

Village District of Tilton-Northfield Fire & EMS
New Hampshire
2022 Special Meeting Minutes

The 2022 Special Fire District meeting was called to order at 9:05 p.m. on the 12th day of November in the year two thousand and twenty-two at the Winnisquam Regional High School, Main Street, Tilton, by Moderator Kent Finemore to act upon the following subjects.

Moderator Kent Finemore introduced the members of the Budget Committee, Commissioners, Clerk, Assistant Moderators Leif Martinson and Attorney Paul Fitzgerald. Read the rules of the meeting, noted the location of the non-residents.

Moderator Finemore informed the attendees that the vote will be by secret ballot.

Article SP1 To see if the District will vote to authorize the Commissioners to come current through June 30, 2022, and enter into a three-year agreement (beginning July 1, 2022 and ending June 30, 2025) in the amount of Five Hundred Twenty-Three Thousand Three Hundred Twenty-Two Dollars (\$523,322.00) for the purpose of providing pressurized hydrant services necessary for fire suppression and raise and appropriate Two Hundred Fifty-Six Thousand Dollars (\$256,000.00) for this year with said funds to come from the December 31, 2021 Unassigned Fund Balance. This article is recommended by the Board of Commissioners and is not recommended by the Budget Committee. (Majority vote required,)

Moved by Kevin Waldron, seconded by Jason Write.

Moderator Finemore opens the floor for discussion.

Moved by Kevin Waldron, seconded by Denny French to table the article.

Moderator Finemore called for a voice vote. Moderator Finemore is in doubt and asks for a hand count. Yes 26, No 17

Motion Fails as it is not a 2/3rds vote.

Moderator Finemore reopens the floor for discussion.

Pat Clark asked what the process has been to get to this point. Commission John Cilley stated that in 2021 the request was taken out of the budget and put in as a warrant article as a multiyear contract, that article failed, nulling the contract. Both Water Commissioners and Fire Commissioner have met through mediation and came out with a new proposal which is what is now on the warrant. Commissioner Cilley added that if the article fails today, they will go back to mediation and then to court. The Fire Commissioner thought that the proposal was agreed on through mediation to go before the voters, however we were hit with a 91-A request.

Kevin Cate stated that the voters have already said no twice, he's confused as to why this is coming before the voters again. In addition, the article states that we need to pay in arrears but there's no contract, so there is no arrears, and feels Commission Cilley's comments are scare tactic. He feels that the Water District is all about the money because the Fire District pays the majority of the Water District budget.

Chief Sitar stated that as of today for 2022, the Fire District has had one fire where they have used the hydrants.

Gretchen Wilder noted that the Water District hydrant system was formed in 2005, as she sat on the Fire District Budget Committee, at that time it was equated to 10% of the water budget and 10% of the fire budget. The Water District stated that the funding was from the PUC guidance, but nothing was provided as to how the formula came about at the Public Hearing. In turn we've paid the Water District just shy of \$2 million since 2005. She added that the only information every provided by the Water District is the PUC and it's been determined that it's self-funding. In addition, some hydrants are different colors and that signifies as gallons per minute and the Fire District doesn't even get this data sent to them. She agrees we need hydrants, and they should all work.

Sabrina McPhail addresses the Water Commissioners for what questions we have. Other than the rate study, as a taxpayer you can shut off our water, why can't we get a breakdown for the hydrants. Sean Chandler, Water District Commissioner stated that the rate study was done a couple years ago and there hasn't been any rate increases done in several years. The Water District has a lot of road projects to do in the coming years, many are federally mandated and have to be done. The Water District has to raise enough money to fund the projects that are unavoidable. He added that they worked with

Raftelis on the rate study and have heard similar complaints about how the figure is arrived at. The best answer is the size of the water district, infrastructure plan, projects coming up, comparisons to other water districts of similar size. Raftelis came back stating our fees are very low, and with no increases in 17 years we agree. Commissioner Chandler feels the water district is doing the best they can in coming up with rates to meet their needs. He added it's hard to come up with the cost of a hydrant as it's not just about the hydrant, it's about the infrastructure that feeds it, the staff to maintain it, monitoring, etc. Ms. McPhail asked if we are not on the Water District system and have no hydrants by my house, why do I have to pay for it.

Peter Fogg stated that when money was needed to construct the hydrant project the PUC came up with the fees, when is that bond paid off from the original project?

Paul Blaisdell stated that the rate study for 2019-2025 was based on cost per hydrant which came out by taking what we've been paying and recalculating, so it was a backdoor calculation. What's the value of the hydrant installation, maintenance, etc. What is the cost? If they can't come up with that, then we pay for the water used instead of a phantom number.

Michael Robinson expressed that the water district is run by local people and that's who we need to be dealing with. He's been part of the Fire District for many years. He asked what the legal expense for the Fire District has been. Commissioner Cilley stated about \$30,000. Mr. Robinson followed up asking what the outlook is, as the Fire District has supported this contract for many years, and now the district doesn't want to, how's that going to look with a jury.

Matt Auger stated that everyone pays car insurance and complain every year, this hydrant fee is low for safety of your home. Even hydrants out of the way we still tap into to draw from when there's a fire.

Kevin Cate stated that the water cannot be turned off and the Fire District can use the hydrants, there are laws that protect that issue and we found that out because the Water District turn the water off and was brought to court to have them turned back on. He added that the real issue is the Water District has been mismanaged for many years. He asked if the federal grants that were available had been applied for an if they received any funding from them. Water District Commissioner Sean Chandler stated that there's a filtration plant scheduled for next year which is part of the water district users, and the fire district is part of that as well. He added that yes, they received grant money. Commissioner Chandler continued stating that he does not disagree that the Water District has been mismanaged and that is why we need to increase the fees 4% in the coming years to bring us up to what is necessary for rates.

Scott Haskins stated that he doesn't mind paying for water from the hydrants, and wants to know if they can meter them? Commissioner Cilley replied that currently that option is not part of the contract. He added that he agrees there should be a usage fee and a maintenance fee because they have to winterize them. They system does not include filtration; water can come from anywhere. The Fire District was in court because they were taken to court, it's not a scare tactic to mention that if this article fails, we will be back in court, it's a fact.

Budget Committee member, Kevin Waldron stated that he takes exceptions from the words in the article and feels it's a scare tactic, he added that in 2021 and 2022 this came before the voters and failed. As of today, the fee has increased by \$23,000 in a year and does not feel the voters are being listened to. The Water District turned to a bully tactic and turned off the water supply, which they had to go to court to get them to turn it back on. The Water District is in debt, but it's not the Fire Districts responsibility to get them out. The Water District wants to charge us \$6 per gallon, that's more than gas. A meter is what needs to be used, it's very simple, the rates within to water district are going to go up anyways and the Fire District uses less than the water district users.

Pat Clark asked if x number of hydrants are in place 17 years ago, how many more hydrants have been added? To have two systems would be needed to separate drinking water and hydrant water, that doesn't make sense to meter the water as other needs are in place for hydrants. He went onto mention tanker trucks, and that we are part of mutual aid.

Mike Robinson commented about taking what the voters said and went to court and now we are back again. So where are we now and is the \$256k cover the backpay. Commissioners nodded their heads in agreeance that it does cover the backpay. He went onto ask if anyone has a gut feeling as to where this is going to go? Commissioner Cilley recognized Attorney Paul Fitzgerald. Attorney Fitzgerald stated that anyone can be sued, you could be sued for an auto accident. Commissioner Cilley is absolutely correct in stating that the court could fashion the issue in many ways. The court will

step in and fashion the remedies and that is how it will stand. He does not feel it will be to just meter the water as there is maintenance needed for that infrastructure. Some authority beyond this meeting will rectify this dispute.

Moved by Deborah Tessier, seconded by Sean Chandler to table. Deborah Tessier withdrew her motion.

Moved by Deborah Tessier, seconded by Jane Alden to call the questions. Motion passes.

Moderator Finemore reads the warrant article.

Polls Open.

Total of 58 Voters present.

Moderator Finemore checks with attendees to assure everyone has had a chance to vote.

Polls Closed

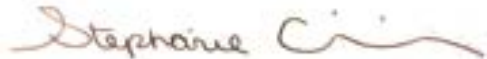
Moderator Finemore and Assistant Moderator Martinson tally the votes. Yes 15, No 41, 1 No Vote, Moderator Finemore noted that he does not vote unless it's to break a tie and he would have been number 58. **Article Fails**

Moved by Kevin Waldron, seconded by Jane Alden to protect the vote. Motion Passed.

Moved by Jason Write, seconded by Jane Alden to adjourn. Motion Passed.

Meeting adjourned at 10:30 a.m.

Respectfully submitted;

A handwritten signature in brown ink that reads "Stephanie C. Giovannucci". The signature is written in a cursive style with a long, sweeping underline.

Stephanie Giovannucci, District Clerk