



**Rye Water District Annual Meeting
Saturday, March 29, 2025, 9:00 a.m.
Rye Junior High, 501 Washington Road**

Commissioners Present:

Scott Marion, Chair

Rosalie Lopresto

Tom Mack

Others Present on Behalf of the District:

Steven Borne, Moderator

Lindsay Murphy, RWD Clerk

Brian Goetz, District Administrator

Keriann Roman, District Attorney

Arik Jones, Superintendent

Dyana Ledger, Business Manager

Approximately 30-35 Rye Water District residents, checklist available

On March 29, 2025, at the Rye Junior High School, Moderator Borne called the meeting to order at 9:05 a.m. and led the Pledge of Allegiance.

Moderator Borne introduced the Rye Water District Commissioners: Scott Marion, Tom Mack, and Rosalie Lopresto. He also introduced District Administrator Brian Goetz, RWD Counsel Keriann Roman, Superintendent Arik Jones, and Business Manager Dyana Ledger. Moderator Borne explained the procedure and rules of the meeting.

Moderator Borne opened to Commissioner Scott Marion and District Administrator Brian Goetz who spoke about the on-going projects of the Rye Water District, which include the central treatment facility, and well source investigation work at the Brown Farm Lane property off West Road.

After a brief presentation on the projects of the District, the meeting was turned back over to Moderator Borne to address the warrant.

Article #01 To choose a Commissioner for the ensuing three (3) years.

Commissioner Tom Mack moved to nominate Scott Marion as commissioner for three years. Seconded by Rosalie Lopresto.

Scott Marion noted that he would be honored to continue serving as a commissioner for the Rye Water District.

Moderator Borne called for further nominations for commissioner.

Julie Tucker moved to nominate Joe Cummins as commissioner. Seconded by Steven Borne.

Joe Cummins, 990 Washington Road, spoke to his nomination. He hopes that whoever wins the nomination has a keen view on the District's money and how it's being spent on projects. He would like a commissioner who is extremely rate payer and taxpayer friendly.

Hearing no further nominations, Moderator Borne called for a vote on the nomination of Scott Marion as commissioner. **Vote: 33-0 in favor.**

Moderator Borne called for a vote on the nomination of Joe Cummins as commissioner. **Vote: 0-0 Scott Marion hereby elected as commissioner for a three-year term.**

Commissioner Marion stepped in to act as moderator for Article #02.

Article #02 To choose a Moderator for the ensuing two (2) years.

Commissioner Scott Marion moved to nominate Steven Borne as moderator for two years. Seconded by Jaci Grote.

Commissioner Marion called for other nominations for moderator and opened to discussion.

Mr. Cummins asked if Steven Borne is willing to serve the full two-year term.

Mr. Borne confirmed.

Hearing no further questions, Commissioner Marion called for a vote on the nomination of Steven Borne as moderator. **Vote: 33-0 in favor. Steven Borne hereby elected moderator for a two-year term.**

Moderator Borne stepped back in as moderator for the remainder of the meeting.

Article #03 To see if the District will vote to raise and appropriate the sum of one million one hundred fifty thousand dollars (\$1,150,000) gross budget, for the purpose of conducting an inventory, investigation, design, and/or replacement, of the District's water service lines as required by the U.S. Environmental Protection Agency (EPA) to ensure compliance with EPA's new Lead and Copper Rule Revision (LCRR) (the "Project"); and to authorize the District

Commissioners to issue up to \$1,150,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and further to authorize the District Commissioners to issue, negotiate, sell and deliver such bonds or notes, and to determine the dates, maturities, interest rates, and other details of such bonds or notes; and to further authorize the Commissioners to apply for, accept, and expend federal, state, or private grants or loans, or other aid that may become available to reduce the amount of bonds or notes issued or to pay debt service on the bonds or notes, and to participate in the Drinking Water State Revolving Fund ("DWSRF") loan program; and to authorize the District Commissioners to take any other action or to pass any other vote relative thereto. It is anticipated that the District will receive up to 71% in principal forgiveness from the State Revolving Fund loan program. (3/5 Majority Ballot Vote Required).

This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0

Commissioner Scott Marion moved Article #03 to the floor. Seconded by Commissioner Rosalie Lopresto.

Commissioner Marion spoke about the EPA requirement to inventory, investigate, and/or replace lead service lines within the District. The District has conducted a complete inventory of its distribution system and there are less than two hundred unknown service lines that still need to be identified. The funds proposed in this warrant article will be used towards fulfilling the EPA requirements relating to the new Lead and Copper Rule. It's anticipated that the District will receive up to seventy-one percent loan forgiveness for this project. The District also recently received a \$60,000 grant from DES that can be used towards inventory tasks related to this project. It was explained by Commissioner Marion that the District has to visually inspect the unknown lines, as part of the identification process.

Moderator Borne called for questions or comments on Article #03.

Mr. Cummins expressed some concern about the amount being requested. He asked if there is a way to identify the lines without having to dig up the lines, such as using an electronic device which may lower the cost of the project.

Commissioner Tom Mack noted that there is an electronic technique available; however, it's about seventy percent accurate and the State requires one hundred percent. The electronic device cannot be used. The District has to make a visual inspection.

District Administrator Goetz pointed out that all communities in the State and across the country are subject to comply with this ruling. It's anticipated that there will not be any issues with the Rye Water system due to it being a relatively new water system.

Mr. Cummins asked if residents of the District can get their water tested for lead.

Commissioner Marion noted that the property owners for the unknown lines were sent letters stating that they can have their water tested through the District.

Administrator Goetz explained that the Water District is required to conduct lead monitoring testing, and the system is fully compliant. He reiterated that the property owners for the unknown lines can have their water tested for lead.

Jaci Grote called the question. Seconded by Debra Holloway. Vote: 33-0 in favor.

At 9:48 a.m., Moderator Borne opened the ballot for Article #03.

Article #04 To see if the District will vote to raise and appropriate the sum of two million ninety three thousand two hundred ten dollars (\$2,093,210) for general District operations and to defray Water District charges for the ensuing year. This article does not include appropriations contained in any other article addressed. (Majority vote required).

**This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0**

Commissioner Scott Marion moved Article #04 to the floor. Seconded by Commissioner Rosalie Lopresto.

Commissioner Marion gave a brief overview of the proposed budget for 2025.

Moderator Borne called for questions or comments on Article #04. Hearing none, he called for a vote on Article #04. **Vote: 33-0 in favor. Article #04 hereby approved.**

Article #05 To see if the District will vote to raise and appropriate the sum of one hundred sixty two thousand six hundred nine dollars (\$162,609) for the 2025-2026 payment of the Water Tank Maintenance Contract with USG Water Solutions for the purposes of necessary renovations, inspections, cleanings, repairs, and on-going maintenance of the 663,000 gallon water storage tank located at Washington Road. This is an annual contract subject to automatic annual renewal through May 30, 2031. For years 6/1/2026 through 5/30/2031, the District can cancel any automatic renewal without payment or penalty. The estimated costs each year are as follows:

6/1/26 – 5/30/27	\$162,609.00
6/1/27 – 5/30/28	\$162,609.00
6/1/28 – 5/30/29	\$162,609.00
6/1/29 – 5/30/30	\$162,609.00
6/1/30 – 5/30/31	\$ 27,422.00

(Majority vote required).

**This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0**

Commissioner Scott Marion moved Article #05 to the floor. Seconded by Commissioner Tom Mack.

Commissioner Marion explained that this maintenance contract will cover one of the older water tanks on Washington Road. The intent is to spread out the maintenance costs and extend the life of the tank through regular maintenance.

Attorney Roman explained that if the voters vote this forward, the District is obligated for this year. However, if funds are not raised and appropriated through the operating budget each year, starting in 2026, the District can get out of this contract. She further explained that the law requires the article to be transparent about the contract expenses for each year. The expense will be in the operating budget moving forward in 2026.

Moderator Borne called for further discussion on Article #05. Hearing none, he called for a vote on Article #05. **Vote: 32-0 in favor. Article #05 hereby approved.**

Commissioner Scott Marion moved to restrict reconsideration of Articles #04 and #05. Seconded by Jaci Grote. Vote: 32-0 in favor. Articles #04 and #05 hereby restricted.

Article #06 To see if the District will vote to raise and appropriate the sum of three hundred fifty thousand dollars (\$350,000) for the purpose of testing and permitting the West Road well site. This amount to come from the unassigned fund balance. This article has no tax impact. (Majority vote required).

**This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0**

Commissioner Scott Marion moved Article #06 to the floor. Seconded by Commissioner Tom Mack.

Administrator Goetz explained that in the fall of 2024, a test well was drilled at the site. The well was tested at about 200 gallons per minute and water samples were taken. At this time, there have been no detections of PFAS or PFOA and the other water quality samples are favorable. This article is requesting funds for the permitting and additional work that will be required to make this site a permanent water source.

Commissioner Scott Marion moved to amend Article #06 to read: To see if the District will vote to raise and appropriate **up to** three hundred fifty thousand dollars (\$350,000) for the purpose of testing and permitting the West Road well site. This amount to come from the unassigned fund balance. This article has no tax impact. (Majority vote required).
Seconded by Rosalie Lopresto.

Moderator Borne called for discussion on the amendment to Article #06. Hearing none, he called for a vote on the amendment to Article #06. **Vote: 33-0 in favor. Article #06 hereby amended.**

Julie Tucker, 960 Washington Road, asked if it would be easy to run the water from this site to the treatment plant if treatment is needed.

Administrator Goetz confirmed that the cost of piping the water to the facility will be considered as the project proceeds. It's anticipated that that the District will have that information at this time next year.

Hearing no further discussion, Moderator Borne called for a vote on Article #06 as amended.
Vote: 33-0 in favor. Article #06 as amended hereby approved.

Article #07 To see if the District will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be added to the District's Storage Tank Maintenance Expendable Trust Fund established at the 2017 District Annual Meeting for the purpose of maintaining the water storage tanks. This amount to come from the unassigned fund balance. This article has no tax impact. (Majority vote required.)

This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0

Commissioner Scott Marion moved Article #07 to the floor. Seconded by Commissioner Tom Mack.

Moderator Borne opened to discussion.

Mr. Cummins asked about the balance in this particular trust fund.

Business Manager Dyana Ledger noted that the Storage Tank Maintenance Expendable Trust Fund has approximately \$237,000.

Hearing no further questions, Moderator Borne called for a vote on Article #07. **Vote: 33-0 in favor. Article #07 hereby approved.**

Article #08 To see if the District will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be added to the Distribution System Replacement Capital Reserve Fund established at the 1995 District Annual Meeting for the purpose of modifying, replacing or enlarging the distribution system. This amount to come from the unassigned fund balance. This article has no tax impact. (Majority vote required).

This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0

Commissioner Scott Marion moved Article #08 to the floor. Seconded by Commissioner Tom Mack.

Administrator Goetz noted that this reserve fund is used for replacement of the distribution system, such as the water mains. The District has future plans with the replacement of pipes on Acorn Acres, which could be covered by this fund.

Hearing no questions on Article #08, Moderator Borne called for a vote. **Vote: 33-0 in favor. Article #08 hereby approved.**

Article #09 To see if the District will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be added to the Equipment and Buildings Capital Reserve Fund established at the 2004 District Annual Meeting. This amount to come from the unassigned fund balance. This article has no tax impact. (Majority vote required).

This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0

Commissioner Scott Marion moved Article #09 to the floor. Seconded by Commissioner Tom Mack.

Commissioner Marion explained that this fund is used to cover capital equipment purchases and the replacement of water district trucks. The request is to add funds this year from the unassigned fund balance.

Hearing no further questions, Moderator Borne called for a vote on Article #09. **Vote: 33-0 in favor. Article #09 hereby approved.**

Article #10 To see if the District will vote to remove the one hundred thousand dollar (\$100,000) balance restriction from the Contingency Expendable Trust Fund previously established for the purpose of unanticipated expenditures during the fiscal year, (maintaining the Board of Commissioners as the agents to expend from said fund). (Majority vote required).

This article is recommended by the Commissioners: 3-0
This article is recommended by the Budget Committee: 9-0

Commissioner Scott Marion moved Article #10 to the floor. Seconded by Commissioner Rosalie Lopresto.

Commissioner Marion explained that the District is requesting this cap be lifted from the trust fund, as there is no requirement to have a cap. This was done years ago by the Commissioners, and this is just eliminating an unnecessary policy.

Mr. Cummins asked when the cap was established. He feels the District should be held responsible for expenditures, and a meeting should be held before the funds are used. He would be against uncapping the fund.

Business Manager Ledger explained that that in 2012, a warrant article was passed at the annual meeting to cap this fund at \$100,000. This was presented by the Commissioners at that time. She further explained that there is no requirement by the NH Department of Revenue Administration (DRA) to have a cap on expendable trusts or capital reserve funds. At this time, the Contingency Expendable Trust Fund is overfunded and has a balance of \$166,000. The Commissioners are asking to remove the cap to keep records clean in the future.

Art Ditto, 66 Fern Avenue, (former RWD Commissioner), commented that the cap was probably established when the original article for the fund was approved. He is not sure what the Commissioners' thinking was at the time for establishing a cap. Unfortunately, the District does not have a good history in writing of exactly why this was done.

Joe Cummins moved to amend Article #10 to remove the language of removing the cap and change the cap amount from \$100,000 to \$170,000.

Moderator Borne held the meeting for district counsel opinion.

After speaking with Attorney Roman, Moderator Borne explained that counsel feels that the DRA would view this as a change of purpose. Attorney Roman suggests not approving the amendment and proposing a warrant article next year.

Mr. Cummins did not withdraw his proposed amendment to Article #10.

Moderator Borne called for a second on the proposed amendment: To see if the District will vote to **increase** the one hundred thousand dollar (\$100,000) balance restriction **to one hundred seventy thousand dollars (\$170,000)** to the Contingency Expendable Trust Fund previously established for the purpose of unanticipated expenditures during the fiscal year, (maintaining the Board of Commissioners as the agents to expend from said fund). (Majority vote required).
Amendment failed for lack of a second.

It was noted by Attorney Roman that the Commissioners can expend from this fund only after holding a publicly noticed meeting relating to the planned expenditure, in which the public is welcome to give comment.

Hearing no further discussion, Moderator Borne called for a vote on Article #10. **Vote: 31-2 in favor. Article #10 hereby approved.**

Article #11 To transact any other business which may legally come before this meeting.

No other business came before the meeting.

Moderator Borne held the meeting open for the ballot vote.

At 10:48 a.m., Moderator Borne called for a count of ballots for Article #03. Ballot counting was conducted by Moderator Borne and Clerk Murphy. **Article #03 – Vote: 30-2 in favor. Article #03 hereby approved.**

Moderator Borne adjourned the 2025 Rye Water District Annual Meeting at 10:50 a.m.

Respectfully submitted,
Lindsay Murphy
RWD Clerk