

**VILLAGE DISTRICT OF EIDELWEISS
COMMISSIONERS MEETING**

March 29, 2010

The Board of Commissioners met on Monday, March 29th, 2010 in the District Office. Present were Commissioners Mike Smith, Gloria Aspinall and Art Tucker. Also present were David Rowe, Peter Craugh(Moderator) and Steve Pannone(Highway). The meeting was taped by videographer Emily Riss.

At 9:07 am the meeting was called to order by Chairman Mike Smith.

1. Agenda

Gloria Aspinall makes a motion to accept the agenda as presented, Art Tucker seconds the motion and the motion passed.

2. Accounts Payable

3 items for a total of \$293.53.

3. Minutes

The minutes of March 22 were reviewed. Gloria Aspinall corrects a typographical error on page 2. **Gloria Aspinall makes a motion to accept the minutes as amended, Art Tucker seconds the motion and the motion passed.**

4. Highway Department

Steve Pannone reports on the last week's activities. A washout on West Bergamo was fixed with 3 loads of gravel. The ditch was widened and snow removed to assist with water flow. All boards have been removed from the dam. The grate at the dam was cleaned of debris to assist water flow. A section of Burgdorf washed out. Stone and state mix were used to stabilize the road. The road was closed for one night. The road was leveled and raised slightly to help reduce future washouts. The driveway at 13 Burgdorf contains a dry well that is running into the street. Art Tucker will view the area, and a letter will be drafted to the homeowners for corrective action. The ditch was widened on Jung Frau where water was overflowing it. The grate at the dam was checked and cleaned regularly due to the high water. The yellow construction fencing was removed from the salt shed site. A homeowner complaint on West Bergamo was reviewed and addressed; driveway issue, not road. The U joint was replaced on the pick up truck and the inspection was done. Trash was picked up as necessary. The brakes on the backhoe are being redone. Steve turns in a list of roads for crack sealing. Gloria Aspinall adds Lugano to the list. Art Tucker addresses Oak Ridge, Steve states that it is the area above the Maudsley's residence. Steve states he is also preparing a list of roads for ditching. The storing of the sanders is discussed. The sanders will be stored in the new equipment garage and the backhoe will be stored at

the DPW garage.

Art Tucker will obtain price estimates for building a storage rack to hold the sanders. Art praises the work done by the Highway Dept on Burgdorf and mentions that the beaver attempting to build a dam wasn't helping. Art requests that a bag of trash uncovered by the snow melt off the side of Interlaken at Middle Shore be picked up. Art distributes a new work sheet he has developed which lists all roads for review. Once complete, this sheet may be used to replace the current daily work sheets for the Dept.

Mike Smith asks Steve if a list of roads for grading has been developed. Steve states that grading is done after rains as needed. He will develop a priority list of roads to be worked. Mike also requests that when picking up trash, District lots are to be checked. There is currently some trash in the woods just past the entrance on the left. Mike reminds Steve of the DOT summary and that no trucks are to be parked in the DPW yard, they are to be in the building or behind it. This will be done at all times.

5. Appearances

David Rowe has attended the meeting to request a progress report on the beaches. Gloria Aspinall states that the intent is to control parking to help reduce use from persons outside the District. Attorney Laura Spector has reviewed and advised that the authority to regulate recreational areas lies with the Legislative Body, not the Governing Body. Therefore, this issue will need to go to the Annual Meeting next year. RSA 41:9-a, will also be put to the voters so as to authorize the Commissioners to determine any fees associated with the parking passes, should the voters approve. Gloria continues with the information that new canoe racks may be added this year by the EPOA, The beach regulations update will include the information that the canoe racks are the designated area for storage of canoes. David Rowe states that he has taken a survey of some of the residents and has found good support for parking permits at the beaches. Mike Smith confirms for David that these issues will be on next year's warrant. Gloria Aspinall states that with 450 houses, crowding and canoe storage must be addressed. She continues with the information that rear-view mirror placard style permits are being looked at for the parking. David Rowe questions if stickers for the canoes has been considered. Mike Smith states the possibility of numbering the canoe racks and matching to the canoe. Peter Craugh states that the current canoe rack policy is first come, first served. The possibility of a nominal charge for rack space is discussed. David Rowe questions if there is an agreement with Madison on the small pond to allow all Madison residents to use. Gloria will look into this.

Peter Craugh states that there seem to be extra antennas on the Coleman Tower. He also notes that the telephone pole next to the pump station has recently been labeled by Fairpoint. He does not believe Fairpoint owns that pole, but it is now being used to run the fiber optic line. He does not think Fairpoint was within their rights to use and label this pole. This will be checked out by the Board. Peter continues with the information that branches and other debris have been left at the summit area as well.

6. Commissioners Reports

Mike Smith reports on the Water Advisory Board meeting of last week. It was a good meeting where a lot of information on new technology that could be beneficial to the District on future projects was explored. Additional information on the technology will be obtained for future project application.

Mike continues his report with information he found in the newspaper about Cover-all systems filing for bankruptcy. The new salt shed is a Cover-all building. A safety notice about Cover-all buildings not withstanding wind and snow loads was received from Glen Builders. Art Tucker suggests sending a letter to Glen Builders requesting they provide an engineering study on the salt shed for the structural integrity. **Gloria Aspinall makes a motion to contact Attorney Dan Crean for guidance on the bankruptcy filing and the rights of the VDOE. Art Tucker seconds the motion and the motion passed.**

Gloria Aspinall states that the beach information has already been discussed. She checked the locations of the street lights the other night with Peter Craugh. She would like to contact PSNH to schedule the change over to High Pressure Sodium Lights as authorized at the Annual Meeting. **Mike Smith makes a motion for Gloria to pursue, Art Tucker seconds the motion and the motion passed.** Peter Craugh adds that he believes some of the lights could be removed for additional savings. Gloria will also discuss a spot light being added for the flag to the light pole across from the flag with PSNH.

Art Tucker requests the status of the letter to local contractors for removal of the loam. He is informed of questions that have been raised by contractors on the procedure. The list of questions will be given to Art for review. Mike Smith states that if necessary, the District would look into having the loam sorted and screened. The area where the loam is now could be used to set up the previous salt shed structure. This was originally put together by Bob Wirling. Art Tucker consents that removal of the loam is an important step to finishing the site. Art then requests review of a list of water vs. well users that he had produced. He is informed that the majority of the houses on his list are not currently connected to the system. Last year's update to the Water Ordinance expanding the definition of user to include all houses that have paid for a curb stop valve but not finished the process of hooking in will be billable for the 2010 billing cycle.

Art Tucker has been reviewing the transmission issues on the F-550 as well as overall truck expenses. A summary of 2004 and 2005 check manifests reveal that over a 2 year span, \$17,000 was paid in repairs for this truck. Art requests additional review of the expenses in an attempt to establish a paper trail for the truck. The paperwork for these years is in storage at the Lodge and will be retrieved. Peter Craugh outlines that the truck was purchased and brought to Fairfield for additional work. The outfitting of the truck at Fairfield was possibly set to specifications for a different model year. Paperwork will be checked. Art states that he has also run the VIN of the truck against recalls and did not locate a transmission recall for this model.

Art Tucker discusses a draft of a letter that he would like sent to Attorney Dan Crean in regards to placing an assessment on all vacant lots in the District for funding of water system infrastructure improvements. He is proposing an assessment based upon the acreage of the lot. He states that in his review, he has found that most lots are less than 2 acres and therefore would be assessed \$100. An additional \$100 per acre would be assessed for larger lots. **Mike Smith makes a motion to allow Art to question Attorney Crean directly as to the legality of this proposal pursuant to RSA 38:27. Gloria Aspinall clarifies that the motion is for discussion purposes and seconds the motion.** Gloria states that the letter is relatively confusing. She would like the Board to have a discussion with Attorney Crean on the issue. Mike Smith states that he would like Art to get Attorney Crean's opinion and then have continued discussion on the matter based upon the opinion, that the legal opinion is exploratory. Art Tucker states that he would like to get ahead of the funding situation with a plan. Gloria Aspinall requests that Art ask Attorney Crean for other options that may be available. Nancy Cole requests the Board review the letter as drafted by Art Tucker and that the second paragraph be removed as personally insulting. Art agrees to remove the reference to Nancy from the letter. Mike Smith states that this should move forward for legal opinion. Art will draft an email to Attorney Crean, copying in the office.

7. Signature Items

The DRA forms for April 1 are signed.

8. Correspondence

Establishment of beach parking passes and RSA 41:9-a were discussed.

Safety notice on the Cover-all building at the salt shed site was discussed.

RSA 38:27 relating to assessments on vacant lots for water system improvements was discussed.

A review of addresses as relates to water users that Art Tucker developed was discussed.

A review of the check manifests from 2004 and 2005 relating to repairs of the F-550 was discussed.

Minutes of the Annual Meeting were distributed for reference by the Board.

An email from Attorney Dan Crean on the Coleman Tower Site is reviewed. There is a proposal from the site managers to pay the \$1,500 annual payment in monthly installments. The proposal also adjusts the payment date from February 1 to July 1 annually. Mike Smith points out that the proposal leaves a 4 month gap in rental payments. **Mike makes a motion to allow the date change upon agreement to pay \$125 per month for March, April, May and June rent, Art Tucker seconds the motion and the motion passed. Mike makes motion to not accept the monthly payment option, requiring annual payment in full July 1 of each year, Gloria Aspinall seconds the motion and the motion passed.** Mike Smith discusses debris

that is around the site that should be cleaned up as well as offers some of the loam from the salt shed site for their use in the planting the required tree perimeter should they need it. Gloria Aspinall states all information should be itemized prior to contacting the attorney. Mike Smith adds that one of the buildings is not completely painted, and questions if this is placement of air conditioning units or an oversight. Items to be discussed with the attorney are: annual payment, 4 months unpaid rent secondary to due date change, tree planting, painting of building, cleaning of site.

Gloria Aspinall requests the letter to the Trustees of the Trust Fund be prepared for the passage of Article 9 removing the zero balance Public Works Capital Reserve Fund from the active records.

Mike Smith requests an update on the status of the bond application for the Jung Frau Forced Main Project. Treasurer Dinah Reiss will be contacted.

Art Tucker questions if the directional drilling technology being reviewed by the Water Advisory Board could be incorporated into the Jung Frau contract. The question will be posed to Glen Builders.

Mike Smith mentions budget reviews. Budgets will be reviewed mid-April for first quarter.

Art Tucker adds that he viewed the area of Grachen Extension during the heavy rains. He has developed some suggestions for the area he would like the Board to discuss with the property owner. A meeting will be set up.

An application for a water hook up for 8 Grandval Way is reviewed. The engineer will not be able to respond to the pressure check until after April 5. The water hook up will be scheduled once approval is received.

At 10:55 am Gloria Aspinall makes a motion to enter non-public session under RSA 91-A:3 II(a) to discuss an employee issue. Art Tucker seconds the motion. Under roll call vote, Gloria Aspinall votes affirmative, Art Tucker votes affirmative, Mike Smith votes affirmative and the motion passed. At 1:40 pm the Board re-entered public session.

Mike Smith discusses the possibility of purchasing a BobCat. Leasing, or lease to own are mentioned as options and the Board is advised voter approval would be needed. The option would be purchase from the Capital Reserve Fund.

At 1:55 Gloria Aspinall makes a motion to seal the minutes of the non-public session, Art Tucker seconds the motion and the motion passed unanimously. Gloria Aspinall makes a motion to adjourn the meeting, Art Tucker seconds the motion and the motion passed.

Respectfully submitted,
Nancy E. Cole
Administrator