report)

Superintendent Bernier stated the Board has signed all the temporary and permanent easements for Contract #7 except for Northbrook and Villaume. The railroad easement with the NHDOT has also been signed. Commissioner Umberger questioned if we are going to receive additional money on the aeration upgrade. Consideration should be given to making an application to Rural Development for this project. Mike Walsh agreed it is worth CDM pursuing this and staying ready to move forward with the project.

Hand delivered water and sewer payments to Park Construction.

Intervale Crossroads and Dinsmore Roads have been paved.

Continue getting fair amount of action on new sewer connections.

Crew started working on last sewer connection as part of Contract #6 requirements.

Compiled 3rd quarter water and sewer losses. Read and billed third quarter water and sewer revenue down .8-10% respectively over same quarter as last year due in part to the economy and bad weather. 3rd quarter was lowest ever for unaccounted for water losses <.3%. This is a milestone accomplishment. However, the Precinct continues to give away over \$100,000.00 per year in free water and sewer from parks, churches, etc.

Discussed various projects with CDM reviewed Contract #7, design documents continue working easement procurement and project should be ready to advertise by the end of the month which has been our goal all along.

Completed 3rd quarter water resources report.

The CVFD & NCWP Interconnection is in the final stage and we are now hooking up the businesses onto the 12" water main. In addition, all services are provided large diameter fire services consistent with NCWP past practice.

Need to discuss the following:

- a. Dixey Court, Private Road

Superintendent Bernier explained there is approximately \$100,000 left in Contract and he has spoken with Jonathon Harries of Rural Development about utilizing some of those funds to complete Dixey Court. This is a gray area where there are several residential homes in a development with a defunct association. We are talking about one large eight inch connection in the road and 400' of sewer pipe. Superintendent Bernier is asking the Board to consider using \$30,000.00 of this surplus to sewer Dixey Court. **Motion of Commissioner Umberger seconded by Commissioner Santuccio to use \$30,000.00 from**

Contract #6 surplus to complete sewer for Dixey Court. Motion carried by voice vote 2-0-0.

- b. Kearsarge Estates Water Metering
- c. Low Pressure Sewer Pumps
 - i. Discount rate
 - ii. NCWP Purchases pump
 - iii. NCWP does nothing

Good news on Geothermal, results on the test well shows that the original number of wells needed will be 10-15 less than anticipated saving \$220,000.00 plus.

Public Comment

Bill Hounsell reminded everyone of the rural development event on Monday, October 26, 2009.

Sign Checks

Motion of Commissioner Santuccio seconded by Commissioner Umberger to sign checks out of session. Motion carried by voice vote 2-0-0.

Adjourn

Motion of Commissioner Umberger seconded by Commissioner Santuccio to adjourn this public meeting at 12:10 p.m.

Respectfully,



Kristine M. Cluff
Recording Secretary