562 Winterbrook Road, Campton, NH 03223
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WEVD 2024 Meeting APPROVED Minutes
December 16, 2024 – 6:00 PM

Approved as amended on January 16, 2025.

Attendees: Commissioners Maureen Patti, David Spinney, and Gerry Panuczak, General Manager Ron Beard, Administrative Assistant Allison Smith, and the Treasurer Denise Aguilo.

Members of the Public: Harry Bertino, David Paradis

Members of the Public on Zoom: Guest, Denise Bujalski.

Members Excused:

Call to Order: Commissioner Patti called the meeting to order at 6:00 PM.

Pledge of Allegiance: The meeting began with the Pledge of Allegiance.

Roll Call of Commissioners: Ms. Patti, Mr. Spinney, Mr. Panuczak – present.

Ms. Patti explained why this meeting was reconvened, as there was a mistake in noticing the December 11th meeting which was pointed out by a member of the public at the very end of that meeting. She added that this member of the public was present at the December 11th meeting and spoke about the noticing discrepancy only at the end of that meeting.

Adoption of Agenda: Agenda was not altered.

Approval of Minutes

a. November 13, 2024
Ms. Patti motioned to amend the draft minutes for November 13, 2024 as follows: add the last names Baert and Bennett on Page 2 line 76. Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0, Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Ms. Patti motioned to approve the amended minutes for November 13, 2024 as the official minutes. Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0, Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Treasurer's Report

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There were no questions about the Treasurer's report. Commissioners noted how accurate the reports have been.

General Manager's report
Commissioners reviewed the GM Report. There were no questions.
Mr. Beard added that on Saturday December 21st evening there will be an event for kids to decorate small trees.

CONSENT CALENDAR

Manifests
Ms. Patti called for a vote for the Manifests as contained in the packet. Motion carried by roll call vote 3:0, Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Approving Previously Unsealed Non-Public Minutes
Ms. Patti noted that there are two more items in the Consent Calendar. She explained the difference between the last two items on the Consent Calendar and that there are two pages with Non-Public minutes that either need to be unsealed now or approved as they have been previously unsealed.

Ms. Patti made a motion to approve the unsealing non-public minutes as per the list contained in the packet. Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0, Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Ms. Patti made a motion to approve the previously unsealed non-public minutes that were approved as drafts as per the list contained in the packet. Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0, Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

GENERAL CALENDAR

RCA for Myrtle Street Water billing abatement
Mr. Panuczak said that the property in question had an improper billing address for some time and the owners were not receiving water bills for some time, thus getting with late fees. He said that the Commission decided at the last meeting to approve the late fees abatement but not the water bills as the bills are legitimate.
Ms. Patti asked about a payment plan option and whether it had been offered to the homeowners.
Ms. Smith said their issue was that they have not been receiving the bills, and that their abatement was not quite clear as to why they would like the bills waived as well.

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Mr. Panuczak made a motion to waive late fees only due to the addressing issues. Ms. Patti duly seconded. and the motion carried by roll call vote 3:0, Ms. Patti – aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Ms. Patti asked Ms. Smith to see if there is an option to set up a payment plan for the homeowner.

Budget Advisory Committee Opinion on 2025 Proposed District Operating Budget.

Ms. Patti noted that Mr. Canfield was not there to present the Budget Advisory Committee (BAC) opinion. Mr. Spinney provided a quick overview of the budget process and the opinion. He said that BAC found it the budget unfavorable as there is a 7.3 percent increase over the 2024 budget. BAC recommended a few areas that the Commission should look closer at, like hiring a Financial Director among other things. Mr. Spinney also said that the BAC is also looking for the Capital Improvements Plan to be drafted. Ms. Patti said that the Planning Board is looking at creating a Capital Improvements Program Committee.
Then Mr. Spinney went over some budget increases by department/project and read in the last statement of the BAC opinion.
After a brief discussion, Commissioners agreed that there will be further discussion of the budget by the Commission to finalize it. The Commissioners thanked the BAC for their work and recommendations.

2025 WEVD Commissioners Meeting Calendar.

Ms. Patti made a motion to amend September 10th to September 9th date at 10 AM on the 2025 WEVD Commissioners Meeting Calendar for the Commission to be able to meet with the Department heads on a Tuesday. Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0, Ms. Patti - aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Ms. Patti asked Ms. Smith to add the WEVD Annual meeting date and Warrant Article Public Hearing date to the calendar when it gets posted.

Ms. Patti made a motion approve the 2025 WEVD Commissioners Meeting Calendar as , amended. Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0Ms. Patti -- aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Horizons Contracts
Mr. Panuczak said that the Water and Roads Committee Horizons Engineering and received two quotes for the Water and Roads Master Plans respectively. The Committee voted to recommend the District to enter into an agreement with Horizons Engineering for the water and roads master

plans drafting. Work on each plan should take six months. Mr. Panuczak then reiterated the Commissioner discussion from the previous meeting about the lack of money for the Roads Master Plan and the decision to proceed with the Water one, given that the money for it was budgeted in 2024. He also added the Roads master plan will heavily depend on the Water master plan as all the road work is tied to the water infrastructure. He added that the quote for the Water master plan will possibly be lowered as there is information that Dubois&King had already submitted to Horizons Engineering that they will not have to collect now. He said that the motion to that effect was made at the previous meeting and reiterated it.

Mr. Panuczak made a motion to approve hiring Horizons Engineering for the water master plan creation as stated in their quote not to exceed $53,000.00. The water quote may be amended downward upon receiving work already completed from Dubois & King. The Water and Roads Committee has recommended this action following review of the quotes and interviewing Horizons Engineering. Funding will be from available monies in the 2024 budget, and anticipated funding in the 2025 budget submission.

Ms. Patti offered a friendly amendment to call the Water master plan a Village District Water System Improvement Plan as it is called in the Horizons Engineering quote.

Ms. Patti read the amended motion as motion to approve the hiring Horizons Engineering for the preparation of the Village District Water System Improvement Plan as stated in their attached project quote not to exceed $53,000.00.
There was discussion about the budgeted amount for the water master plan.

Ms. Patti restated the *motion to approve the hiring Horizons Engineering for the preparation of the Village District Water System Improvement Plan as stated in their attached project quote not to exceed $53,000.00. The motion carried by roll call vote 3:0, Ms. Patti -- aye Ms. Patti, Mr. Panuczak – aye, Mr. Spinney – aye.*

Ms. Patti said that Road master plan is tabled for now and the Commission can discuss budgeting for it while discussing the 2025 budget.
Mr. Beard will sign the contract after the new number is provided.

WEA requests discounted Waterville Resort ski/lift tickets be sold by District staff
Ms. Patti said that this was not an item on the December 11th meeting agenda but was discussed during public comment.
Mr. Beard said that he spoke with a WEA Board member, and they told him that they are working on a resolution.

Ms. Patti said that discounted Waterville ski area tickets have been sold by the District before but they were not purchased in advance. Any and all of the unsold tickets were simply returned to Waterville Valley resort. Waterville Valley Resort Management changed their process for providing discounted lift tickets. In order to provide discounted tickets, the HOA, Waterville Estates Association (WEA), must purchase the discounted tickets in advance and then sell them to owners. Mr. Beard said that after legal review it was determined the District cannot resell the WEA purchased Waterville ski area tickets through its financial system. He informed WEA Board representatives about it, and they are now trying to come up with a solution on their own.

Next meeting: January 15, 2025 at 4:00 PM

Public Comment

- Harry Bertino, 27 Condo Road, spoke about the contract between the District and WEA to provide recreation and skiing is part of that, which now WEA seems to be abandoning trying to send people to ski to Waterville ski area. He added that he was very upset to hear the WEA Board member Nancy Seward come out and say that they prefer to spend their money at the other mountain when there is so much time and money being invested into developing the District ski area.

Mr. Panuczak agreed that Waterville ski area is a competitor and noted that he said that at the previous meeting and asked for a legal opinion on the ticket sales issue.

- Harry Bertino, 27 Condo Road, spoke about the District Planning Board having 6 members and whether the correct RSA was cited in the petition Warrant Article at the 2020 Annual Meeting creating the Planning Board, as there should only be either 5 or 7 members on a Planning Board. He also was not sure if the Planning Board should be appointed or elected. Mr. Bertino said that having 6 members makes quorum and majority votes questionable for everything the Planning Board had voted on. He added that he was not sure if the Planning Board is even valid at this point given the facts he stated.

Ms. Patti responded that there were at least 5 members on the Planning Board at all times and the question of whether the Planning Board should be elected or appointed had been resolved in 2020 by the Commission, which then consisted of different members. It is all reflected in the meeting minutes. She added that there are no concerns with the legitimacy of the Planning Board and the RSAs cited in the Warrant Article met all the requirements.

- Mr. Bertino reiterated that the RSAs were not cited correctly and the choice between a 5- or 7-member board had not been made and again questioned the quorum requirements and the legitimacy of the Planning Board based on these facts.

Mr. Panuczak said that the Planning Board had recommended to the Commission to have a 5-member board and that will be voted at the upcoming Annual meeting.

There was back and forth on whether it is within the Planning Board's purview to establish its own membership number and Mr. Panuczak reiterated that the Planning Board only provided a recommendation to the Commission, which then will bring it up to the voters to decide.

- Mr. Bertino also stated that after checking the latest Planning Board discussion about the Condo Associations not having any standing, he disagreed and said that Condo Associations do have standing, as they provide a lot of tax revenue and own and maintain common property.
- David Paradis, suggested to get a legal opinion on the Planning Board issue as the District could not find the initial signed petition which was the basis for the Planning Board establishment Warrant Article.

Ms. Smith said that she was not able to locate the original, signed petition, and she has looked for it twice for the RTK requests.
Ms. Patti noted that in 2020 all the Warrant Articles were reviewed by the legal counsel to make sure all the requirements for a petitioned warrant article were met.

- David Paradis, said that he has the original Warrant Articles from 2020 for the Planning Board establishment and that the RSAs are cited wrong in there. He provided the Warrant Articles to Ms. Smith. He also gave her the RSA printouts and reiterated that RSA 673:1 was used incorrectly as Village Districts fall under a different statute.

There was a brief back and forth on the issue of people having various opinions regarding which RSA is the correct one.

- David Paradis, agreed with the fact that the District should have no business in selling ski tickets to another ski area.

There was a brief discussion about the history of this practice that Waterville Estates owners were able to get a discounted rate for Waterville Valley resort lift tickets. Owners did not purchase the actual tickets from WEVD staff but, rather, a form or a voucher which was then exchanged at Waterville resort for the ticket itself. It was also suggested that all questions regarding 2024 - 2025 season Waterville Valley ski ticket sales be directed to the WEA Board and not the District officials or staff.

- Mr. Bertino spoke about the dues to be used for the use of the common property of the Association and that using the dues at Waterville ski area is a breach of contract and that

the money should be coming to the District. He reiterated that the WEA is "holding the District's feet to the fire" when it comes to the recreation agreement, and at the same time are offering people an opportunity to go and recreated at a different skiing facility. He also disagreed that the District has nothing to do with the issue of ticket sales to the Waterville ski area as the District has an RMA agreement with WEA. Mr. Bertino said that it is probably necessary to check where the money is going. He also provided a brief history of how the Waterville ski area tickets were initially offered for sale by the District, when the District's ski area was out of operation for several years. Then Mr. Bertino said that the municipalities are required to keep all the records related to petitioned Warrant Articles.

- David Paradis, asked what common property the Association owned and who is in charge of all that property.

Ms. Patti noted that this was a question to the WEA Board.

- David Paradis, then asked if there were any common property in Waterville Estates.

Ms. Patti suggested that this question should also be asked of the WEA Board as she does not have a list of WEA assets.

- David Paradis, then asked if the District had any common property.

Ms. Patti said that if Mr. Paradis means common property in a sense of it being used for the common good of the community, then it did, and this building is one example of it.

- David Paradis, asked what happened to Jennifer Franz, the Food and Beverage manager and also about the status of the Financial/HR position.

Mr. Panuczak said that she had resigned, and the District is actively trying to replace her. Mr. Spinney explained that the Financial/HR position was budgeted for in 2024 and if anyone gets hired, the line for the Consultant will go down.

Non-Public Session

Ms. Patti motioned at 6:55 PM to enter non-public session for the purposes described in RSA 91-A:3, II (a) and (c). Mr. Panuczak duly seconded, and the motion carried by roll call vote 3:0, Ms. Patti -- aye, Mr. Panuczak – aye, Mr. Spinney – aye

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Non-public session was entered at 6:57 PM, Commissioners Patti, Spinney, and Panuczak were present in person as well as the General Manager Ron Beard and Administrative Assistant Allison Smith.

Resumption of Public Session
Mr. Panuczak motioned to exit non-public session. Ms. Patti duly seconded. Motion carried by roll call vote 3:0, Ms. Patti - aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Public session was entered at 8:56 PM. Commissioners Patti, Spinney, and Panuczak were present in person. Also present were General Manager Ron Beard and Administrative Assistant Allison Smith.

The nonpublic session minutes were sealed by a motion from Ms. Patti, a second by Mr. Panuczak, as divulgence of the minutes would adversely affect the reputation of someone other than a Commissioner. Motion carried by roll call vote 3:0, Ms. Patti - aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Adjourn Meeting

Mr. Spinney made a motion to adjourn the meeting. Mr. Panuczak duly seconded. Motion carried by roll call vote 3:0, Ms. Patti - aye, Mr. Panuczak – aye, Mr. Spinney – aye.

Meeting adjourned at 8:57 PM.

Prepared by Alvina Snegach