Waterville Estates Village District

April 14, 2021

Commissioners Meeting

Attendees: John Herlihy, Gerry Panuczak, Maureen Patti, Ellen Witt, Judy Kinney, Corey Smith Rob Diefenbach, Ryan Timms, Terri Tole, Chris Gerber, Brian Silvia, Sean Tole, Madhu Challagulla.

Guests: In person session: Jim Murphy, Harry Bertino. Other unidentifiable parties via Zoom.

Call to Order: Mr. Herlihy called the meeting to order at 6:00 PM.

Covid Zoom Declaration: Ms. Patti read the declaration authorizing a zoom meeting per the Governor's orders. Ms. Patti gave instructions to attendees and format for questions via text or phone. (See attached **Plan to Ensure Fair & Open Public Statement Period in WEVD Virtual Public Hearings).**

Approval of Agenda: Ms. Patti suggested amendments to the Agenda, removing the Treasurer's report, the Outdoor Courts and Budget Advisory Committee reports. Mr. Herlihy motioned to adopt the Agenda with amendments. it was seconded by Mr. Panuczak and it was unanimously voted to adopt.

General Manager's Report-(See Attached) Mr. Herlihy asked about the status of the Grader. C. Smith answered more needs to be known about the value of replacement or repair and he is waiting for information from the assessor regarding preliminary repair to enable further evaluation. He went on to describe the condition of the Grader which is operable. Mr. Herlihy said that this has been going on for a long time. C. Smith went on to say the dirt roads are being raked with the York rake and new tongs were put on that day. The discussion continued regarding the structural issues in the Rec. Center and the Indoor Spa. Ross Engineering has a plan for remediation for the concrete ceiling of the pool filter room in the men's locker room. It will be presented at the next safety meeting. Ross Engineers is evaluating the indoor spa and whether the current location was the appropriate place for it, given the structural and water intrusion issues. Mitigation efforts to date have failed. A discussion followed about fixing it at the current location or look for another location, on the oval pool deck. Mr. Panuczak asked if consideration had been given to electrical for installing at the other location? Also how overflow and water will effect what is below that level. C. Smith said that it is leaking now and they have tried sealing it. He went on to say that compliance with ADA requirements are being considered also. A discussion of water flow followed. Ms. Patti said that it is still premature to talk to engineers. C. Smith said he will continue working on safety issues. Mr. Herlihy said that the spa will remain closed. G. Panuczak asked about the locker room renovation update. C. Smith summarized the costs, for labor materials, fixtures, and scheduling. He said that part time college who have been helping with the project will be leaving and that the plan is to use the cleaning staff to fill in.

Committee Reports

Planning Board – Mr. Panuczak said that at the next meeting on April 15th will include MRI. He said that he has an Agreement for the project in hand. The committee voted to approve it. He said he will sign it and deliver it to J. Kinney.

Water & Roads - Mr. Herlihy said thaty the next meeting is on April 30th. That meeting will address the approval of our matching grant among other issues. C. Smith said that the work by Lakes Region Water continues. The SCADA system new probes have been installed and operating.

Records Committee- Ms. Patti reported that at the last meeting, modifications of one official form was approved, the checklist. The next meeting is not scheduled yet.

HOA Report- Ms. Tole said that Brian Silvia has filled the vacancy left by Claire Denton. Claire was thanked for her service. The HOA is looking to extend hours for April vacation this week, to open 7 days this coming week. She explained that the Association has been addressing the CIF Policy and that it has not been keeping up with the cost of inflation. The Association voted to increase the CIF to $3,500 moving forward and that a Lot CIF would remain at $1,000. A vote by Homeowners will be scheduled.

Consent Calendar-Ms. Patti moved to make a Motion to accept and approve the Consent Calendar manifests. It was seconded by Mr. Panuczak and was passed unanimously via roll call vote.

Ms. Patti moved to accept the Manager's Report, Mr. Herlihy seconded and it was passed unanimously via roll call vote.

General Calendar Items

Electrician Work- Ms. Patti pointed out the Invoice to DTL Electric for $17,772.15, on the manifest. Saying that it was a great deal of work that was done for that amount. Mr. Panuczak summarized that after the safety audit was done, many items were identified for remediation. Electric panels had to be moved, 10 new outlets were installed at the Rec. Center desk, eliminating the tangle of extension chords that were there. Rusty electrical conduit pipes were replaced. Mr. Herlihy added that that is the main power feed into the building and it is near a water source.

Posting of Outdoor Courts Committee videos- Ms. Patti asked J. Kinney if it was possible for the district to have a video presentation posted on the web site? J. Kinney said yes. Ms. Patti went on to say we do not have any policy as yet, its a new area. Ms. Patti moved to make a Motion to allow the Outdoor Courts Committee to post a short video (online to a video) on the Village District website from 04/14/21 to 04/30/21. Mr. Panuczak seconded and it was passed unanimously via roll call vote. Ms. Patti made a Motion to allow the Outdoor Courts Committee to post a short video (or link) on Facebook page from 04/14/21 to 04/30/21. Mr. Panuczak seconded, and it was passed unanimously via roll call vote.

Osh Kosh-Repair or Sell
Grader- Operable-Repairable-Scrap or Sell
Ms. Patti pointed out that the Osh Kosh is operable and that we have a second one for parts. She asked if the State auction site was competitive with other sites for parts. C. Smith stated that he thought we would do better if it was put on Ebay or some other commercial site and that we would not know any pricing indications until it was posted. Ms. Patti asked C. Smith to check on demand for this surplus equipment, could a few calls be made to the state's auction department. C. Smith went on to say that we could hire a grader company who has a heavy loader with a wing. Ms. Patti continued that with the operable Osh Kosh, we do not have anyone with a Class 3 license to run it. Mr. Herlihy added that we have two pieces of equipment that require that type of licensed operator, we do not have anyone with

the appropriate license, we should hire the work out. Ms. Patti asked if we have settled the issue of the grader? Mr. Panuczak said that Steve was interested in getting a commercial license but if we get rid of the Osh Kosh, than we don't need someone with that license. Mr. Panuczak said that C. Smith can help with research to post it on Ebay and see what happens. Mr. Panuczak made a Motion to sell the Osh Kosh, Mr. Herlihy seconded, the vote was as follows: Mr. Herlihy in favor, Mr. Panuczak in favor, Ms. Patti not in favor. The Motion passed.

Appointments to Snow-Making Committee- Mr. Panuczak announced appointments to the committee; Jaime Oldmixon, Mark O'Hara, M. Hering, Rick Leblanc, Scott Van Raalte, Charles Goodhue, and Andrew Erickson. The first meeting will be on Monday, April 19th at 6 PM.

Appointments to Website Committee-Ms. Patti said that Ryann Timms, Andrea Canfield and Mr. Herlihy expressed willingness to serve on the committee.

Rec Fund Balance-Mr. Herlihy referred to the balance sheet of the last quarter to the Association. It indicates that there was $98,189.00 spent and that it appears it was underfunded by $3-6,000 including payroll and it was a challenge to get funding into the Rec Fund. Ms. Patti said that the Budget Committee addressed this and that it was agreed that the Village District would provide accounting. An email sent to Mr. Herlihy from S. Tole was read aloud, stating that there is a significant departure from long standing practice if the Village District is asking WEA to pay all expenses by the Rec Fund. Ms. Patti discussed keeping a minimum amount in the Rec Fund. M. Hering asked what is the balance in the Rec Fund now? It does not reflect $50,000 contributed in January or balance from last year. We need to be on the same page. What is the balance as of now? R. Diefenbach stated that he gave S. Tole the Rec Fund balance as of the end of March. C. Smith added that the balance as of today is $42,188, and asked where is the liability for the District? M. Hering said he would be happy to transfer money. S. Tole said that the accounting was $98,000 in expenses with no revenue offsets. In the summer we have high revenues and that covers it usually. Doing the math, $98,000 costs, $50,000 offsets. Ms. Patti said that the Rec Fund is set up to run on dues and revenues. She said that the discussion with, John Scruton, was to have 50K or 30K at all times; 30K to purchase orders, outstanding expenses. We agreed at an earlier WEVD Commissioner's meeting to have two to four times the cost of payroll in the Rec Fund to make sure we can cover payroll and any additional expenses. We have been getting information on payroll running $3-4,000 now. S. Tole said that there will be expenses without revenues to offset, that he was fine with sending more funds, 40K, over to fund. Mr. Herlihy said that our challenge is our responsibility to employees and vendors. We cannot forward 30K of tax payer money to that fund. There should be 45-50K at all times to carry our 30K a month costs. R. Diefenbach and Ms. Patti agreed. Mr. Herlihy asked R. Diefenbach if he could provide a statement to S. Tole each month. R. Diefenbach said yes, if he could get remote access. Ms. Patti said that security clearance was being worked on. S. Tole said that if cash is needed please talk to us and we will step up and make sure it happens. Ms. Patti said that was the reason for the RMA negotiations that need to be done, this will be covered.

Front Desk Staffing-C. Smith stated that we have had staff come in to help answer the phones when Rec Center has been closed. Most days the staff is dealing with all sorts of business and some of it benefits the District. Ms. Patti suggested that he direct the staff to log their calls so we can see what the actual numbers are regarding calls for the District vs. calls for the HOA, so it is not anecdotal information anymore. Ms. Patti asked Mr. Panuczak if the assumption is that when the Rec Center is open the employee at desk are charged to the Rec Fund and are we talking about the time at the desk when the Rec Center is not open? Mr. Panuczak answered that there is approval from WEA to use their

employees. C. Smith said that when we open up for business its all new territory, and is the Association expected to pay for phone calls that come in for Village District business? Mr. Panuczak asked who is asking the question to change the procedure? Ms. Patti said that we have always approved money when asked. C. Smith said that everything is changing as we are changing the budget. Mr. Panuczak stated that the budget has been presented, and portions of your salaries and J. Kenney has been presented. C. Smith said that the Association did not pay for my time and J. Kinney's time, now we are reanalyzing how we do it, it keeps changing. Mr. Panuczak answered that this is not a budget meeting. Ms. Patti added that if you want to present a Motion for a future meeting, C. Smith please do so.

Virtual Meetings as Webinars with streaming-J. Kinney stated that the cost of webinar presentations from the consultant is $526. We still have the annual fee for the Zoom account. Ms. Patti suggested that if the voters approve the budget, we may be able to change the format to webinar and use the services of the Municipal Assistant.

Settlement of Right To Know (RTK) lawsuit (See Attached)- Mr. Herlihy stated that there has been a RTK settlement that has been pending for 6-8 months. It determined that we were not in compliance and we have agreed to train all staff and officers on RTK. I have attended those classes and found them very worthwhile. He went on to say that, these offenses were in the past and that the settlement ended up costing much less than going to court. Ms. Patti read portions of the settlement aloud. She then made a Motion to agree to and to sign the stipulation. Mr. Herlihy seconded and it passed unanimously via roll call vote. Mr. Herlihy asked J. Kinney to schedule the RTK training for employees by next week so we can get the training going.

Modified Non-Public Session Checklist (See Attached)-Ms. Patti said that the Records Committee made some amendments to the checklist and made a Motion to approve the amended checklist for non-public session. Mr. Panuczak seconded and it was passed unanimously via roll call vote.

Agreement to re-negotiate RMA through July 15, 2021- Ms. Patti made a Motion to approve and sign the agreement. Mr. Herlihy seconded and it was passed unanimously via roll call vote. The time for signing the agreement was extended until the next day.

Use of Pools-Ms. Patti made a Motion to have C. Smith determine how people using the pools can rinse before and after using the pools. It was seconded by Mr. Herlihy and passed unanimously via roll call vote. A discussion followed about the option of using the family changing area that has showers and that C. Smith would develop a plan for showering.

Locker Room Remodel-Ms. Patti made a Motion to have C. Smith work with the Locker Room Committee to have the renovation of the locker rooms performed utilizing parts/components which are designed to withstand high volume use by community members and guests, increasing the long-term value and efficiency of the project. Mr. Herlihy seconded. She then asked if we need to discuss. Madhu Challagulla said that the committee's plan includes commercial grade for all materials and fixtures. It was agreed that Mr. Smith would work with the Committee and that no Motion was actually needed.

Set the Next Meeting: Mr. Herlihy indicated that the next meeting is scheduled for May 1, 2021. There was a 5 minute recess to address a question via phone at 7:38 PM. There were no phone calls or emails to address.

Public Comment: Ms. Tole stated that early indications regarding the RMA is that the Association will sign it. She went on to ask about a Spring Clean Up before the Annual Meeting. She offered to enlist the Clean Up Committee to clean the tennis courts for the upcoming meeting. H. Bertino said that earlier there was a question about the person at the front desk, and that a portion of the dues is for administration and a portion is for recreation. Also, is it true that the CIF has not been changed since it was created?

Motion to Enter Non-Public Session: Mr. Herlihy motioned to enter non-public session at 7:50 PM, pursuant to RSA 91 A:3, II(a). Ms. Patti seconded and the motion passed unanimously by roll call vote at 7:50 PM.

Convening of Non-Public Session: Mr. Herlihy made a Motion to convene non public session at 7:55 PM, It was seconded by Mr. Panuczak and passed unanimously by roll call vote.

Return to Public Session: Ms. Patti made a Motion to exit non- public session, Mr. Panuczak seconded and the motion passed unanimously by roll call vote at 8:33 PM. A Motion to seal non-public session minutes, due to the fact that it will adversely affect the reputation of any person other than this commission, was made by Mr. Panuczak, seconded by Ms. Patti, and passed unanimously by roll call vote.

Public Session Reconvened at 8:35 PM.

Adjournment: Mr. Herlihy motioned to adjourn the meeting, Mr. Panuczak seconded, and the Motion passed unanimously by roll call vote at 8:37 PM.