

**Tilton-Northfield Fire & EMS District
Public Hearing
Special District Meeting
Meeting Minutes of October 14, 2022**

Commissioners Present: Paul Auger, Jon Cilley, Eric Pyra

Commissioner Jon Cilley opened the public hearing of the 2022 Special District meeting regarding the Water District proposed contract at 7:00pm at the Tilton Police Department EOC Room, Tilton NH.

Commissioner Eric Pyra reads warrant article SP1.

Commissioner Pyra explains the financial breakdown of the proposed agreement between Fire District and the Water District.

As negotiated.

January 2021-July 2022	\$130,000
July 2022-June 2023	\$126,000
July 2023-June 2024	\$131,040
July 2024-June 2025	\$136,282
Total	\$523,322

Water District Tariff Rates with no agreement

January 2021-December 2021	\$231,796 (includes interest)
January 2022-December 2022	\$211,554
January 2023-December 2023	\$220,016
January 2024-December 2024	\$228,817
January 2025-June 30, 2025	\$118,985
Total	\$1,011,168

Commissioners opened the meeting for public comments.

Paul Blaisdell asked where the agreement came from? Comm. Cilley stated that this came from the last agreement.

Gretchen Wilder asked if there is a contract now? Comm. Pyra stated that 2021 there is no agreement, and since that date the Fire District has been in arrears and the Water District had bagged the hydrants and shut off services to the Park Street Station. Comm. Pyra stated that they had to go to court to have the water turned back on and the hydrants bags removed.

Mrs. Wilder asked for a count of hydrants. Chief Michael Sitar replied that we have 104 hydrants, and that the minimum requirement is 500 gal per minute per NFPA.

Peg LeBreque asked how the figure of \$126,000 was arrived at? Chief Sitar stated that the figure came from where they left off from on the last agreement which was agreed upon prior to his employment with TNFD.

Mrs. Wilder asked if there is still an annual review of the hydrant by the Water District? Chief Sitar stated yes, the inspections are done by the Water District and the Fire District is supposed to get a copy of the report but have not received a copy since 2021 since we have not signed an agreement.

Comm. Cilley stated that the Water District did a study on the fees per hydrant and stated that the fees should be higher per the engineer they hired.

Jason Wright asked how much water is allowed for \$130k and is there a reimbursement for what we don't use and is there an upcharge for overage? Chief Sitar stated the water is unlimited for emergency usage.

Mr. Blaisdell stated that he did research on the \$126k and looked at the engineer's report and the per hydrant is bogus and the figures are backdoored by the previous contact which is how they came to their figures.

Mrs. Wilder stated that when she was on the Fire District Budget Committee when the agreement came out, they were told the figures came from the PUC. Guidance was given to the Water District for a way to pay for the loan they received and came up with hydrant fees.

Jane Alden asked if the district doesn't go with the proposed agreement, we could go back to court and the Water District would most likely ask for the tariff amounts to be paid. Comm. Cilley stated that if the district agrees to the negotiated amounts, then we have a known cost. If we go to court the worst-case cost is the tariff amount. Chief Sitar added that they would need to go back to mediation prior to a court hearing.

Mr. Wright stated that he feels there should be a connection fee and a usage fee like every other user. At this point the Water Districts loan has been overpaid for.

Mr. Blaisdell stated that if they need the money for their budget, then it should be passed onto their users.

Pat Constantino stated that the Water District forced the users to change out their meters at their cost and agrees that the usage from the Fire District should be metered. Comm. Cilley stated the metering was brought up during mediation and the Water District was not interested. Hydrants are all tied into the Park St. Station and that's what they are leveraging their argument on.

Kevin Waldron asked if the proposed agreement is the best they could come up with. He added that he feels the amounts are a pie in the sky and that there are a lot of unknowns as to what is covered. Comm. Cilley stated yes, the proposed agreement is the best and that no one walked out of the mediation happy.

Mr. Waldron agrees people should be concerned about the Water District rates, but not \$500k in worries, he added that the chart totaling \$1m is a fear tactic and should not be shown, in addition he does not agree with the warrant article, what does "come current" mean?

Comm. Cilley stated that if passed it will bring us up to date from the arears amounts given. Mr. Waldron stated that there are no arears as there is no agreement to come current.

Ms. Alden stated that where we are at is 15 – 16 years ago and passed it by giving the people what they wanted. Two years ago, the budget committee said no more and the commissioners have had to sit through mediation and we are no better off. Comm. Pyra stated what has come out of meditation are the proposed amounts totaling \$500k as the amounts were much higher from there the Fire District started at \$75k and the current amounts were picked out of the air.

Mr. Blaisdell inquired about anyone else being at the mediation meetings with the Board of Commissioner, someone who may have some history on this agreement? Mr. Cilley stated that they would ask legal counsel. Mr. Pyra stated that if we can't have anyone in with us during mediation, it doesn't mean we can't pull the information together before the meeting.

Discussion regarding the Water Districts meetings and who can attend, who can talk, and who can vote. Only Water District registered voters can vote at their annual meeting, but anyone should be able to attend their regular meetings.

Pat Constantino stated that this is a communication issue between the Water District and the Fire District that should have been discussed long before the agreement being ended but the Fire Commissioners kept telling the voters that we needed this agreement.

Discussion ensued about the Water Commissioners not being at this meeting tonight and if they were invited. Kathy Tobine, Fire District Administrator, stated that they were all invited as she emailed them the notice.

Discussion regarding the original bond that was in 2005 and asked how much the Fire District has paid the Water District since then. Chief Sitar replied \$1,997,885.24.

Mr. Waldron stated that the Fire District needs to be more aggressive when it goes to court. He feels if a jury was to see these numbers presented, they will laugh them out of the court room.

Mrs. Wilder asked if the Fire District looked at any other Departments to see what they do for hydrants. Mr. Cilley stated that they looked at Pittsfield as they seem to be the only one like our Water District. Mr. Pyra stated that Gilford pays more than us to the City of Laconia and they only have 26 hydrants.

Mr. Haskins asked what was the next step? Comm. Cilley stated that we go onto the meeting on October 24th and vote on the warrant article. If it fails, we go back to mediation and we have a standing court date at the end of November if we cannot come to an agreement.

Mr. Blaisdell asked if it was brought up that no Water District Commissioners come to the meetings? Chief Sitar stated that it was brought up but the mediator is just there to come to an agreement nothing else matters.

Comm. Cilley stated that the financial auditors pulled out \$208,000 just in case the court decided on an amount. We've paid approximately \$32,000 in 2 years in legal fees.

Ms. Constantino asked if we can get an estimate on legal fees for the October 24th meeting if this goes to trial? Commissioners will ask legal counsel.

Mrs. Wilder stated that the Commissioners need to be careful on the presentation at the meeting, it's not a black and white decision, and needs to be clear for the voters.

There being no other business Public Hearing adjourned at 8:17pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Stephanie Giovannucci". The signature is written in a cursive style with a long, sweeping underline.

Stephanie Giovannucci, District Clerk