Waterville Estates Village District

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Waterville Estates Village District

July 20, 2022 Commissioners Meeting APPROVED Minutes

Approved as amended on August 2, 2022.

Attendees: Commissioners Maureen Patti, Gerri Panuczak, and Dave Spinney. General Manager Ron Beard, Financial Assistant Allison Smith, Assistant General Manager Judy Kinney, Harry Bertino.

Attendees via Zoom: Bruce Marks, Dave Ketcham.

Call to order: Commissioner Patti called the meeting to order at 4:00 PM.

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

Approval of the Agenda: There were no changes proposed to the agenda.

Approval of Minutes

July 6, 2022
Ms. Patti made a motion to approve the ten edits to the July 6, 2022 minutes provided by her in the meeting packet (attached). Mr. Spinney duly seconded. Motion passed with a unanimous roll call vote in favor.
Ms. Patti made another motion to adopt the July 6, 2022 minutes as amended as the official minutes. Mr. Panuczak duly seconded. Motion passed with a unanimous roll call vote in favor.

Treasurer's Report
Ms. Patti said that Mr. Diefenbach was not present but directed everyone's attention to the Treasurer's report from July 20, 2022 which was in the packet. Mr. Panuczak asked about the large discrepancy between the bank and QuickBooks amounts for the Rec Fund. Ms. Kinney said that there were some issues that the management is working to get resolved as there are payments in the process that have not been posted. Mr. Panuczak also asked about the amount in the WEVD operating account and whether there was enough money in the reserves to transfer to the operating account. Ms. Kinney answered affirmatively and added that there was a significant amount in tax revenue that has just come in from Campton. Ms. Smith confirmed that it was about $428,000.00.
Members agreed that they would not adopt this report due to a few things that need to be fixed and processed.

General Manager's Report
Mr. Beard spoke about the following:

1. Installation of AC units was completed on July 7, 2022.
2. The new auto fill to the large outdoor pool was installed. This device will refill the pool at a slower rate overnight and automatically turn off when the pool is at the proper level. This device will refill the pool during the hours of the least amount of demand on our water system and also reduce the risk of cavitating the pool pumps do too low water level. He answered to Mr. Spinney's inquiry

that the pool is losing about 3-4 inches a day due to evaporation and possibly porous surface, as it has never been resurfaced. Ms. Patti said that the talk of the leak has originated way before Mr. Beard, however, she was not sure what the result was. Mr. Beard said that he was aware of a crack that has been fixed last year and no leaks were found otherwise; however, there was never any resurfacing done according to Steve's knowledge. Mr. Beard said that the company that repaired the leak noted that the surface was very porous and opined that it could contribute to the loss of water, therefore, it would need to be looked into. Mr. Spinney agreed and added that the District is using potable water to fill the pool. Members also discussed pool covers to try stop both evaporation and heat loss, but there was no outcome of that discussion.

3. Mr. Beard met with John McDonald in regard to new AC units for the Summit Lounge. John is going to get their district representative to do a site visit and while he is here, they will look at the locker rooms as well. Mr. Beard said that potentially there will be two zones in the Summit Lounge room and one zone for the kitchen. Ms. Patti explained that the two zones for one room are due to the fact that the facility was designed with a room divider that, when in use, only one part could be cooled as opposed to cooling the whole large room. The Granite Group that John McDonald uses for his equipment supply was on site 7-13-22 to measure the Summit Lounge and the two locker rooms. They will send a quote for each by the beginning of August.
4. Mr. Beard now has a new cell phone the cell phone number and it is 603-728-8593
5. This year the District will be paving a portion of Summit Drive and also Bell Valley Road from Winterbrook to the intersection of Bell Valley and Richardson trail. Both roads will be a shim and overlay which means the District is not ripping up any roads or starting from new. The roads that are already paved are being preserved. Projected costs are: for Summit Drive - $28,350; for Bell Valley Road - $52,710; making the total an $81,060. Also, the dumpster road will be paved for a projected cost of $5,250.00. Mr. Beard added that these costs were projected to include the increase in the price of asphalt, therefore, if it miraculously goes down, they may be less. Ms. Patti noted that the paving line item in the budget should be about $120,000 as there was no paving done last year. Mr. Panuczak also noted that there was concern last year that no road should be paved unless it is known that there are no water pipes under it or those have been recently replaced. Mr. Beard said he will need to verify this with staff.
6. Judy has her primary focus on accounting and working with the treasurer to identify and resolve issues with the reports. Mr. Panuczak said that there was also a mention in the report of interviews. Ms. Kinney said that they are going to interview people for a bookkeeping/human resources position as the initial round of applications did not result in many applicants with experience. Ms. Patti asked some clarifying questions about which position this was and Ms. Kinney said that this was a replacement for someone who left and not a new position. Mr. Beard also spoke about lack of redundancy in the Public Works/Water department. He said that Steve had to work while on vacation due to an emergency and that he will receive comp time for it accordingly.
7. There was only one submission for the logo challenge and it was in the packet. Commissioners reviewed the three options submitted by Zack Kennedy and agreed on the first one in terms of the font but noted that the words "Village District" will have to be added. Mr. Panuczak asked if it would be possible for Mr. Kennedy to soften the angle of the mountains, as currently they resemble the Rockies more than White Mountains. The Commissioners thanked Mr. Kennedy for his submission and agreed that he did a great job.

Committee/Planning Board Reports:

a. Planning Board

Ms. Patti said that the written report was in the packet and added that during the last Planning Board meeting there was a mention that the Master Plan survey was done with the help of an expert and the information has been shared with the Association. Ms. Patti said that the questions in the survey that seem to pertain more to the HOA than the District were only asked to make the survey more informative and in no way to take away from the HOA area of responsibility. Mr. Panuczak also clarified that the chapters of the Master Plan touch upon many things which are with the realm of responsibility of the District and HOA, and the Planning Board was very upfront with the Association when developing the survey. He added that once the results of the survey come in, these things will be clearly categorized as to which entity is responsible for what. Mr. Spinney agreed with Mr. Panuczak and said that the survey was very done. Mr. Panuczak said that the survey is the first step in the process and there will be many other opportunities for the public to contribute to the discussion. .

b. Water and Roads Committee.

There was no update.

c. Outdoor Courts Committee.

Mr. Spinney provided an update on Mr. Ketcham's work with Vermont Recreation Services company. He said it is looking like the work is going to go forward and there is a meeting of the committee next week. Mr. Spinney asked Mr. Beard to provide an update on whether any responses have been received to the letter that WEVD sent out to the abutters. Mr. Beard said that there were four responses, and initially the votes split 3:1 in favor, but since then one of the residents changed their mind and now the vote is 2:2. Ms. Patti asked how many letters were sent out and Mr. Beard said that it was eight. Ms. Patti concluded that there is still a window of time to receive more votes.

Mr. Beard also said that there is an issue with runoff from the area where the dumpster is which could potentially undermine the paving new half-court basketball, therefore they are trying to make sure that things like that are also taken care of when the courts get paved. Another thing Mr. Beard mentioned was the plan to enclose the area under the deck by the Summit Lounge by building three walls on the edge of the slab that is under the deck and putting barn doors to make deliveries easier and more secure.

Mr. Bruce Marks, 53 Green Circle, via Zoom spoke about the letter he received and that the information in it was not quite accurate and that his neighbors and he were taken aback by it. He continued that people were surprised by the fact that they could not comment and that the District did not arrange a meeting (even via Zoom) to hold a discussion. Mr. Marks continued to say that now, when people have more information, they are changing their votes from yes to no and he is hoping that they are allowed to do so. He concluded that the people feel that the Commission has acted in bad faith. Ms. Patti asked Mr. Marks to summarize his points as he is making a serious accusation of the Commission acting in bad faith.

Mr. Marks said the 1) he would like that the people who want to change their vote in writing were given the ability to do so; 2) for the application process to be explained to the public; and 3) whether the Commission will have a meeting with the association that controls the common area there to explain all the stuff that the Commission wants to do.

Ms. Patti responded that all the Commissioners are always available to take in the public comment/input and they would be happy to have a meeting with Green Circle owners to answer their questions. She also asked Mr. Marks, when addressing the Commission, to speak on behalf of himself only and from personal knowledge, and not on behalf of others.

Mr. Marks rebutted that he had spoken to most of the owners, therefore he was not only speaking for himself.

Ms. Patti said that the conversation about the tree removal has been going on for quite some time and there was a person from Top Notch (tree removal company) on site where he was doing a walk through to see which trees need to be removed. Mr. Spinney concurred and said that the only issue with respect to the Green Circle owners was with two pine trees that sit on their common land mainly because of the pine needles that end up on the court surface and the fact that pine trees are a hazard in general since all the debris that comes down to the surface of the court and damages it is a cost to the district. Ms. Patti confirmed with Mr. Spinney that Vermont Recreation Services also recommended removing trees, which deposit needles/cones on the courts, due to the damage pine needles and debris will cause to the court surface.

Ms. Patti also asked Mr. Spinney to corroborate that the letters that were sent to the Green Circle homeowners was only to ask them if they would agree with taking down those trees, and not a statement of the District's intent to do so without permission. Mr. Spinney concurred and said that the District was asking the permission from those residents to remove those trees for the overall betterment of the courts. He added that the trees are not unstable, but a hinderance and a cost to the District if left standing. Ms. Patti reiterated that the discussion about the issue included the District considering whether staff could be taking on the responsibility of periodically clearing the court surface daily, which was deemed impossible due to already existing responsibilities the staff has. Mr. Spinney agreed and said that the conclusion was that if the District has homeowners permission, removing those trees at a cost of $500-$600 will result in long term financial savings to the District. Ms. Spinney added that the courts get cleaned up by the Association every spring and that is the extent of their maintenance. Also Mr. Spinney said that Mr. Marks has had a different opinion and has been involved in this process from the beginning and that he has all the information.

Ms. Patti asked Mr. Spinney if he, as the member of the Outdoor Courts Committee would not mind adding the discussion with the Green Circle residents to the next committee meeting agenda. Mr. Spinney said that he has absolutely no problem and will add that item to the agenda.

Ms. Patti reiterated how the process was determined after the consultation with the regulations, homeowner's association, Waterville Estates Association (WEA), and how it was determined to seek permission from the residents and, if 6 of the 8 owners give consent to the District removing the 2 pine trees, the District will file an application to go to the Building Committee. She referred to Mr. Mark's second question about allowing someone to reverse their vote and said that it has already been done for at least one resident, therefore, this has never been an issue. She asked Mr. Spinney whether the Outdoor Courts Committee will send out the Zoom link to all the Green Circle residents when the item is on the agenda. Mr. Spinney agreed and said that it probably will not be the meeting next week, but

the meeting after, however, he assured everyone that no work will be done on the courts until at least the end of summer.
Mr. Panuczak also stated that this project has been in the public domain for at least two years, being discussed at two annual meetings, multiple Commission meetings, and dozens of Outdoor Courts Committee meetings, which are all open to the public including virtually. He added that it is the owners' responsibility to stay informed of what is happening at those meetings and accusing the Commission acting in bad faith is totally inappropriate. Ms. Patti offered to answer Mr. Bertino's questions about the Green Circle common land and the 2 pine trees after the meeting.
There was some back and forth between Mr. Bertino and the Commissioners about the common land owned by the Green Circle residents and the process of seeking permission to remove trees on that common land.
Mr. Ketcham via Zoom said that he has been in contact with the Building Committee representatives as well as with the WEA Board representatives and has walked the property with Mark O'Hara of about 10 days ago. WEA has been informed throughout the process and has advised Mr. Ketcham to work with the Building Committee.
Mr. Marks then asked whether the District's Tree Cutting Policy applied to both the District and the Association.
Ms. Patti explained that the policy applies to all the privately owned property in the District (excluding District owned property). The regulations specify that once the District received permission from the majority of the homeowners who commonly own this land, the next step is to go to the WEA Building Committee.

d. ADA Accessibility Committee

Ms. Patti said that there nothing to report for the committee, however, she wanted to note that now that the Fitness Center is air conditioned, there is a report from a consultant about an issue with ADA accessible exit and spacing there. Ms. Kinney said that this report had been sent to the WEA Board member who designed that room and there has not been a response yet. Ms. Patti said that another issue identified by the ADA expert was insufficient exit signage for the ADA appropriate exits and Fitness Center was one of the places noted by that expert. GM Mr. Ron Beard said he would follow through on these issues.

Consent Calendar

a. Manifests

Ms. Patti made a motion to approve the manifests as presented in the packet. Mr. Panuczak duly seconded and motion passed with a unanimous roll call vote in favor.

b. Committee/Planning Board Reports

Ms. Patti made a motion to approve the Planning Board report as presented in the packet. Mr. Panuczak duly seconded and motion passed with a unanimous roll call vote in favor.

GENERAL CALENDAR ITEMS

a. Service Yard Clean Up

Ms. Patti noted that the cleanup has been complete and encouraged everyone to drive by to check it out. After a short discussion of what to call that yard, *Ms. Patti made a motion to change the agenda for item 10.a to read Public Works Yard Clean Up. Mr. Spinney duly seconded and motion passed with a unanimous roll call vote in favor.*

Mr. Beard then spoke about what transpired during the yard clean up by Steve and said that it was a job very well done by him. Ms. Patti added that Steve not only cleaned up the yard but also organized the materials that will remain on site and said that the place looks transformed now. She noted that there is still work remains to be done on the diesel tank but Mr. Beard is on top of that. Mr. Beard agreed and added that a new salt shed is going to be built soon as well.

b. Fitness Center A/C
c. Pool Maintenance
d. A/C for Summit Lounge
e. Paving District Roads

Ms. Patti said that these items were addressed earlier in the meeting and the other Commissioners agreed.

f. Appointing a new Moderator (Annual Meeting 2023)

Ms. Patti said that the annual meeting is ways away, but there is a need to address this early. Mr. Beard agreed and said that there is training coming up and it would be nice to have someone appointed by then. Discussion ensued about ways to advertise, qualifications, residency requirements, etc. General consensus was that the Management should advertise through all the channels that the District is seeking volunteers and include all the requirements in that advertisement.

g. Water Meters

1. Securing the needed part for installation

Mr. Beard said that Steve reached out to the supplier but has not heard back yet.

2. Number of interested owners

Ms. Smith said that there were 48 people on original list of interest, of those 25 responded, 5 new constructions. Total of 30 people officially want meters. Mr. Spinney asked how many meters there were and Ms. Smith said that she believed there were 30 as the line item was for $40,000, but some of that was spent on meters for the community center and other buildings.

3. Seek leave for a Special Meeting to authorize the purchase of additional meters?

Ms. Patti asked Mr. Beard to get the following details: number of meters for homes, the process for applying for a special meeting, and the timing and availability of the missing part.

Mr. Bertino asked for a point of clarification on how many meters were requested and how many homes there are. Ms. Patti said that there were 30 meter requests. And Mr. Spinney and Mr. Beard agreed and indicated that there are roughly 530 homes more or less.

h. Leak Detection Grant for 2023

Ms. Patti said the GM and Water Department head (Steve Baert) filed an application for a leak detection grant for 2023. WEVD was awarded a grant for 2022

Upcoming Commission Meetings – August 3, 2022 @ 6 p.m.

Public comment period.
Mr. Bertino made a Right To Know request for the annual census of the Village District that the ordinance is based on (per second 22, subsection c, paragraph 2). Additionally, Mr. Bertino stated that the bills are based on occupants and not tax card details thus he wants a definition of an occupant because the ordinance does not give one.
There were no more in person members of the public present, neither there were any phone calls or zoom requests received and Ms. Patti closed the public comment period.

Non-Public Session
Ms. Patti motioned to enter non-public session for the purposes described in RSA 91A:3, II (a), and (c). Mr. Panuczak duly seconded and the motion passed at 5:11 PM by a unanimous roll call vote.
Non-public session was entered at 5:22 PM. Commissioners Patti, Panuczak, and Spinney were present in person as well as GM Beard, AGM Kinney, and Financial Assistant Allison Smith (left at 5:36 PM).

Resumption of Public Session
At 6:42 PM Mr. Panuczak motioned to exit non-public session, Ms. Patti duly seconded and the motion passed by unanimous roll call vote.
Public session was entered at 6:42 PM. Commissioners Patti, Panuczak, and Spinney were present in person.
The nonpublic session minutes were sealed by a motion from Mr. Panuczak, a second by Ms. Patti, as divulgence of the minutes would adversely affect the reputation of someone other than a Commissioner. The motion passed by a unanimous roll call vote.

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

Meeting adjourned at 6:43 PM.

Prepared by Alvina Snegach

a. Proposed Amendments to minutes of July 6, 2022:

1. Page 1, line 3 – delete 'Acting General Manager' and insert "Municipal Resources Inc. Consultant" in from of 'John Scruton'
2. Page 4, line 137 – correct typo "policy" not 'police'
3. Page 4, line 139 – insert after 'reporting that the' the words "Fitness Center"
4. Page 5, line 165 – delete 'I have considered their' and insert after 'submissions' the words "are received"
5. Page 5, lines 168 – 169 – modify sentence to read: "Mr. Scruton said that a report he prepared summarizing the District's activities over the past year is included in the July 6th Handout or packet."
6. Page 5, line 170 – insert after 'website' the words "and Constant Contact"
7. Page 6, line 240 – modify as follows "…July 15, 20, 2022…"
8. Page 6, line 250 – delete 'that she has no problem in seeking' and insert "to take"

9. Page 7, line 284 – modify as follows "…the July 15th 20th meeting."
10. Page 7, line 290 -- modify as follows "… the July 15th 20th meeting.