

**Minutes DRAFT APPROVED 6/27/13**  
**Town of Wilton Water Commission Meeting**  
**Thursday, April 25, 2013, 6:30 PM Town Hall Courtroom**

1 The Wilton Water Commission met for its regular monthly meeting on April 25, 2013 at 6:30  
2 PM in Town Hall Courtroom. Present were commissioners William Condra and Thomas  
3 Schultz, Clerk Joanna K Eckstrom, Water Superintendent Mike Bergeron, former superintendent  
4 Carl Somero, water users Susan Childress and Daniel Jowders, Tax Collector Jane Farrell.

5  
6 The agenda follows:

7 **Call to order and public input / comments** – Mr. Schultz called the meeting to order at 6:34  
8 PM. There was no public input or comments.

9 **Review and Approve minutes from March 28<sup>th</sup> meeting** - Mr. Schultz moved, Mr. Condra  
10 seconded to approve the minutes as written. Ms. Eckstrom noted that there were few minor  
11 corrections that she had made – spelling errors, punctuation and missing words, but nothing  
12 substantive. Commissioners unanimously approved minutes as corrected.

13 Mr. Condra noted that Mr. Hastings, Chairman, had tendered his resignation from the  
14 commission due to personal / health issues since he seriously injured his arm. (Mr. Hastings’  
15 letter is attached at end of this transcription.)

16 Mr. Condra suggested that, over the next few weeks, the board seek input from people who may  
17 want to serve on the commission, discuss/interview candidates and possibly make an  
18 appointment at the May meeting. The Clerk will announce the vacancy as part of the minutes;  
19 and will post a notice at Town Office and Post Office and on website. Candidates should reply  
20 by e-mail or letter to Misters Condra and Schultz.

21 **Discuss and Approve bills (accounts payable)** – bills were approved for payment as needed;  
22 included was the invoice for the gas chainsaw (cuts pipes) that was delivered today.

23 **Discuss / resolve outstanding accounts receivable** Dan Jowders, Susan Childress, Carl Somero.

24 Mr. Schultz welcomed the parties and thanked them for coming to this meeting. He gave a  
25 background of recent discussions about the case by commissioners Dan Hastings, Jim Tuttle and  
26 himself and said that Mr. Somero was asked to give his side of the story, tell he discussed with  
27 homeowners, who’d be paying for the work, etc, as he was superintendent and on-site when  
28 repairs were done on Mr. Jowders and Ms. Childress private property.

29 Mr. Somero said that he had been conducting a leak survey on hydrants on Maple Street and he  
30 heard a leak (hissing at hydrant) on the street near Jowders & Childress’ properties. He dug up

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31 the street, after getting permissions needed from water commission. Area he was working in had  
32 water and sewer lines close to each other. He worked two curb stops but found no leaks in the  
33 area but there was still a loud noise. The next day, Jay (Northeast Rural Water) came to assess /  
34 locate leak and it was traced to Ms. Childress' water line. Mr. Somero contacted Ms. Childress,  
35 told her there's a leak on her side of the valve and that she was responsible for the repairs. Ms.  
36 Childress asked about cost. Mr. Somero guessed about a thousand dollars. Ms. Childress told  
37 Mr. Somero that she was having a hard time financially and what should she do? It wasn't clear  
38 when Mr. Tuttle came by but Mr. Somero thought she could make a payment plan with Mr.  
39 Tuttle (and the water commission). Although he wasn't part of that discussion with Mr. Tuttle,  
40 Mr. Somero thought a payment plan had been agreed to and he scheduled the work. Mr. Somero  
41 called Mr. Jowders because his permission was needed to dig up his driveway (where the leak  
42 was). Mr. Jowders gave permission but was concerned that his driveway (relatively new at  
43 \$7000 cost) would be restored after the work was done. Mr. Somero assured Mr Jowders that his  
44 driveway would be hot-topped after work was done. Mr. Somero didn't say anything about a  
45 leak on Jowders line because, at his point, he didn't know about it.

46 Jim Wetherbee, who does work for department from time to time came a few days later to do the  
47 repair. When he dug, he found huge rocks that were hauled away because they couldn't go back  
48 into the trench; new material was brought in to fill the trench. Repair was made to Childress line  
49 but when water was turned back on, there was still water leaking into the trench; it was coming  
50 from Jowders' line. Wetherbee told Mr. Somero about the Jowders leak; Mr. Somero told Mr.  
51 Jowders that his service was leaking too. Mr. Jowders suspected that his leak could have been  
52 caused from digging to get to Ms. Childress' line but the go-ahead to fix his line was given since  
53 they were already there.

54 Mr. Schultz thought that water department had been in street fixing something that could have  
55 caused problems; Mr. Somero said he was looking for leaks but when he investigated curb stops,  
56 those were fine. Mr. Schultz asked Mr. Somero if he ever told Ms. Childress that she had an  
57 option to find someone else to do the work; Mr. Somero thought he had. Mr. Schultz said he  
58 doesn't feel that homeowners were given any options, that they were told it's got to be fixed and  
59 you've got to use our vendor at whatever it cost – there is no written record, including any  
60 payment agreements. Mr. Schultz thanked Mr. Somero for coming; said commission needs to

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61 resolve this tonight. Ms. Childress said that it wasn't Mr. Somero who handled the business side  
62 of this – it was Mr. Tuttle. Mr. Tuttle came a few days after Ms. Childress spoke with Mr.  
63 Somero. She said the only choice she was given was water or no water; if she couldn't pay, a  
64 mechanic's lien could be placed on property.

65 Mr. Schultz asked Mr. Jowders about any conversation he may have had with Mr. Tuttle about  
66 payment. Mr. Jowders said his big concern was damaging a \$7000 driveway and getting it back  
67 to as close as what it was as possible. He did not recall being told about having to pay for repair  
68 (of his leak). Jowders' driveway only has base coat patch; it's never been finish coated –  
69 probably because of lateness of season when repairs was made.

70 Ms. Childress had a leak at water meter since water line was repaired; said she reminded Mr.  
71 Tuttle about this more than once. Mr. Bergeron replaced meter last month and leak has stopped.  
72 Mr. Schultz said he had all the information he needs; asked Mr. Condra for his comments. Mr.  
73 Condra had nothing to add and asked for Mr. Schultz motion on the matter.

74 Mr. Schultz moved, Mr. Condra seconded, to abate Ms. Childress' and Mr. Jowders bills in full  
75 and close this issue. Mr. Condra said that after hearing Mr. Somero's comments, it's the  
76 honorable thing to do. Mr. Schultz reminded everyone that a few months ago, the commission  
77 took a vote not to do work on private property any more. (Vote 2:1 with Tuttle and Schultz in  
78 favor, Hastings – no.) Mr. Schultz said there may be a time in an emergency when commission  
79 would have to allow this. Mr. Schultz repeated the motion - unanimously approved.

80 Mr. Jowders asked about putting a finish coat on his driveway. Mr. Schultz said he needs to find  
81 out how to do this without significant cost. Mr. Schultz said when we do work on Maple Street  
82 this summer and have to bring in paving company, he will go on record that we (water  
83 commission) will commit to trying fix driveway, hopefully this summer.

84 Ms. Eckstrom asked for clarification about work on private property and emergency. Mr.  
85 Bergeron said water can be shut off at the gate.

86 **Water Superintendent report (Mike Bergeron) including discussion and award contracts**  
87 **for flow meters, electrical services, back flow testing, etc.** Mr. Bergeron said that meters have  
88 been read (for first quarter billing). There is an issue with any meter that is 1.5 to 2" – about 14  
89 of them – lowest reading is 10,000 gallons. Problems arise when there is less than 10K, meter  
90 reads as -0- usage; next read is on the chart and user is billed for 10K – ie police department.

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91 Dave Harris, Tighe Sales representative, suggests using an adapter. Quote to fix these  
92 troublesome meters is \$852.58. Mr. Schultz moved, Mr. Condra seconded that Mr. Bergeron  
93 procure parts to repair meters from Tighe Sales at cost of \$852.58, expense to be charged to  
94 'meter' line item. Unanimous.

95 Backflow Testing – Mr. Bergeron reported that quotations had been received from New England  
96 Backflow, Village and Life Safety. As Wilton Water has a good history with New England  
97 backflow and their price is less expensive than other, Mr. Bergeron recommends New England  
98 Backflow. Mr. Condra moved, Mr. Schultz seconded to award the contract for 2013 backflow  
99 device testing (non exclusive) to NE Backflow. Mr. Bergeron will execute the contract in behalf  
100 of the commissioners.

101 Underwater Solutions – there is quotation to clean and inspect the tank at Abbot Hill. Mr.  
102 Schultz wants quotes from other vendors but no others were received. US sent proposal in Dec  
103 2012-Jan 2013 as they did the work last time. Tank needs to be cleaned and inspected every  
104 three years. Need to confirm when last inspection. Mr. Bergeron prefers US to use same vendor  
105 that has experience with the Wilton equipment but will seek additional quotations. (Ms.  
106 Eckstrom thought that Merihew may have been used in the past but contract was awarded to U.S.  
107 on price.) Commission needs to determine line item for payment.

108 Service Shut-offs – at one location where Mr Bergeron tried to shut-off, there was no valve. He  
109 said in several locations throughout town, valves and gates are non-existent or do not work. Mr.  
110 Bergeron would like to repair defective services and put gates in where needed. Cost for gate /  
111 curb stop is about \$500 per unit. Cost is more when you put in back hoe or highway department  
112 involvement. All agreed that further discussion on this could be deferred until next month.

113 Flow Meter – The only vendor to quote was LaViolette. AD did not respond. It was noted that  
114 LaViolette's quote is slightly higher than the previous one. This is because it takes two days to  
115 do the work. Only one well can be worked on at a time. Mr. Schultz moved, Mr. Condra  
116 seconded to award the Flow Meter for \$9,945.80 contract to LaViolette. Unanimous approval.  
117 Money for this expense to come from Capital Reserve.

118 Commissioners and Ms. Eckstrom will explore accounts from which department expenses come.  
119 Mr. Condra suggested that when Mr. Bergeron sends out RFQs, he give a reply deadline and or  
120 ask for notice when e-mail message is read.

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121 Everett Well Repair – this is on schedule but switch (generator) needs to be installed before  
122 actual work can be done. The switch has been delivered; needs to be hung and wired. Then  
123 work can be done. Mr. Bergeron will get quotes for electrical work when switch is in place  
124 (mounted).

125 Dam Inspection – there has been no response or inspection and they wanted an answer by April  
126 17. Mr. Bergeron will follow up on this.

127 On a motion by Mr. Condra, seconded by Mr. Schultz, Mr. Bergeron is authorized to act on  
128 behalf of the commissioners next week (April 29) while commissioners are out of town.

129 **Abatements and billing status** – (Jane Farrell, Tax collector) – Ms. Farrell asked to be  
130 reimbursed for her out of pocket expense for postage (of water and sewer bill mailing). She  
131 handed out a bright yellow insert that will go out with bills – it explains late payment policy.  
132 Commission approved but for next time wants it identified as Wilton Water and Sewer, not just  
133 Water and Sewer.

134 One Abatements for water bill was approved. Ms. Farrell will research hydrant bills further so  
135 that a decision on these can be made next month.

136 Ms. Farrell handed out a sample payment plan ... Mr. Schultz moved, Mr. Condra seconded to  
137 authorize the Tax Collector to institute a payment plan policy as she sees fit. Unanimous.

138 Ms. Farrell said that her office always accepts partial payments; she also accepts payment in  
139 advance of billing, ie tax payments.

140 **Pine Valley Mills project update** (per Tom Schultz 4/18 e-mail) Mr. Schultz had been in  
141 communication with Mark Prolman and others from Pine Valley Mills. Mr. Schultz brought Mr.  
142 Condra up to date with names of folks involved in project. Mr. Schultz said that the Wilton  
143 Water Commission had entered into an agreement with Dakota Partners that the (Dakota) would  
144 provide supervision and equipment related to water service at Pine Valley Mills. Mr. Schultz  
145 invited Dakota and others to come to the meeting tonight but Dakota wanted private session next  
146 week. Mr. Schultz doesn't want private meeting; they should be on agenda at a regular meeting.  
147 Mr. Schultz said that if they don't follow through with entire project as it evolved, they'd be  
148 responsible for \$60K in hookup fees. (Mr. Schultz said that Mr. Bergeron confirms that there is  
149 plenty of pressure for 50 units; system served their needs without additional work.)

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150 Mr. Schultz went on record that he is not adverse to at least having a discussion with them about  
151 whether or not some portion of the \$60K hook up fee could be waived - \$60K is a lot of money.  
152 Ms. Eckstrom asked if they ever accepted proposal that board sent to them. Mr. Schultz didn't  
153 think so. Ms. Eckstrom said she didn't believe that there is any signed agreement. Dakota  
154 Partners proffered an agreement that was favorable to them. She, with commission's approval,  
155 re-wrote agreement with commission's terms that commissioners all signed. (She wasn't sure  
156 whether Mr. Tuttle had shown agreement to counsel.) This was sent to Dakota for review and  
157 acceptance in January. To date, no response. (Copy of agreement is in water files.) Mr. Schultz  
158 realized that Ms. Eckstrom is correct – there is no contract between water commission and  
159 Dakota. Commission may have signed drawings but only thing commission agreed to was that  
160 we'd provide water (no mention of cost). Mr. Schultz will ask Dakota to send a written update  
161 or have them on next meeting agenda to update in person. Mr. Condra reminded commission  
162 that contracts or agreements can / should be reviewed by counsel and that Silas Little can do it.

163 **Any other business to come before board.**

164 Water & Sewer energy (electric) proposals. No action has been taken on this yet.  
165 Dennis Viens, Gregoire Circle – Town received \$4,000 check for water, sewer hook ups. Does  
166 water department have authority to put water lines on private road. Also questions about number  
167 of curb cuts on private roads. Planning board, etc need to sort this out. No action tonight.  
168 Backflow Inspection letter – New England Backflow info will be inserted as needed. The only  
169 change suggested (Mr Condra) was to say Wilton Water Works **will** bill a handling fee. Ms.  
170 Eckstrom said that she will be in touch with Paul Whittemore to confirm inspection hours; letters  
171 will be mailed to customers on / about May 1, 2013.  
172 Commissioners agreed to defer appointing a chairman in hopes that when a new commissioner is  
173 on board, the three of them could make a nomination together.

174 The next Water Commission meeting will be on the last Thursday of the month (regular day),  
175 May 30, 2013.

176 There being no other business, the meeting was adjourned at 8:50 PM.

177 Respectfully submitted,

178 Joanna K. Eckstrom, Clerk

179 Wilton Water Commissioners –William F Condra, Thomas C Schultz

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April 17, 2013

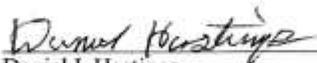
Town of Wilton  
Attn: Water Commission  
P.O. Box 83  
Wilton, NH 03086

To Whom It May Concern:

After careful consideration, I am resigning as Chairman and Board Member of the Wilton Water Commission effective immediately.

Having only been on the board for a short period of time, I do not feel I am qualified to hold the position of Chairman. Also, as a self-employed person, I do not feel I can give the time and dedication required to fulfill the needs of the Board and therefore tender my resignation.

Sincerely,

  
\_\_\_\_\_  
Daniel I. Hastings

Cc: Board of Selectmen, Town of Wilton