WATERVILLE ESTATES VILLAGE DISTRICT

NOVEMBER 14, 2020 APPROVED MEETING MINUTES

Approved as presented on December 30, 2023.

Attendees: Judy Kinney, Matt Smith (left at 9:15 AM), Maureen Patti, John Herlihy, Linda Ivers, Corey Smith, Gerry Panuczak

Guests: Richard Mayo, Sue McDermet, Jaime Oldmixon, Ned McElroy, Rebecca McElroy, Tom Clarke rke, George Smith, Loren Bennett, Terry Bennett, Chris Bernardi, Keith Barnes, Debbie Barnes, Mike Hering, Sue Hering, Art Marks, Jack Letvinchuk, Stan Bujalski, Mark O'Hara Ryan Timms, Rick LeBlanc, Brian Sylvia, Andrea Canfield, Scott Monroe Harry Bertino, (indecipherable), Greg Banner (sp?), Ellen Witt, Anthony Patti, Jim Murphy, Jeanne Schillberg, Claire Denton, Jeff Popham

Call to Order: Mr. Herlihy called the meeting to order at 8:04 AM.

Introduction of Campton PD Officer: Mr. Herlihy introduced Officer Anthony Scott.

Approval of Previous meeting minutes: Mr. Panuczak motioned to accept the minutes from October 24th, 2020, Mr. Herlihy seconded, motion passed unanimously.

WEVD Treasurer Report:

Employee Health Plan: Ms. Ivers indicated that our current plan has become obsolete, but the new plan had comparable deductibles and saves the village 28%. Plan for paying invoices between Commissioner meetings: Ms. Ivers stated she had checked with NHMA and we can have an electronic check signing policy to allow commissioners to approve invoice payments in between meetings.

Report: Ms. Ivers provided a Treasurer's report including that Thornton's tax rate had been set at $35.31 with $20.11 for town and $15.20 for village. She provided an update on the status of the Non-Lapsing Recreational Projects. Mr. Herlihy motioned to accept the report, Mr. Panuczak seconded, and the motion passed unanimously.

Vacancies:

Commissioner: Mr. Herlihy indicated that Ms. Patti had put her name forward to replace Commissioner Tole and asked her to provide her qualifications which she did. After discussion, Mr. Herlihy motioned to appoint Ms. Patti to the open position, Mr. Panuczak seconded, and the motion carried unanimously.

Moderator: Mr. Herlihy indicated that the Moderator position was vacant. Mr. M. Smith asked to be considered for appointment indicating there was no statutory incompatibility of office with him holding the office of Clerk and Moderator. He provided his qualifications. Mr. Herlihy motioned to appoint Mr. M. Smith to the open position, Mr. Panuczak seconded, and the motion carried unanimously.

GM Update:

Report: Mr. C. Smith provided d a written report. Discussion took place around the current proposal to install additional flow meters in the village water system. The Commissioners are only comfortable with budgeting half of this work now and would consider the rest for next year. They asked Mr. C. Smith to prioritize which meters should be done now and which could wait. Discussion took place around getting a quote to deal with the rodent problem in the Recreation Center. Ms. Kinney indicated a company was coming to do a walkthrough this week.

Report continued: Mr. Panuczak asked Mr. C. Smith to provide an update opening the Ski Lodge. Mr. C. Smith stated that the most important thing was staying on budget as the Association has no way of providing additional funds. With decreased revenue, increased costs, and reduced occupancy, all from Covid, this will be a challenge. He stated the Association Board was proposing reduced hours at the Ski Lodge and Recreation Center. Mr. C. Smith reported that the trunk or treat event was successful and stated that the Board was proposed additional Saturday events and takeout from the Ski Lodge. Mr. Panuczak asked Mr. M. Smith for imput on the Ski Lodge ventilation system and discussion took place around what amount of fresh air might be required for a safe opening. There was also discussion about his efforts to do a rough heat loss calculation for the Recreation Center. His efforts were hampered by the poor condition of our architectural drawings and a lack of organization preventing easy access. He stated he would measure spaces this coming week and Mr. Panuczak agreed to assist. Discussion took place about using DuBois and King to evaluate the Ski Lodge and the commissioners recommended using internal resources, like Mr. M. Smith, first. Mr. C. Smith asked for a time frame, Mr. M. Smith stated he would review this coming week. Mr. Panuczak asked when snow making would start, Mr. C. Smith stated a meter was being installed the first week of December so weather permitting, that process could start. Mr. Panuczak asked about timeline for opening the Recreation Center. Mr. C. Smith stated ventilation was an issue here. Mr. Panuczak asked about cleanup progress. Mr. C. Smith provided an update on the progress made by the PSU part timers. Discussion took place around other work needing attention and Mr. C. Smith stated the commissioners would need to advise on priority of each item. Mr. C. Smit reported we passed our first PFAO test and provided updates on paving. A leak at Boulder Village on Weetamoo was reported. Discussion took place around the updated water emergency plan.

Old Business:

Friends of Campton Mountain: Mr. Panuczak provided an update. There are two options. Option one is to treat these monies like any other Recreational Revolving Funds. We would want to have a warrant at the next annual meeting to better how this fund is used. If they are truly charitable contributions, we need to go with option two which is to create a trust fund, establish trustees, and move the money to the Town of Campton's Town Trustee. Our trustees can then request and use the funds. Discussion took place around whether we had an accounting of the monies to present to the AG's office. Mr. M. Smith observed that for the original donors intent to be guaranteed to be honored, it needed to be a trust. If it remains in the Rec Fund, the commissioners may disburse it for any recreation purpose.

New Business:

Lease: Mr. Herlihy indicated that we had received a lease from the Association and we have sent it to the Village attorney for review. Mr. Panuczak stated that the lease cannot reference property taxes for the leased buildings or we will create a taxable event. Discussion took place around what different scenarios would trigger the need to pay property taxes for the Ski Lodge and Recreation Center.

Budget for Recreational Activities: Mr. Herlihy indicated that we had received a budget from the Association that included CIF funds for the Locker Room. He asked to see a detailed budget of the proposed work. Mr. C. Smith stated that the Association Board's position is that they can spend CIF money as they wish, when they wish. Heated discussion took place with Mr. C. Smith stating that the Association Board felt that they could come in and perform the work with or without the approval of the commissioners. Mr. C. Smith indicated that a few years ago assets were transferred from the Association to the Village and that it was illegal as the Village never formally accepted the gift, so this is something that has to be worked out. Mr. Panuczak read from the 2020 Recreation Management Agreement which stated that proposed CIF contributions would include a separate formal proposal. Heated discussion took place.

Budget for Recreational Activities (continued): Mr. Hering interrupted the conversation and questioned what level of detail Mr. Panuczak was asking for and that the Board was not operating at a minutia level. Mr. Panuczak disagreed that details were minutia level. Mr. Hering interrupted again stated that if additional dollars were needed the Board would scale back the project or provide more dollars. He went on to say that they could bring in their own forces, as they have done in the past, to move the project forward. Heated discussion took place. Mr. Bertino pointed out that it was a breach of fiduciary duty to give CIF money to the district as it decreased Association assets and increased Village assets. He stated that CIF expenditures should increase the value of Association property. Heated discussion took place. Mr. Herlihy stated that the submitted budget was inadequate and it would be taken up again in the future.

Ski Lift Ticket Sales Kiosk: Mr. Herlihy provided an update on this proposal. The estimated cost for an indoor kiosk is around $15,000. Ms. Ivers indicated that there are additional annual fees of $1000 per year and $49 per month and there is a 10-week lead time. Ms. Ivers asked whether the commissioners wanted her to get estimates for an outdoor kiosk, but did not recommend installation this year, but rather include dollars in the 2021 annual budget. Mr. Panuczak asked if we looked at a phone app that could solve this problem less expensively. Discussion took place around logistics. Mr. Herlihy recommended tabling the issue for now.

Swearing in of Commissioner Patti: Mr. Panuczak swore in Ms. Patti. Updated Check Signing: Ms. Ivers asked for signature for the procedure.

Committee Reports:

Budget Committees: Mr. Panuczak provided an update on how the budget committee plans to move forward.

Planning Board: Mr. Panuczak provided an update on what the Planning Board is working on.

Appointment Letters: Mr. C. Smith asked for guidance on logistics of the terms and distribution of the letters.

Mr. Panuczak proposed swearing in committee members at the associated committee meeting Water Committee: Mr. Herlihy stated that the Village attorney had recommended amendments to the water policy drafted by Mr. Oldmixon and that we would be holding off approving the policy until that work was completed. He stated that the meter work should be around $49,500 and asked the treasurer to investigate whether we could use the $90,000 new well line item. Discussion took place around expenditures to date from this line item and whether we could overspend this line. Mr. Herlihy made a motion to spend and pursue grants, Mr. Panuczak seconded and the motion passed unanimously. Records Committee: Ms. Patti provided an update on activities including four proposed procedures we would like the commissioners to approve. This will be tabled until next meeting. She provided details on the procedures. Mr. Herlihy made a motion to spend up to $500 on lockable file cabinets, Mr. Panuczak seconded and the motion passed unanimously.

CBU Committee: Ms. Patti indicated that this committee has not met after the Chairperson, Mr. Tole, resigned as commissioner. She reminded the commissioners of the most recent status of committee work. Mr. Timms asked what if we do nothing, and Ms. Patti said she did not know and would seek to have an answer for next meeting. Discussion took place around options. Ms. Patti made a motion to authorize her to contact Village counsel, Mr. Panuczak seconded and motion passed unanimously. Mr. C. Smith indicated an owner has already made an informal legal claim, that the Village must resolve this matter.

Court Committee: An update was provided and included in the meeting handout. Ms. Patti made a motion to permit that all taxpayers are eligible to serve on this committee, Mr. Herlihy seconded and the motion passed unanimously. Current tennis court repair estimates are as high as $150,000. Mr. Herlihy asked if clay courts would have a lower maintenance cost.

Adopt-A-Road Committee: Mr. Monroe provided an update on activities. He indicated crack sealing was critical and that overhanging branches need to be cut back. He recommends a structure to protect equipment stored outdoors. He observed an oil tank that did not have containment and that there might be regulations on having our salt stored in a structure.

Constant Contact: Ms. Canfield provided an update on culling the list of email addresses used in constant contact and discussed how to update and what kind of information to try to obtain. She does not recommend Constant Contact as a vendor to upgrade our website.

Guest Business:

Right to Know Requests: Mr. LeBlanc asked what was happening with Right to Know requests with particular respect to increased attorney costs. Mr. C. Smith stated they are still coming in hot and heavy and that there was a current legal matter that was making the cost go up daily. Mr. Herlihy indicated Right to Know requests have no inherent legal costs, just manpower costs. Mr. LeBlanc inquired whether we have recourse for the legal costs and what the costs to date were. Ms. Kinney stated the costs were $7,000. Mr. Herlihy discussed staffing to meet Right to Know

manpower demands. Mr. C. Smith indicated there might be greater expense if the village has to pay the plaintiff's legal costs or vice versa. Mr. C. Smith asked if Ms. Patti could assist with the legal implications of Right to Know. She indicated that there are large holes in our record retention and the lack of organization results in high manpower costs. She indicated that municipalities have a statutory requirement to bear the burden of complying with Right to Know so the number one priority is to make our handling of Right to Know more efficient. She stated that the excitement around the lawsuit and the legal costs come down to mis-trust. People don't believe that records are retained or that the exist and this is a cost the municipality has to bear. The solution is to build trust. Discussion took place around what timeline is required for the Village to comply within. She discussed the work the Records Committee is doing in logging what we have for public records.

Horizon Drive:

Mr. C. Smith stated Mr. Dorsey understood we would not be providing winter maintenance, but requested that the commissioners communicate to those residents.

Executive Session: At 10:20 AM, Mr. Herlihy moved to enter non-public session citing RSA 91-A:3 II(a).

The Commissioners voted unanimously to enter public session by roll call. Mr. Herlihy, aye, Mr, Panuczak, aye, Ms. Patti, aye.