

# MERRIMACK VILLAGE DISTRICT

## Warrant

To the inhabitants of the Merrimack Village District in the Town of Merrimack, New Hampshire qualified to vote in District affairs:

You are hereby notified to meet in the **Cafeteria** of the **Merrimack High School** in Said District on the 29<sup>th</sup> day of March 2011 at 7:00 PM to act upon the following:

**ARTICLE 1:** To choose a District Clerk for a one (1) year term of office to complete the current three year term currently not filled. (Written ballot vote required)

**ARTICLE 2:** To choose two (2) Commissioners for a three-year (3) term of office. (Written ballot vote required)

**ARTICLE 3:** Shall the Merrimack Village District vote to raise and appropriate a sum of \$500,000 to add to the District's capital reserve fund established under RSA 35:1, I and II for Equipment and Facilities associated with existing storage, transmission and production of water? The addition to this capital reserve fund shall come from fiscal year 2009-2010 (year ending June 30, 2010) surplus fund balances. (Majority vote required.)

Recommended by the Board of Commissioners (5-0-0)  
[Reviewed by the Department of Revenue Administration](#)

**ARTICLE 4:** Shall the Merrimack Village District vote to raise and appropriate as an operating budget for 2011-2012, not including appropriations by Special or Individual Warrant Article, the amounts set forth on the budget posted with the Warrant, for the purposes set forth therein, totaling \$3,172,180? (Majority vote required.)

Recommended by the Board of Commissioners (5-0-0)  
[Reviewed by the Department of Revenue Administration](#)

**ARTICLE 5:** Shall the Merrimack Village District vote to establish a contingency fund by raising and appropriating the amount of \$20,000 to meet the cost of unanticipated expenses that may arise during the fiscal year 2011-2012? This fund shall not exceed one percent (1%) of the amount appropriated exclusive of capital expenditures and amortization of debt by such village district during the proceeding year. This is in accordance with RSA 52:4-a, which requires a detailed report of all expenditures to be made in the annual report. (Majority vote required.)

Recommended by the Board of Commissioners (5-0-0)  
[Reviewed by the Department of Revenue Administration](#)

**ARTICLE 6:** Shall the Merrimack Village District vote to raise and appropriate a sum of \$33,767 under provisions of RSA 35:1, I and II to add to the District's "System Development Capital Reserve" for the future system expansion and improvement of the existing system. This sum to come from the system development charges collected during the 2009-2010 budget year. (Majority vote required.)

Recommended by the Board of Commissioners (5-0-0)  
Reviewed by the Department of Revenue Administration

**ARTICLE 7:** Shall the Merrimack Village District vote to:

AMEND CURRENT BY-LAW 2K, Deposits, Charges and Payments

**FROM:**

K. It shall be unlawful for any person or corporation to violate a Merrimack Village District outside water ban. Any person found violating such restriction/ban shall first receive a warning letter delivered in person or via certified mail, return receipt requested, restricted delivery and if observed violating the water ban again, service may be terminated and a reconnection fee of \$125.00 may be imposed. This fee must be paid in full prior to reestablishing service. On all subsequent violations, the reconnection fee will double (i.e. \$250.00, \$500.00, \$1000.00, etc.). (See also 1.D., page 5)

**TO:**

K. It shall be unlawful for any person or corporation to violate a Merrimack Village District outside water ban. **The MVD Board of Commssioners has the authority under RSA 38:26 to issue a partial or full water ban at it's discretion as well as fine for any violation to preserve the safety and integrity of the system.** Any person found violating such restriction/ban shall first receive a warning letter delivered in person or via certified mail, return receipt requested, restricted delivery and if observed violating the water ban again, service may be terminated and a **violation** fee of \$125.00 may be imposed **to restore service**. This fee must be paid in full prior to reestablishing service. On all subsequent violations, the reconnection fee will double (i.e. \$250.00, \$500.00, \$1000.00, etc.). (See also 1.D., page 5)

Recommended by the Board of Commissioners (5-0-0)

**ARTICLE 8:** Shall the Merrimack Village District vote to:

AMEND CURRENT BY-LAW 7B, 7C, 7D AND 7E, Extensions to the Present Water Main System

**FROM:**

B. All pipeline extensions shall be laid by or, at the sole option of the District Commissioners, under the supervision of the Merrimack Village District and upon completion, shall be the property of the District.

C. Before construction is started, the customer(s) will remit mainline extension fees which include the cost of materials, waterline construction and installation based on the Merrimack Village District's "Schedule of Rates" as adopted by the Board of Commissioners to help defray principal

and interest charges on bonded indebtedness. There will be an additional cost for fittings, engineering, frost, ledge, replacing of paving, abnormal natural barriers, bridging of water and the like

D. The District will not be required to construct extensions where it is necessary to expend an unreasonable amount for obstacles, such as ledge, bridge crossing, or the like, or where the business to be secured will not be of reasonable duration or will tend in any way to discriminate against other customers in the District.

E. The District will not be required to construct extensions on other than public ways unless the prospective customer shall provide, without expense to the District, the necessary plans, permits, consents or easements for satisfactory right-of-way for the construction, maintenance and operation of a water main including the right to cut and dispose of necessary trees and bushes. Further, extensions into subdivisions will be accomplished only after subdivision plans have been submitted and accepted and a certified copy of the approved subdivision plan furnished to the District.

**TO:**

B. All pipeline extensions ~~proposed by an applicant/developer shall require approval of the District Commissioners including approval of individuals or companies installing same. Upon satisfactory completion of the work, the water line shall be the property of the District, unless approved otherwise. shall be laid by or, at the sole option of the District Commissioners, under the supervision of the Merrimack Village District and upon completion, shall be the property of the District.~~

C. Before construction is started, the customer(s) will remit mainline extension fees ~~which include the cost of materials, waterline construction and installation~~ based on the Merrimack Village District's "Schedule of Rates" as adopted by the Board of Commissioners. ~~These fees are intended to cover the District's administrative, plan review, inspections, bacterial testing and other costs associated with application and construction of the main line. This fee represents the minimum amount to be paid. In addition to the main line extension fees additional charges such as engineering, legal and/or overtime may be assessed to cover costs to the District. to help defray principal and interest charges on bonded indebtedness. There will be an additional cost for fittings, engineering, frost, ledge, replacing of paving, abnormal natural barriers, bridging of water and the like. The main line extension fee shall be in addition to the System Development Charge (SDC) and all other applicable charges.~~

~~D. The District will not be required to construct extensions where it is necessary to expend an unreasonable amount for obstacles, such as ledge, bridge crossing, or the like, or where the business to be secured will not be of reasonable duration or will tend in any way to discriminate against other customers in the District. (Remove entire paragraph)~~

D. The District will not ~~be required to construct~~ **allow construction of** extensions **intended to be owned and maintained by MVD** on other than public ways unless the prospective customer shall provide, without expense to the District, the necessary plans, permits, consents or easements for satisfactory right-of-way for the construction, maintenance and operation of a water main including the right to cut and dispose of necessary trees and bushes. Further, extensions into subdivisions will be accomplished only after subdivision plans have been submitted, **reviewed** and accepted **by MVD** and a certified copy of the approved subdivision plan furnished to the District.

*Note: all subsequent paragraphs after “D” in section 7 of the by-law book will be realphabetized up one letter with the removal of the original paragraph “D”.*

Recommended by the Board of Commissioners (5-0-0)

A true copy of WARRANT – attest Board of Commissioners this date of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Lon Woods

\_\_\_\_\_  
Tom Nutting

\_\_\_\_\_  
George (Chip) Keller

\_\_\_\_\_  
Anthony Pellegrino

\_\_\_\_\_  
Joe Comer