WATERVILLE ESTATES VILLAGE DISTRICT

December 30, 2020 MEETING MINUTES

Approved as amended on January 20, 2021.

Attendees: Matt Smith, Maureen Patti, John Herlihy, Corey Smith, Gerry Panuczak, Judy Kinney **Guests:** Harry Bertino, Jim Murphy, other parties, some unidentifiable, via zoom.

Call to Order: Mr. Herlihy called the meeting to order at 6:01 PM.

Roll Call: Mr. Herlihy, aye, Ms. Patti, aye, Mr. Panuczak, aye.

Approve Previous Meeting Minutes: Mr. Herlihy made a motion to accept the 11/14/20, 11/21/20, 12/9/20, and 12/15/20 meeting minutes, Mr. Panuczak seconded and the motion carried unanimously via roll call vote.

Approve Agenda: Ms. Patti made a motion to adopt the presented agenda with a correction to item F under General Calendar indicating it should read Planning Board, not Planning Committee. Mr. Herlihy asked to further amend the motion to include item H to discuss the DuBois and King report. Ms. Patti accepted the amendments, Mr. Herlihy seconded the motion, and it carried unanimously by roll call vote.

Treasurer's Report:

General: Ms. Ivers reported on bank balances and no change in balance for Warrant Article 3 from 2019. She stated we needed to transfer money to the water fund. She stated we need to replace readers for the OneTouch Bistro system at a cost of $200 each. Discussion took place around how many of the four needed should be purchased now. Mr. Herlihy made a motion to purchase three, Ms. Pati seconded, and the motion carried unanimously by roll call vote. Ms. Patti discussed electronic approval of checks and that the manifests should be shared as part of the handouts at the next meeting and thereafter. Ms. Ivers indicated she would make the manifests available. Ms. Patti commented on the difficulty of managing handouts in a virtual meeting environment. Mr. Panuczak asked about getting a better return on idle village assets than just bank account interest and whether we had looked at short term options. Ms. Ivers indicated we had not. Mr. Panuczak commented that many banks have municipal divisions that offer better interest. Ms. Ivers indicated she would look into it.

General Manager's Report:

General: Mr. Herlihy asked if any Commissioners had questions about Mr. C. Smith's written report. Ms. Patti indicated no questions. Mr. Panuczak indicated that his request for a list of full time employees and their positions had not been fully met. He indicated that Mr. C. Smith's claim that the 24/7 nature of his job was a problem was not valid in that it was a management issue. He said Mr. C. Smith was not using his staff. He asked for an update on the progress with clean up with a definitive list of what is and is not done. Mr. C. Smith indicate he had additional updates, not in his report, that he wished to provide. Discussion took place that all reports must be in writing. Ms.

Patti acknowledged the challenges of reports prepared in advance of the meeting, but if the updates were not urgent they could simply be included in the next report. Mr. Herlihy requested the updates be presented in writing at the schedules 1/9/21 Commissioners meeting.

Committee Reports:

Records Committee: Ms. Patti discussed the coming tour of Thornton Town Hall 1/6/21 and that we are rounding the turn on electronic record storage vendors.

Advisory Budget Committee: There were no questions or comments on Mr. Canfield's report. Mr. Panuczak discussed that Shawn is concerned about his safety when working in the ski lift towers and the solution is
catwalks at $5200 each and asked if this item was in the capital budget. Mr. C. Smith stated that yes, it was in 2020 and would roll to 2021. He indicated that because we are not focusing on the bigger picture certain aspects of doing business are falling by the wayside. Mr. Panuczak said he was concerned about employee safety. Ms. Patti stated there is nothing in the 2020 or 2021 budget for this item and it is obscene that an employee must climb the towers with fall gear and perform necessary service with a 10 ½" surface to stand on. Mr. Canfield stated that he is trying to schedule a budget meeting for next Tuesday. Mr. C. Smith repeated that the catwalks were in the 2020 budget and would slide into 2021. Ms. Patti re-iterated the line item is not in the budget. Mr. C. Smith stated the work was scheduled for 2020. Mr. Panuczak asked why the work wasn't done since we were closed anyway. Mr. C. Smith cited staffing concerns and loss of Recreation Revolving Fund revenue; and that we were in the process of updating the spreadsheet. Ms. Patti asked why hadn't the work been outsourced to a local manufacturer. Mr. Herlihy indicated that building the catwalks in house was poor judgement and stated that it was an action item for Mr. C. Smith to get three bids for the Commissioners to consider.

Court Committee: Mr. Ketchum had nothing to add to his report. Mr. Herlihy asked about progress on determining costs to fix the tennis courts. Mr. Ketchum indicated they were evaluating multiple proposals and there was a turnkey option for the upper court that was $140-150k. Mr. Herlihy asked about the basketball court. Mr. Ketchum said the committee was working on a community survey to determine the possibility of converting it to a ½ court and putting in a walkway.

CBU Committee: Ms. Patti stated that the committee was still awaiting direction from the village attorney about who can pay for the required mailboxes.

Water and Roads Committee: Mr. Herlihy indicated that we had submitted a proposal for a $20k grant and should hear back in January.

Planning Board: Mr. Panuczak stated that the Planning Board needs two new members. He noted that an interest had been expressed by Mark Canfield and Ryan Timms. He said he hoped to appoint at the 1/9/21 meeting. He discussed how to pay for assistance from the North Country Council and suggested we had a
consulting line item under the Highway budget that should be moved up to the general budget so that it could be used for more consulting purposes like this one and the need for funds for a study

on the best source for snowmaking water. Mr. Hering indicated the Association Snowmaking Committee had not produced a report as of yet. He indicated that NH DES will not require a report for small scall draw from the upper pond. He indicated we could run the snowgun 24 hours a day and stay below the permit trigger level.

New Business:

Recreation Revolving Fund: Ms. Patti indicated the 2006 warrant article that created the fund has been reviewed by village counsel, Upton and Hatfield, and that it is strictly a village fund and only the commissioners had authority to direct the treasurer to make payments from the fund. Counsel confirms that it is not an Association asset and is not controlled by the Association. She indicated that the Commissioners stand ready to assist the Association with recreation. She discussed the letter sent by the Association and the Commissioners response "The Recreation Revolving Fund was created by Warrant Article in 2006. The Fund was created under RSA 35-B:2, II and was to be funded by "money received from fees and charges." The language of the Warrant Article (#4) includes the following: "The District Treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the Village Commissioners. The Rec Fund is not and cannot be under the control of WEA by the plain language of the Warrant Article which created it. We can, however, work together to ensure that WEA's plans for Recreational Activities are, as much as possible, realized."

Covid Zoom Declaration: Ms. Patti read a declaration authorizing a zoom meeting per the

Governor's orders. **New Business (cont.):**

Consent Calendar: Mr. Herlihy discussed holding off payments of invoices until a manifest could be included

in meeting handouts. He discussed the desire for using a consent agenda to add meeting handouts to previously approved meeting minutes. Ms. Patti produced a list of handouts for approval and made a motion to accept them into the record, Mr. Herlihy seconded and the motion passed unanimously by roll call vote.

Transfer Station: Mr. Herlihy discussed the new hours for the Campton-Thornton Transfer Station controlled by the Thornton Board of Selectmen. Starting 1/2/21 it will be open Tuesday, Wednesday, Thursday, and Saturday. Ms. Patti has reached out to NHMA and their opinion was garbage management was not one of the village purposes per RSA 52. She said she would follow up with village counsel. She indicated that some residents and the Association BOD might be able to help.

NHMA Webinars: Ms. Patti made a motion to enroll in some training webinars, seconded by Mr. Herlihy and passed unanimously by roll call vote.

Annual Meeting Schedule: Ms. Patti discussed the possible dates for the annual meeting and that we may have it as last as May 1st. Currently it is schedule for 3/20/21 but it is clear we have had many technical problems conducting Zoom meetings. She contacted village counsel who indicated that cancelling the meeting where people could not log in was prudent and solving the technical difficulty with a live location was also the correct action. She then detailed provisions of HB1129 which allows drive thru voting. She detailed the drastic changes to the normal Town Meeting process including the Commissioners ability to modify petitioned warrant articles. She discussed

the negative effects of not having the spontaneous dialog of a traditional meeting. She recommended that we push the date out so we might possible have an outdoor meeting by the traditional method. She also stated that HB1129 was already getting modification requests, because of the negatives, and that relief might be coming from Concord. Ms. Patti made a motion to re-schedule the annual meeting to 4/24/21, seconded by Mr. Panuczak, and passed unanimously by roll call vote.

Check Signing Procedures: Discussion took place around signing checks and vouchers and that each Commissioner will have to get to the Recreation Center when they can. Because the manifest is approved in public session, the actual sighing may occur in a separate non-public venue.

Website Committee: Mr. Herlihy called for the creation of a village website committee. Andrea Canfield, Ken Michaud, and Ryan Timms all offered assistance. Mr. He3rlimny indicated he would be the Commissioners liaison to the committee.

Christmas Bonuses: Ms. Patti talked about payment of Christmas bonuses and indicated that all elected officials had declined stipends or bonuses. Ms. Ivers quoted an amount paid of $6675, Mr. C. Smith said the figure was $5475 and he had declined the bonus as well.

HVAC Report: Mr. Herlihy said the Commissioners would take action at the 1/9/21 meeting.

Guest Business:

General: "Russ" expressed concern about finding a trash removal solution. Discussion took place. Ms. Patti called for resumes to be submitted for the open Planning Board positions. Ms. Challagulla insisted that the Commissioners had received the RMA budget from the Association and the public record showed that. Heated discussion took place. The Commissioners affirmed they had not received the required recreation activities proposal and budgets for each activity. She indicated the had received a one page statement from Mr. Hering saying "do what you did last year" along with a commitment of $34k of CIF for the Locker Room updates and that has been the only correspondence offered from anyone on the Board of Directors regarding the required RMA documents. Mr. Bertino asked why Non-Residents were harassing Residents for exercising their civil rights. Mr. Hering stated that there was a re-opeing plan that detailed social distancing and "suddenly" HVAC was a big issue and that it was the "elephant in the room", He indicated there was a lot of frustration around opening and that the Association insurance company had erroneously told the BOD that WEA was facing liability from lawsuits. The BOD has since determined that this was not correct.

Set the Next Meeting: Mr. Herlihy indicated the next meeting would be 1/5/20 at 6PM.

Executive Session: Mr. Herlihy motioned to enter non-public session for the reasons stated in RSA91-A:3, II (a)), Mr. Panuczak seconded and the motion passed unanimously by roll call vote at 8:00PM. Session was entered at 8:03PM.

Resumption of Public Session: Mr. Herlihy motioned to re-enter public session, Mr. Panuczak seconded and the motion passed unanimously by roll call vote at 9:45PM. Session was entered at 8:03PM. 9:50PM. Mr. Herlihy motioned to seal the non-public session minutes as it would adversely affect the reputation of someone

other than the Commissioners, Ms. Patti seconded and the motion passed unanimously by roll call.

Adjournment: Mr. Herlihy motioned to adjourn the meeting, Ms. Patti seconded, and the motion passed unanimously by roll call vote at 9:55PM.