Waterville Estates Village District

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Waterville Estates Village District

June 15, 2022 Commissioners Meeting APPROVED Minutes

Approved as amended on July 6, 2022.

Attendees: Commissioners Gerri Panuczak and Dave Spinney. Financial Assistant Allison Smith

Attendees via Zoom: Interim General Manager John Scruton, Dave Ketcham, Ron Beard, and several unidentified persons.

Call to order: Commissioner Panuczak, acting as Chair for this meeting, called the meeting to order at 4:00 PM. He noted that Ms. Patti was not present at the meeting, however, there was a quorum. He also noted that Interim General Manager Scruton will be joining the meeting later.

Roll Call of Commissioners: Mr. Panuczak and Mr. Spinney were present at the Summit Lodge.

Approval of the Agenda: There were no changes proposed to the agenda. Mr. Panuczak moved to accept the agenda as written. After a second by Mr. Spinney motion carried with a unanimous roll call vote in favor.

PUBLIC HEARING -- WATER SYSTEM CONNECTION FEE
Mr. Panuczak asked if the Commission would need to defer this discussion to a later time in the meeting when Mr. Scruton is present. After a brief discussion Mr. Panuczak opened the public hearing at 4:02 PM. Mr. Panuczak explained that the District has a Water Ordinance which sets the water connection fee at $1,000 in addition to which each developed and undeveloped lot is charged a fee based on the water department budget, where 75 percent of this is paid by the developed lots and 25 percent by undeveloped ones. There was a question of whether the $1,000 fee is to remain the same or be changed, therefore, this public hearing was scheduled to discuss that. *Mr. Spinney said that he has dome some research and could not find any current municipalities that charge both a connection fee and an availability charge to the undeveloped lots, therefore, he would like to make a motion to keep everything as is and leave the connection fee at a $1,000. Mr. Panuczak duly seconded.* He noted that he asked at the previous meeting if the District should get some competitive data. Mr. Panuczak opened the floor to the public, however, there was nobody present at the physical location, no anyone was willing to speak via Zoom. *Mr. Panuczak called the vote and motion passed with a unanimous roll call vote in favor.*
Mr. Panuczak closed the public hearing at 4:06 PM.

Approval of Minutes.

a. June 6, 2022
Mr. Panuczak said that Ms. Patti prepared a list of changes to the draft minutes. He made a motion to approve the June 6, 2022 minutes as amended in accordance with Ms. Patti's list of changes (included). Mr. Spinney duly seconded and motion carried with a roll call vote in favor.

Treasurer's Report

Mr. Panuczak noted that the Treasurer's Report was in the packet. Discussion ensued on whether there was anything in the report that needed attention. Mr. Panuczak said that the previous discrepancy between the bank and QuickBooks amounts has been cleared up. Ms. Smith noted that there is a note on this report from Mr. Diefenbach that he is checking into something, but she is not sure what it refers to. *Mr. Panuczak made a motion to approve the Treasurer's Report as presented. Mr. Spinney duly seconded. Motion passed with a unanimous roll call vote in favor.*

Mr. Panuczak said that due to Mr. Scruton not being there yet, he will take the IGM Report agenda item out of order. Mr. Scruton joined the meeting via Zoom right after that (at 4:13 PM) and went over the following items.

Interim GM's Report

Mr. Scruton spoke about the following items in the IGM Report:

1) Tree cutting for the courts – deferred to later discussion of General Calendar items;
2) There is no evidence that the District extends across the Mad River or that the District or WEA own property on the other side of the river;
3) The District is sending out a Consumer Confidence Report (water) to every residence (contained in the packet at the end of the IGM Report);
4) There was a question raised about the District being able to use eminent domain to acquire water/road rights. He clarified that this was in regard to the discussion of acquiring access to the alternative water source for the District along the Mad River. The District is able to use Eminent Domain and the District is not restricted to locating any water lines to the designated trail(s). Also the District can use easements if the property owners are agreeable.
5) The lead time for ordering some things if quite long; therefore, it has become clear that the goal of having lights up at the mountain this fall is not attainable. Mr. Spinney asked if some materials could be ordered now, given how long it takes, so that the District will have them on hand. Mr. Scruton said that there is no money in the budget for it right now. Mr. Panuczak explained that WEA paid for fixing the lights on the rope tow and added that if WEA would be interested, it may make sense to ask them. Mr. Scruton said that he contacted WEA with the update and they said that this was not part of their plans for this year. Mr. Scruton also added that this is going to be quite a large expense including materials and labor. He also added that snowmaking and lighting should be looked at together and having a business plan for the mountain to support the investments in infrastructure, as discussed earlier is the beginning for thinking about those items. Mr. Scruton said we cannot use as much treated water as we used last year to make snow. He wanted to put everyone on notice that the District cannot allow the amount of snowmaking with treated water that we had last winter for this next season;.
6) Management would like permission to clean up on the piles of debris at the Service Yard now that we have Sanborn & Head using the backhoe and dumpsters to start clearing. The insurance provider, PRIMEX, approved staff working to remove trees etc. provided they take necessary precautions. We are not aware of any dangerous material. After providing a brief background to the issue including an old diesel tank which still has fuel in it *Mr. Panuczak made a motion to allow staff to begin the clean up of the items at the service yard.* Mr. Spinney asked how much it will cost to pay for the dumpsters. Mr. Scruton said he thought it may be around

$4,000 or less but it would cost as well if the District wanted to take it to the transfer station, which charges for construction debris as well. *Mr. Spinney duly seconded. Motion passed with a unanimous roll call vote in favor.*

Mr. Scruton added that it has been discovered that the oil tank that has been removed from behind the building has not been leaking (may have been overfilled once) and clean up there would not need to be very extensive. Mr. Scruton added that the one place that will need extensive clean up ($15,000 to $20,000) is where the diesel fill up station was, where it seems as though spillage occurred during fueling. With that, Mr. Scruton said that the District has only used about $15,000 out of the $35,000 allocated for Sanborn, Head and Associates to clean up, so it may be that the District will be able to do all that clean up within those limits, whereas the rest of the work planned for the company will have to be included in the next year. Mr. Scruton added that this was all dependent on whether there is nothing additional discovered during clean up and said that the District may need to think about providing containment for the tank in the future to prevent spills from happening.

MID YEAR UPDATES:

1. Campton Mountain
   a. Lift tower safety equipment parts fabricated and is scheduled to be installed June or July;
   b. Painting of towers is due to be done this month;
   c. Lighting - additional work funded or planned and will be very unlikely to occur this year.

Mr. Panuczak asked if the tower safety equipment will be in order by the time staff has to do system maintenance and Mr. Scruton said that he believed it should be.

2. Air conditioning at Summit Lounge, unified system: staff is talking to HVAC companies (Clifford Air which has done a walk-through). As previously indicated, the management has prioritized the gym. Engineer is due this week from that company.

Discussion ensued about priorities and budgeted amount of $100,000 for everything. Mr. Scruton said that there has not been a quote submitted as of yet, therefore it seems that getting anything done soon will be problematic. The Commissioners confirmed that the priority should be given to the gym and other rooms before addressing the cooling of the Summit Lounge.

3. Water Meters. Shawn Pellechuk had spoken a local plumber who is interested and is now seeking update on availability as there are some parts that are still missing due to supply chain issues. Management would expect owners of new construction to use the plumber who is doing the house.

Discussion ensued about the current situation of installing meters, which has not happened as of yet. Ms. Smith confirmed that residents have submitted paperwork that has been approved, but nothing has been installed due to lack of parts.

4. Pest control is up to date and the same company (JP Pest) is hired for the season as in the past.
5. Law/Regulation Compliance
   a. Right to know – Mr. Scruton said he believes that the District is up to date on requests ;
   b. Public pools - some staff is already certified, and the management is working on getting additional staff certified. The District may need to fill a potential vacancy and get that person certified as well. May need to reschedule staff onto Sundays to make sure pool maintenance is done.
   c. ADA Accessibility

- pools, hot tubs, and existing lift all meet test for one indoor pool when working. Battery charging has been an issue for the machine used to lift people in and out of the pool and new batteries have been ordered.
- dining areas - the plan is to schedule work based on demands for other projects.
- entering, exiting (including emergency exits) buildings - has not been addressed yet as the Management is waiting for bids from two vendors. Sourcing material has proven to be difficult.
- parking at facilities – there has been no change, but there is no requirement to change. Management is seeking quotes on repainting the parking spots at the Community Center to make clear the location of handicapped parking.

d. Concession/bar operations – the plan is to schedule work based on demands for other projects.

6. Repairs/maintenance to Community Center
   a. door replacement lower level – Management is seeking updated quotes.
   b. stucco repair has not been done and is low on the priority list.
   c. computer room fire suppression – Management is waiting on the vendor to provide plan and quote.
   d. exterior trim – ongoing.
   e. pool covers - Management has found a vendor "Latham Pools" with a service call to be scheduled to decide if repairable and what is needed to be repaired.
7. Security system including cameras and surveillance retention - John Adams was on site last week. No further update on status.
8. Pump house clean-up of corrosive materials. Clean Harbors worked at the treatment plant and cleaned the holding tank and repaired the leak. They are working on other water buildings as time allows. Tank and piping at the pump house need replacement, but as of right now the company is working on replacing parts as needed.

Mr. Scruton asked the Commissioners to clarify when the connection fee of $1,000 is to be assessed. Commissioners confirmed that it is to be assessed when someone connects to the system going forward and not by the date of when the building permit was pulled.

CONSENT CALENDAR

b. Committee and Board Reports

There were two reports in the packet: from the Budget Advisory Committee and the Planning Board. Mr. Ketcham (via Zoom) noted that the Outdoor Courts Committee is meeting on June 28th. Mr. Ketcham added that he agreed with Mr. Scruton's comments in his IGM Report about tree cutting and also spoke about his communication about the cost of asphalt and the latest was that there is about a $6,000 increase over the last summer's proposal which is still within the buffer built into the outdoor courts budget.

Mr. Scruton asked Mr. Ketcham if he was aware whether there was a "sub-association" of Green Circle homeowners which he was not. Discussion ensued about tree cutting for courts and how the voting should be done. Mr. Scruton believed that three quarters of the owners would have to agree to cutting those trees if treated as construction. Mr. Scruton also noted that the Management has been

working to seek legal advice on how to conduct that survey. Also discussed was the issue of how many votes does one owner get if he/she owns more than one lot. General consensus was that the letter to the residents should be ready to go out sometime next week.
Ms. Smith said that the Water and Roads Committee is meeting on June 17th.
Ms. Patti joined the meeting via Zoom at 4:52 PM and provided a verbal report for the ADA Accessibility, which she said Mr. Scruton went over in his report, and Records Committee, which she said needs to go over a few things once they meet.
Mr. Panuczak made a motion to approve the BAC and Planning Board reports as written. Mr. Spinney duly seconded, and the report was approved by unanimous roll call vote.

a. Manifests
Mr. Panuczak made a motion to approve the manifests as contained in the packet. Mr. Spinney duly seconded, and the report was approved by unanimous roll call vote.

GENERAL CALENDAR ITEMS
a. Tree Removal for new Tennis Courts.
Mr. Scruton noted that this was discussed earlier with Mr. Ketcham and provided a brief description of the issue. There are two large pine trees in the common land for Green Circle and removing them will require approval from three quarters of the homeowners. The rest of the trees are on District land and do not require any approval for removal. He added that the Management believes that the discussion about removing the trees on common land should go to the Building Committee as a curtesy, not as a requirement. After back and forth between Ms. Patti and Mr. Scruton on when to inform the Building Committee and what to tell them, Mr. Ketcham said that he had talked to the WEA Board about this about a month and a half ago and they are in the know of what is going on.

Mr. Panuczak noted that there was an item in the IGM report that did not get addressed and it was one about a well question.
Mr. Scruton spoke about getting a call from the NH Department of Energy about an owner who called them asking if they could install their own well as opposed to getting tied into the system (which is currently required by the Water Ordinance). Mr. Scruton said that the Commissioners may want to think about exceptions for those who are located at higher elevations and will have issues with water pressure due to that or those who are farther than 100 feet from the line and that this should be decided by the Commissioners on a case by case basis. Ms. Patti asked if an amendment would be needed to the ordinance or a new policy. Mr. Panuczak noted that the District should have some definitive language should that be the case. Mr. Scruton looked at the ordinance language and discussion ensued about potential ways to deal with this issue. Ms. Smith also noted that all new connections are currently required to be reviewed by the Commission so potentially the Commissioners will have access to the information about each connection. General consensus, after reading the ordinance, was that there are standards already set in it (Article 13) that allow the Commission to decide whether to allow a new well a new well because the District can refuse to hook up a property to the water system if there is insufficient pressure (psi). Mr. Panuczak also asked about charging fees to those who drill a well, given the availability of water, should they decide to connect to the system if the well fails. Discussion ensued about the current three with wells that are exempt. General consensus was to keep

things the same for those who will be deemed needing a well going forward. Should those, who were exempt decide to connect to the system, then they will get charged with the $1,000 hook-up fee. Mr. Scruton reiterated that it should be clear that denial of a water connection should not be confused with postponement as defined in the ordinance. Mr. Scruton will relay this discussion along with the ordinance excerpt to the DOE.

Upcoming Commission Meetings – JUNE 25, 2022 @ 9 a.m. June 25th meeting will also be a meet and greet with the new General Manager Mr. Beard.

Signing of previously approved minutes, policies, and/or procedures
Commissioners signed the paperwork provided to them by Ms. Smith.

Public Comment Period
There was nobody present in the board room, no emails or phone calls have been received, nor there was anyone willing to speak on Zoom.

Non-Public Session
There was none.
Ms. Patti left the meeting at 5:15 P.M.

Adjournment: *Mr. Panuczak made a motion to adjourn the meeting; Mr. Spinney duly seconded. Motion passed with a unanimous roll call vote in favor.*

Meeting adjourned at 5:15 PM.

Prepared by Alvina Snegach

Proposed Amendments to minutes of June 6, 2022:

1. Page 1, line 7 – add “and other unidentified parties”
2. Page 1, line 14 – add “educational power point”
3. Page 1, lines 17 & 20 – correct typo “Winter Brook”
4. Page 1, line 24 – insert after ‘purposes of’ the words “promotion of”
5. Page 1, line 28 – delete ‘Homeowners’ and insert after ‘Association’ the following: “(WEA)”
6. Page 1, line 29 – insert after ‘Article 6’ the words “September 1981”
7. Page 1, lines 29 & 30 – delete ‘only in September of 1981’
8. Page 1, line 35 – correct typo “or” instead of ‘of’ so it reads “…earlier or if the cost…”
9. Page 1, line 37 – insert “annually” after ‘assessed’
10. Page 1, line 38 – insert “operating” before ‘budget’
11. Page 2, line 39 – modify new sentence to read: “This unreserved fund balance was not money reserved for water system use only.”

12. Page 2, line 43 – deleted 'rate' and insert after '$200' the words "per residence"
13. Page 2, line 46 – insert after Department "in 2021."
14. Page 2, line 61 – correct typos so sentence reads "…that these wells are the only water source for the District means that their failure would stop the flow of…"
15. Page 3, line 83 – insert at new sentence before 'System' the word "The"
16. Page 3 lines 96 to 101 – modify sentences to read: "All these need structural repairs, have various equipment concerns, may require tank replacements (Ski Bowl/Sunset), major pipe corrosion exists, and there are logistical/safety concerns at the Ski Bowl. There are issues with the treatment/distribution system due to age and substandard pipes in the ground transmission system. Pressure management issues related to pipe in the ground breaks and leakage are ongoing. The District has lacked complete hydraulic modeling of the water system for proper management, growth, and expansion."
17. Page 3, lines 102 to 104 – modify sentence to read: "The Asset Management Study focused on the following goals: system reliability, operational performance, effective resource management, and employee development."
18. Page 3, line 108 – substitute for 'was noted as needing to be done' the words "needs were noted:"
19. Page 4, lines 127 to 129 – delete 'Household water meters and'; sentence to read "Water rates were established in 2021 for January 2022 billing and the ordinance provided for household water meters, moving the District to actual water usage rates."
20. Page 4, line 133 – after 'Installation' insert "costs are borne by residents"
21. Page 4, lines 135 to 137 – sentence to read "Mr. Scruton provided a brief history of how the Water Ordinance was developed and adopted beginning with the adoption of the RSA 38:28 process of funding the Water Department on March 17, 2021."
22. Page 4, line 138 – after '$20,000' insert "NH Department of Environmental Services (DES)"
23. Page 5, line 171 – delete 'about' and insert "described"; insert after 'award' the words "from DES"; delete 'water' and insert "small"; capitalize 'Village Districts'
24. Page 5, line 182 – insert after 'to the' the words "possible new well site" and put 'Snowwood location' in parentheses
25. Page 5, line 207 – sentence to read: "Ms. Patti suggested that the District may not have eminent domain authority."
26. Page 5, line 208 – insert after 'shows that' the following: "District owned property" and delete 'it'
27. Page 6, lines 231 & 232 – Move section to follow italicized description of motion re: Minutes of May 22, 2022.
28. Page 6, line 238 – correct typo re: Mr. Spinney
29. Page 7, lines 254, 255 – delete 'District's implied' and add after 'buffer' the following: "built into the outdoor courts budget."
30. Page 7, line 265 – delete 'done and' substituting "proposed."
31. Page 7, line 280 – correct typo '"submitted" for that grant'

32. Page 7, line 284 – delete ‘for the deadline’ and substitute “timely.”
33. Page 8, line 295 – insert after “Mr. Scruton’ the words “as a consultant”
34. Page 8, line 298 – correct typo “the” instead of ‘my’
35. Page 8, lines 314 & 320 – substitute “telephone” for ‘Zoom’
36. Page 8, line 321 – insert for ‘(unknown)’ “Mr. Spinney”