

## WATERVILLE ESTATES VILLAGE DISTRICT

### January 11, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Lenny Imbraccio, Ned McElroy, Becky McElroy, Chris Fagas, Frank Marshall, Pat Bagge, Harry Bertino, Karen Waters, Steve Waters, Sean Slattery, Ross Bouchard, Susan Alessardi, Libby Griffiths, Sue Hering, Mike Hering, Jim Murphy, Ross Bouchard, David Ketcham, Bobbi Ketcham, Scott Ivers, Rick LeBlanc, Andrea Canfield, Mark Canfield, Chris Bernardi, Courtney Germani, Erich Kikel, Madhavi Challagulla, Ed Culver

Called to order: Mr. Marks at 9:05 AM

Nomination of Treasurer: Mr. Griffiths made a motion to appoint Karen Waters as Village District Treasurer, Mr. Tole seconded, motion passed unanimously.

Review and approval of Meeting Minutes: Mr. Tole made a motion to accept the meeting minutes of December 6, 2019 with no amendments, Mr. Griffiths second, motion passed unanimously.

#### Treasurer Report:

<b>Operating Accounts Balance:</b>	Northway	\$69,376.22
	<u>MVSB</u>	<u>\$257,488.42</u>
	Total	\$326,864.64

**Water Department Balance:** Northway \$24,948.02

**Rec. Fund Account Balance:** Northway 80,191.31

**Friends of Campton Mt. Balance:** Northway \$37,477.24

**Tax Collection as of today's date (Town, year, appropriation, balance):** Campton, 2015, \$985,422, \$33,412.72. Campton, 2016, \$985,552, \$8,302.83. Campton, 2017, \$976,757, \$1,014.29. Campton, 2018, \$1,069,955, \$33,772.90. Campton, 2019, \$1,124,327, \$615,570.84. Thornton, 2016, \$290,944, \$1,426. Thornton, 2017, \$299,741, \$0. Thornton, 2018, \$324,690, \$3,441.83. Thornton, 2019, \$360,718, \$324,144.

**Water Fee Delinquencies:** \$4,833.30 is the current open balance. Some of the accounts on the report have been settled between the printing of the handout and the meeting.

#### Manager's Report:

**Water System Master Planning:** Mr. C. Smith. Reported that developing the master plan is progressing. Indicated the written information we have is being documented in GIS so we have a good record of current conditions. Reported that the data recording problem violation has been corrected and if we test for 12 months and find no bacteria, we can come off the current 4 log procedure (chlorine requirements).

**Water System Leakage:** Mr. C. Smith reported that a consultant has been contacted to come in and evaluate piping our piping infrastructure.

**Water System Electrical Upgrades at the Ski Bowl:** Mr. Griffiths motioned to include Mr. McElroy's letter in the minutes, Mr. Tole seconded, Motion passed unanimously. Commissioners will review the letter and respond on the record. Mr. C. Smith asked for direction on how to proceed. Trench is dug, pipe is in,

trench is backfilled. **Mr. Griffiths, Mr. McElroy, Mr. C. Smith, and Lee Carroll will work together to revise last month's plan should Mr. McElroy's findings be upheld by Mr. Carroll.**

**Water System PFOA:** Mr. C. Smith reported PFOA (Teflon) testing is no longer required. Testing is estimated at \$500. Mr. C. Smith recommends we test anyway. Mr. Marks recommends against at this time. Mr. Tole recommends waiting for more guidance from the State of New Hampshire. Mr. Kikel had experience with PFOA from Newburgh NY who had 1100 parts per trillion. The solution in Newburgh was to connect to a new water supply. Acceptable Federal level is 70 parts per trillion. **All the commissioners feel we need to do more research before we test and will keep the item on the agenda.**

**Roads and Paving:** Mr. C. Smith reported that we have a contract to lock in last summer's uncompleted paving projects at last year's pricing for this coming summer.

**Rec Center Kids Arcade and Fitness Room:** Mr. C. Smith reported that upgrades have been completed and the feedback is good.

**Rec Center Heating System:** Mr. C. Smith reported on the burst pipe and expansion tank repair. Mr. M. Smith commented that an air vent needs to be installed in the horizontal line right at the tank. Mr. M. Smith asked that the commissioners write a letter of thanks to Emerson-Swan Inc. commending the service of Steve Babin and Andy. Mr. Tole asked if we have done an analysis on the state of the heating system. Ms. McElroy asked about persistent leaks in the gym ceiling. Mr. C. Smith stated that the historical ceiling moisture has been ductwork condensation.

**Rec Center Electrical Problem:** Mr. C. Smith reported on a short in the ladies locker room that filled the area with smoke on New Year's. The problem has been identified as the sauna electric heater.

**Rec Center Volunteerism:** Maxine Coyle and others volunteered for a teen New Year's eve activity and Mr. C. Smith wanted to thank them.

**Ski Area Updates:** Mr. C. Smith, reported that all infrastructure testing is completed and we passed. Not sure we can open quickly as we may not be able to find staff. Ms. Germani asked if we could have a volunteer list of people that could get the ski area open with reduced staffing. Mr. C. Smith said the rope tow is not complicated but the lift is. He said, that rope tow training could be an hour and lift evacuation training would be 4-5 hours.

**Ski Area WEA BOD:** Mr. Hering asked if the BOD could submit a request to the commissioners and have it be included in the public record. Mr. Marks stated the commissioners needed to see it first. After review, the commissioners allowed it. It read as follows. *In light of the Positive Support of the Snowmaking Petition from Homeowners, and the State of the Water System Report I heard at the December 6th, 2019 WEVD Commissioners Meeting where the PhD and PE Water Experts responsible for our water system clearly stated there was no impact last year on our community's domestic water system from snowmaking, I would like to make a motion that we request at this Saturday's WEVD Meeting that the WEVD Commission allows us to use domestic water for snowmaking annually. "The Friends of Campton Mountain" will pay for the water at a rate to be determined through the water distribution and treatment portion of the water budget, with the gallons to be verified by actual meter reading of consumption by the Fan Gun. Electric consumption by the Fan Gun will also be reimbursed by the "Friends of Campton Mountain" account, at the calculated electrical usage charge for that season.* Mr. Hering stated that the motion passed unanimously. Mr. M Smith pointed out that because the FOCM funds rest with the district, the district is the fiduciary, and only they can authorize disbursements from the fund. Discussions of the pros and cons of the effects of snowmaking were discussed by the assembled guests. Mr. Bouchard asked if any there are any DES permitting requirements, Mr. C. Smith stated there are not. **Mr. M. Smith asked that we get something from DES in writing. Mr. C Smith said he would.** Mr. Bertino questioned the ability to make snow with warm temps and rain. Mr.



Hering stated that revenue is down 21% from last year. Mr. McElroy suggested that it rained Christmas week and that could have been the reason. Ms. Germani expressed concerns about what would happen to home values if the skie area closed. Mr. O'Hare shared his experiences with weather monitoring and his research on the impact of weather on snowmaking and stated that even in warmer winters because of the orientation of the ski hill, it had great snow retention. Mr. Tole has stated he has a report from McIntyre, Mr. Bertino asked for data from McIntyre. Mr. McElroy stated that we asked for a financial impact study and have still not seen one. Mr. Bouchard brought up the blended financial analysis that was discussed at the August 2, 2019 public hearing. Mr. Marks used the weddings to point out that when there is no revenue from an activity the overhead expenses still have to be covered. Mr. Marshall stated that our amenity model is not self-sustaining and we need to find more revenue streams like snowmaking and management of community rentals. Mr. Culver supported the concept of being involved in community rentals. Mr. McElroy indicated that we need a long-term plan that we can evaluate short term desires against. Mr. M. Smith pointed out that WEVD used to pay WEA to manage the community and in 2006 it flipped. Mr. C. Smith stated that the FOCM golf tournament proceeds are part of the Recreation Revolving Fund. Mr. Tole cited that Town of Henniker has set up funds to support the notion the WEVD could have a FOCM fund. Mr. M. Smith asked if FOCM was started by Mike Mahoney, and this was confirmed by Mr. C. Smith, Ms. Kinney, and Mr. Marks. Mr. Hering stated that costs of services are reimbursed to village. Mr. Bouchard asked if the gun would be gifted to the district. Mr. M. Smith noted that the transfer of capital improvements from the association to the district are covered in the Recreation Management Agreement Part 2 sections c through h. Mr. Tole made a motion to approve the use of water and electricity for snow making, that it be paid for by FOCM, that WEVD not accept ownership of the snow gun from from WEA at this time, that the gun only be used at lowest demand times, and that is approval was only for the remainder of the 2020 ski season. Mr. Marks seconded. Mr. Griffiths stated he supports the area currently under consideration for snowmaking, but he expressed concern that he could not overrule the will of the registered voters expressed in the amendment of warrant article 3 from WEVD's 2019 spring annual meeting. Mr. Tole asked Mr. McElroy for his electrical concerns, Mr. McElroy stated that rushing the installation before finishing the water system master plan, was not a good investment as we may spend too much or we may have to spend again if the master plan shows we need more. Mr. Tole asked if we could provide power from the diesel generator. Mr. McElroy expressed code concerns for that use as well. Mr. Marks stated that the motion would have his support if the WEA BOD agrees to pay for the costs of the electrical upgrades that were over and above what is required for code from the CIF. Mr. Bertino asked if the upgrades allow for the water pumps to stay on when the snowmaking is on, the commissioners stated it would. The motion was voted and passed with a majority vote with Mr. Griffiths voting no and Mr. Marks and Tole voting yes with the caveat about the costs of snow making related upgrades coming from the CIF..

## **Financials:**

**District Operations:** Mr. C. Smith. Stated we have money to add the surplus. Reported that we are \$230k under budget but still need to pay for already appropriated projects estimated as \$123k. Ms. Kinney brought up an excel spreadsheet with the proposed village district budget for 2020 currently at \$1.7 million.

**Water Department:** Ms. Kinney brought up an excel spreadsheet with the proposed water budget for 2020 currently at \$231k.

**Rec. Fund:** Ms. Kinney brought up an excel spreadsheet with the proposed recreation fund budget for 2020 and reported that income minus expense is budgeted to leave a \$12k surplus.

## **New Business:**

**Matt Smith:** Mr. M. Smith requested that we establish a records committee which he would chair. Mr. Griffiths made a motion to accept this proposal, Mr. Tole seconded, motion passed unanimously. Mr. M.

Smith stated that he had the statute for records retention and would begin organizing the village records. Mr. M. Smith stated that he would set record aside that were beyond their retention schedule and that we should allow 30 days for anyone to review. He stated that he would separate out documents that were exempt from “Right to Know”, like legal advice to the village district and turn over to the commissioners through the general manager so they could store or destroy as allowed by statute.

#### **Old Business:**

**Reserve Advisors:** Mr. Bouchard asked when we would have the report from Reserve Advisors, Mr. C. Smith stated we would have it in a few weeks..

#### **Guest Business:**

**Insurance and Liabilities:** Ms. Maier expressed concern about whether employees bringing children to work is covered in our insurance. She stated that an employee’s child was not supervised at 10 pm at night and was creating a nuisance by playing under the table Ms. Maier was seated at, with other children. She states she asked the child to leave and later the employee confronted her and criticized her for directing her child. She also expressed concern about children in proximity to alcohol at the ski lodge. Mr. C. Smith stated that we have coverage for liability associated with our liquor license. We have staff monitoring the areas where alcohol is served. Ms. McElroy suggested this is a security concern. Mr. Tole stated that all residents should be aware of improper behavior and speak up. Mr. Culver stated that eating areas must be separated with an area where children are not allowed.

**State and US Flags:** Mr. Bertino suggested we need to have New Hampshire and US flags on display during public meetings per statute and that we have them in the building. The commissioners agreed that we should display them during meetings.

**Set next meeting:** Saturday, January 18th, 2020, 8:00 AM.

**Executive Session:** Mr. Tole motioned to enter executive session at 12:27 PM to matters affecting reputation. Mr. Griffiths seconded and the motion passed unanimously.

**Adjournment:** Mr. Tole motioned to adjourn the meeting, Mr. Griffiths seconded, and the motion passed unanimously at 12:50 PM.

Mr Lee F Carroll PE  
Electrical Engineer and Consultant  
1 Madison Ave  
Gorham, NH 03581

Dear Mr Carroll

I am writing you as a retired Electrical Contractor, NHTI graduate in EET, former Vice President of ECBA of Manchester, citizen legislator instrumental in establishing NH Building Code Review Board, concerned Resident of Waterville Estates Village District Campton, NH and at the request of the District Commissioners, I am writing to offer my assistance and perspective in review of your provided drawings E1 and E2 regarding our water system pump house. It is my perspective that a (HOA) Home Owner's Association within our community has engaged your involvement through a misunderstanding and lack of knowledge of our existing electrical system.

My involvement into this situation started more than 1 year ago when the previously mentioned Home Owners Association (HOA) decided to add snow making to our small community, ski hill. At that time they stated that they wanted to add the snow making equipment as a test to the pump house electrical system. I objected for the obvious reason of electrical system overload. The HOA ignored my warnings and connected anyway. I then contacted state inspector Ken Vallery to discuss the issue with him. He said at that time that involving himself, given that it was only a test, would be premature and to keep him informed of the situation.

Fast forward to the current installation. This year to my objection the temporary test installation was made permanent. I then made the attached calculations attached marked #1 that I forwarded to our District Commissioners and copied Ken Vallery informing him of the ill-advised installation. With Ken's help all were forced to seek your advice on the electrical installation. I appreciate that you appear to confirmed my calculations.

Current problem #1:

Your Existing Drawing marked E1 showing the existing electrical installation is not accurate. It shows the snow making equipment connection existing. As mentioned above snow making equipment has only been recently ill-advisedly added. It was never part of the original installation and should not have been added as part of your drawing this only adds to an already complicated issue.

Problem #2:

Our community is small with limited tax funding for many projects. Upgrading the electrical installation for snow making without planning for future needs is not within our budget and sacrifices other budgeted items.

Problem #3:

In doing calculations both you and I have come to the same conclusion. The existing Electrical installation at the water system pump house does not meet electrical codes. It exceeds the code circuit limitations by 10% or 8 amps by my attached calculation #1.

Our community is aware of current water problems and is in process of developing RFP with the intent of hiring an engineering organization to help us with our water issues. This pump house will be part of this program.

I have suggested to our Commissioners that any upgrade to the current installation be postponed until we know where we are headed with our water system. I thought this a reasonable request.

Possible solution to our current electrical installation:

If we eliminate the need for adding snow making how do we make the current installation code compliant without increasing the electrical installation??

I look at the givens which are:

- 1) The current 100A circuit installation exceeds NEC 80% load requirement
- 2) Existing distance estimated to be 300ft requires Vd calculations
- 3) The existing installation has functioned without issue for decades
- 4) Existing circuit feeder is #1 Al XHHW with a ampere rating of 115A
- 5) Existing load I've calculated at 88A and exceeds Code by 8Amps
- 6) The current electrical panelboard is rated 125A, 3Ph, 600V manufactured by Sq-D.

In my concern for liability and protection of the community I propose the following circuit change and offer back up in support with my calculation #2.

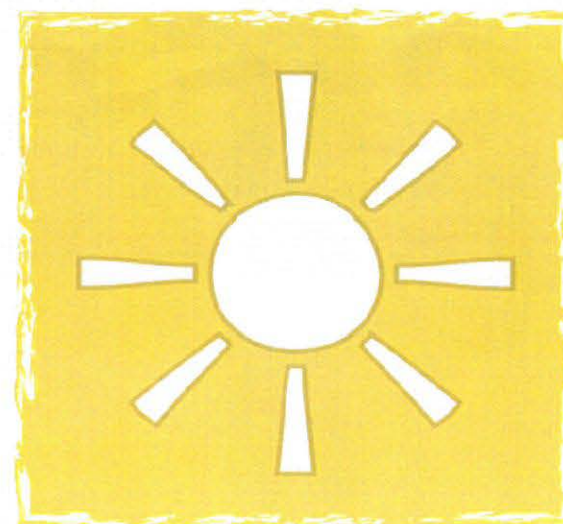
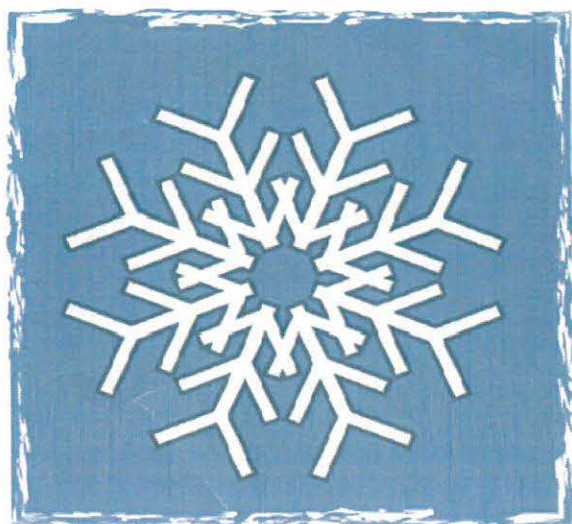
My proposal is as follows for your follow up:

- 1) Change the current 100A 3ph 600V breaker to 110A or replace the existing breaker with NEMA rated disconnect switch fused 110A. This effectively changes the circuit rating from 100A to 110A.
- 2) Recalculate the loads as shown in my attached calculations #2 for 110A circuit.
- 3) Confirm that the new circuit meets code requirements with a Vd of no more than 3%
- 4) Confirm that the 110A circuit rating falls within 80% circuit requirement.

This proposal with your confirmation, should clear all issues with the current pump house installation and makes the snow making a separate issue.

Thanking you in advance for your assistance.  
Please call with any questions.

Best Regards,  
Ned McElroy  
22 Goose Hollow Rd  
Campton, NH 03223  
Tele: 603-348 -0496  
Email: mcelroy.ned@gmail.com



**WATERVILLE ESTATES**

# WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS MEETING<sup>1</sup>

## JANUARY 11, 2020

### AGENDA

- I. Meeting called to order at 9 am
- II. Review, corrections and acceptance of December 6 meeting minutes
- III. Treasurer's Report
  - I. Account balances
  - II. Tax collections
  - III. Outstanding accounts
- IV. Manager's Report
  - I. Water System
  - II. Roads/ Paving
  - III. Rec. Center updates
  - IV. Ski Area updates
- V. Financials
  - I. District Operating Budget
  - II. Water Department Budget
  - III. Rec. Fund Budget
  - IV. Discuss preparation of warrant articles
- VI. New Business
  - I. Matt Smith
- VII. Old Business
- VIII. Set next meeting January 18<sup>th</sup> at
- IX. Adjournment

# WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS MEETING

## December 6, 2019 MEETING MINUTES

Attendees: Andy Griffiths, Art Marks, Judy Kinney, Matt Smith, Sean Tole, Corey Smith

Guests: Harry Bertino, Jim Murphy, Ross Bouchard, David Ketcham, Bobbi Ketcham, Tom Fraser, Michael Hering, Ned McElroy, Steph Kiernan, John Herlihy, Mark Barajas, Marilyn Showstack, Terry Tole, M. Acorsey (sp?)

Called to order: Mr. Marks at 3:06 PM

Review and approval of Meeting Minutes: WEA BOD October 13<sup>th</sup>, 2019 minutes: Mr. Marks and Mr. Tole attended, but, other than the WEVD financial report and the general manager's report, no village district matters were discussed or voted on. October 25<sup>th</sup>, 2019 minutes, motion to approve by Mr. Marks. Mr. Tole asked that the record show that when discussing the utilization of funds across departments to avoid a financial impact on taxes, Ned McElroy suggested shutting down Campton Mountain as a means to cut costs. Mr. McElroy stated that his comments were "tongue in cheek". He stated for the record that he supports the ski area and snow making provided that the decision process for these services are carried out in a fair and equitable manner. Mr. Tole said that this discussion on the record worked as well as correcting the October meeting minutes. Mr. Griffiths made a motion to approve the October 25<sup>th</sup>, 2019 meeting minutes, Mr. Tole seconded, and the motion passed unanimously.

### Treasurer Report:

#### Operating Accounts Balance:

Northway	\$71,380.68
<u>MVSB</u>	<u>\$357,339.25</u>
Total	\$428,719.93
<b>Water Department Balance:</b> Northway	\$22,466.94
<b>Rec. Fund Account Balance:</b> Northway	\$126,247.65
<b>Friends of Campton Mt. Balance:</b> Northway	\$37,476.61



# WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS MEETING

## December 6, 2019 MEETING MINUTES

**Tax Collection as of today's date (Town, year, appropriation, balance):** Campton, 2015, \$985,422, \$33,412.72. Campton, 2016, \$985,552, \$11,088.52. Campton, 2017, \$976,757, \$1,098.48. Campton, 2018, \$1,069,955, \$33,772.90. Campton, 2019, \$1,124,327, \$614,622.63. Thornton, 2016, \$290,944, \$1,426. Thornton, 2017, \$299,741, \$0. Thornton, 2018, \$324,690, \$3,441.83. Thornton, 2019, \$360,718, \$324,144.

**Water Fee Delinquencies:** \$5,603.52 is the current open balance. Mr. Tole made a motion to forgive balances under \$10, Mr. Griffiths seconded, motion passed unanimously.

**Interim Treasurer Needed:** Ted Kunz has resigned as village district treasurer and the commissioners are looking for a new treasurer. The individual must be available year-round to sign checks.

### **Manager's Report:**

**Water System Chlorine:** Mr. C. Smith reported on the recent water monitoring issue being resolved with the state. The water quality was being monitored and maintained, but the data was not archiving. Upgrades are planned to make the system more automatic.

**Water System Master Plan:** Mr. C. Smith reported on a request for qualifications/request for proposal for engineering firms to provide a master plan for the water system. Mr. Herlihy suggested that the RFQ process be separated from the RFP process. He indicated that RFQ participants would refine the RFP to make it more accurate resulting in more consistent response. Mr. Griffiths motioned to split the process into a separate RFQ, then RFP, Mr. Tole seconded, the motion passed unanimously. The commissioners recommended a three-person committee to help with the process of crafting the RFQ and RFP documents and evaluating the proposals from prospective bidders. Mr. McElroy, Mr. Herlihy (as lead), and Terry Bennett will serve on that committee.

**Water System Leaks and Water Conservation:** Mr. Tole asked if we should have a regulation for low flow fixtures. There were discussions about whether we want to add this to our existing regulation and enforcement burden. The result of the discussion was we should not add more enforcement burdens to the community administration. Mr. Barajas asked if home should have water meters and owners should be charged for excess usage. Mr. C. Smith suggested that consideration of meters should part of the Master Plan RFP and also pointed out that the designer's ability to evaluate what grants we might pursue would be important.

**Water System Ski Bowl Pump Station Electrical Panel:** Mr. C. Smith reported out on the pump station at the ski bowl. The current electrical system is inadequate. There are a range of fixes from cheap to expensive. The two most logical choices are a 400 amp service for around \$30k or an 800 amp service for \$60k. An engineer is working with our master electrician to evaluate and devise a plan. Mr. McElroy recommended an 800 amp infrastructure built out to 400 amp to keep costs low for now but to allow for future expansion. He also thought the estimates were low based on his industry experience. Mr. C. Smith recommended using funds from growth and new, water line upgrades or new wells. Mr. Griffiths made a motion to upgrade the electrical system to a 400 amp service with 800 amp infrastructure capped at \$60k taking half from each fund Mr. C. Smith had recommended, Mr. Tole seconded, motion passed unanimously.



# WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS MEETING

## December 6, 2019 MEETING MINUTES

**Roads and Paving:** Mr. C. Smith reported that this year's paving schedule was not completed. Our paving company has stated they will honor the quotes for next year.

**Rec Center:** Mr. C. Smith reported progress on the Kid's Corner. The fitness room is progressing as well, but is running a little behind schedule. To stay ahead of schedule, our staff may remove some machines and lay the new floor so that when the equipment people come, they can remove the old and put in the new on the same trip. We are having trouble with snow removal. Cleaners do not have the physical ability for the work.

**Ski Area:** Mr. C. Smith reported that dynamic load testing is next week. Insurance inspection happened yesterday and went very well. Maintenance is being on the ski groomer. Mr. Barajas asked when lift evac training would be happening. Mr. Tole suggested we might have homeowner volunteers who would participate in lift evac training. Mr. C. Smith said our insurance company is good with that. Mr. C. Smith reported that Paul Axelrod has a failed septic in an easement zone that might need easement resolution from the commissioners.

**Recent Tax Re-valuation:** Mr. C. Smith reported out on the results of the recent re-valuation. WEVD residents in Thornton had land comparisons come from greater Thornton and not just the estates as the land sale data pool from the Thornton portion of Waterville Estates was too small. It is improper to use that comparison and they should have used land sales from the Campton portion of Waterville Estates to get a large enough data pool for comparison.

### **Financials:**

**District Operations:** Nothing extraordinary to report.

**Water Department:** Nothing extraordinary to report.

**Rec. Fund:** Nothing extraordinary to report.

### **New Business:**

**Get Together/ Tax Discussion:** Mr. M. Smith is having a tax card / abatement informal information session at 5 PM on January 18<sup>th</sup>, 2020 in the Summit Lounge at the Rec Center.

**Matt Smith:** Mr. M. Smith stated an objection to the WEA BOD's statement that the purchase of the snow gun would not result in an increase in taxes as they have no control of taxes or authority to make claims about taxes. He also objected to the WEA BOD making a purchase they intended to gift to the district without first getting the commissioners to vote to accept the gift. Mr. Hering stated that he objected to the premise that once something is gifted to the district that the district must maintain it in perpetuity. He argued that adding a snow gun as an amenity didn't mean that it obligated the district to buy a new snow gun when the current one reaches end of life.

## WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS MEETING December 6, 2019 MEETING MINUTES

**WEA/WEVD Collaboration Committee:** The WEA BOD has recommended a collaborative committee to resolve lines of communication, roles, responsibilities, and procedures between the association and the village district. The commissioners support this and Mr. Marks and Mr. Tole (as chair) will participate as members. Other members are Harry Bertino, Matt Smith, Chris Vargas, Mike Hering, Mark O'Hara, Judy Kinney, and Corey Smith.

**Employee Health Insurance for 2020:** The commissioners discussed what health plans were available. There are six employees on our health plan. Mr. Griffiths motioned to adopt the renewal option keeping last years' plan and policies, Mr. Tole seconded, the motion passed unanimously.

**Friends of Campton Mountain Fund:** The legal status of this group was discussed. The funds we currently hold must be dispersed per the original intent of the donors no matter the legal status of FOCM. Mr. Marks stated that the donations were made to benefit Campton Mountain Ski Area.

### **Old Business:**

**Reserve Advisors:** Mr. C. Smith stated that we are still waiting for their final report.

**Waterville Estates Warrant Schedule:** Ms. Kinney provided a schedule for the required meetings that are needed leading up to our annual meeting. Discussion occurred around when warrant articles needed to be submitted to the commissioners five Tuesday's before the annual meeting which falls in March 21<sup>th</sup> this year making them due by February 18<sup>h</sup> 2020. It was suggested to have them in by February 11<sup>h</sup> 2020.

**Weeping Birches:** Mr. Marks reported the district signed all the deeds required to bring the matter to a close.

**Set next meeting:** Saturday, January 11th, 2019, 9:00 AM

**Executive Session:** Mr. Tole motioned to enter executive session at 5:44 PM to discuss employee health plans for 2020, Mr. Griffiths seconded, motion passed unanimously.

**Adjournment:** Mr. Tole motioned, Mr. Griffiths seconded, motion passed unanimously at 6:27 PM.

**TREASURER'S REPORT**  
**ACCOUNT BALANCES as of JANUARY 7, 2020**

**Operating Accounts**

Northway OP Account	69,376.22
<u>MVSB OP Account</u>	<u>257,488.42</u>
OP Account Balance	326,864.64

**Water Department Account**

Northway OP Account	24,948.02
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**Rec. Fund OP Account**

Northway OP Account	80,191.31
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**Friends of Campton Mt. Account**

Northway Account	37,477.24
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# TREASURER'S REPORT

## TAX COLLECTIONS as of JANUARY 7, 2020

<b>CAMPTON</b>	<b>APPROPRIATION</b>	<b>BALANCE</b>
<b>2015 -</b>	<b>985,422</b>	<b>33412.72</b>
<b>2016 -</b>	<b>985,552</b>	<b>8302.83</b>
<b>2017 -</b>	<b>976,757</b>	<b>1014.29</b>
<b>2018 -</b>	<b>1,069,955</b>	<b>33,772.90</b>
<b>2019 -</b>	<b>1,124,327</b>	<b>615570.84</b>

<b>THORNON</b>		
<b>2016 -</b>	<b>290,944</b>	<b>1,426</b>
<b>2017 -</b>	<b>299,741</b>	<b>0</b>
<b>2018 -</b>	<b>324,690</b>	<b>3,441.83</b>
<b>2019 -</b>	<b>360,718</b>	<b>324,144</b>

# TREASURER'S REPORT

## OUTSTANDING ACCOUNTS as of JANUARY 7, 2020

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Borges, Daniel & Paula	0.00	2.10	4.01	0.00	208.02	214.13
Breton, Randy & Denise	0.00	2.10	4.01	0.00	208.02	214.13
Dicecca, Camillo	0.00	2.10	4.01	0.00	232.02	238.13
Flynn, Alexander & Michelle	0.00	2.10	4.01	0.00	210.06	216.17
Fritz, Jeremy & Jaclyn	0.00	2.10	4.01	0.00	208.02	214.13
Griffiths, Andrew & Elizabeth	0.00	2.10	4.01	0.00	208.02	214.13
Keegan	0.00	4.20	8.02	0.00	438.07	450.29
Kelleher, Dennis	0.00	4.20	8.02	0.00	440.04	452.26
McCaughey, James & Stephanie	0.00	2.10	4.01	0.00	210.39	216.50
Mellen, Robert Sr. Trust	0.00	2.10	4.01	0.00	208.02	214.13
Murphy, Brian & Michelle	0.00	2.10	4.01	0.00	208.02	214.13
Murphy, Carline Seide	0.00	4.20	8.02	0.00	440.04	452.26
Nordbeck, Timothy & Michelle	0.00	2.10	4.01	0.00	208.02	214.13
Seward, Nancy	0.00	2.10	4.01	0.00	208.02	214.13
Sexton Family Trust	0.00	2.10	4.01	0.00	208.02	214.13
Strong, Derrick	0.00	4.20	8.02	0.00	440.04	452.26
Sweeney, Christopher	0.00	2.10	4.01	0.00	208.02	214.13
Uminsky, Todd	0.00	2.10	4.01	0.00	208.02	214.13
TOTAL	0.00	46.20	88.22	0.00	4,698.88	4,833.30

## WATERVILLE ESTATES VILLAGE DISTRICT

### January 18, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Thomas Clarke, Harry Bertino, Stan Bujarlski, Jim Murphy, John Herlihy, Steve Waters

Called to order: Mr. Marks at 8:06 AM.

Review and approval of Meeting Minutes: Mr. Griffiths made a motion to accept the meeting minutes of January 11, 2020 with no amendments, Mr. Tole seconded, motion passed unanimously.

Mr. Griffiths made a motion to remove Ted Kunz from all WEVD bank accounts and add Karen Waters, Mr. Tole seconded, motion passed unanimously.

### **Review draft Warrant Articles:**

#### **Warrant Article 1**

To choose one commissioner for the three year-term, Moderator for a two-year term, Clerk and Treasurer for the ensuing year.

#### **Warrant Article 2**

To see if the Village District will vote to raise and appropriate the sum of One Million Three Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and no cents (\$1,347,272) for general municipal operations with an off set of Eighty-Four Thousand Six Hundred Ninety-Four Dollars (\$ 84,694) from unassigned fun balance. This article does not include appropriations contained in special or individual articles addressed separately.

Note: Per Mr. C. Smith, the amount “raised” will be the appropriation minus the offset. Per Mr. M. Smith, the tax impact is \$1,262,578 or approximately \$12.63 per \$1000.

Mr. Tole made a motion to add the statement that “commissioner recommended”, Mr. Griffiths seconded, motion passed unanimously.

#### **Warrant Article 3**

To see if the Village District will vote to raise and appropriate the sum of Three Hundred Eighty Thousand Six Hundred Fifty-One Dollars (\$380,651) for the interdepartmental water department operations. With an off set of One Hundred Five Thousand Six Hundred Sixty-Four Dollars (\$105,664) from water fee.

Note: Per Mr. C. Smith, the amount “raised” will be the appropriation minus the offset. Per Mr. M. Smith, the tax impact is \$274,987 or approximately \$2.75 per \$1000.

Mr. Griffiths made a motion to add the statement that “commissioner recommended”, Mr. Tole seconded, motion passed unanimously.

#### **Special Warrant Article 4**

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for a new maintenance truck.

Ms. Kinney stated that the attorney said change “for a” with “for the purchase of”. Mr. C. Smith stated that the warrant should read plow truck. The amended article now reads as follows.

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for the purpose of a new plow truck.

Note: Per Mr. M. Smith, the tax impact is \$96,543 or approximately \$0.97 per \$1000.

Mr. Tole made a motion to add the statement that “commissioner recommended”, Mr. Griffiths seconded, motion passed unanimously.

### **\*\*Special Warrant Article 5**

To see if the Village District will vote to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) For purchasing a new back hoe. This article is non-lapsing until 12/31/2024. This special article is a special warrant article per RAS 32:7 V.

\*\* \_Waiting to hear back from Michelle (DRA) do we put the full amount \$100,000 and have it as a non-lapsing or do we do \$20,000 each year as a warrant Article.

Note: Per Mr. C. Smith, the price includes a credit of for the trade in of the old backhoe. Per Mr. M. Smith, the tax impact is \$100,000 or approximately \$1 per \$1000. Ms. Kinney is checking with DRA to see how the warrant article should read to notify the voters of the impact of the trade in.

Mr. Tole made a motion to amend the warrant article as follows, Mr. Griffiths seconded, motion passed unanimously.

To see if the Village District will vote to authorize the Commission to enter into a lease agreement, with a non-appropriation clause, for the purchase of a new backhoe, for the total amount of One Hundred Thousand Dollars (\$100,000), and to raise and appropriate the sum of Twenty Thousand (\$20,000) for the first year installment payment. Majority vote, Commissioner recommended.

### **New Business:**

**Electrical Upgrade:** Mr. Griffiths provided a status update about a less expensive fix for the ski bowl pump house. The estimate of \$2k was only for the ski bowl pump house. Approximately \$25k was always going to be required for the main service whether we did a small fix or a more comprehensive fix at the ski bowl pump house. Mr. C. Smith had a conversation with the state inspector who said two meters is not a violation of code if one meter is single phase and the other is three phase. Service from pole to the shack will be 400 amp. From there to the ski bowl pump house will be 400-amp wire to a 200-amp service out of an 800-amp panel. Mr. Marks, asked to go on the record that the commissioners authorized the work because they felt that there was a safety issue. There was a code issue that did needed to be resolved to prevent excess wear on the equipment and a future failure that could not be anticipated. Mr. Griffiths stated that the WEA BOD wants a guarantee that they can use electricity for snow from now on if they invest in the electrical upgrade. Mr. M. Smith pointed out that the district commissioners can’t make any guarantees because voters have their say at every annual meeting. Mr. M. Smith pointed out that the December 6<sup>th</sup>, 2019 authorization not to exceed \$60k was for electrical upgrade and the authorization to use water for snowmaking, for the current ski season, was made at the January 11, 2020 meeting contingent on the WEA BOD contributing to the electrical upgrade. Such that if the WEA BOD decided not to contribute to the electrical upgrade the commissioners would have to re- authorize the use of water for snowmaking in another meeting.

**Guest Business:**

**Conflict between Thornton and WEVD annual meeting date:** Mr. Bujarlski expressed that he would like to be able to attend both. Mr. M. Smith pointed out that towns are required to hold their meetings on a certain date and said he would forward the statute to him with a copy to Mr. Bertino.

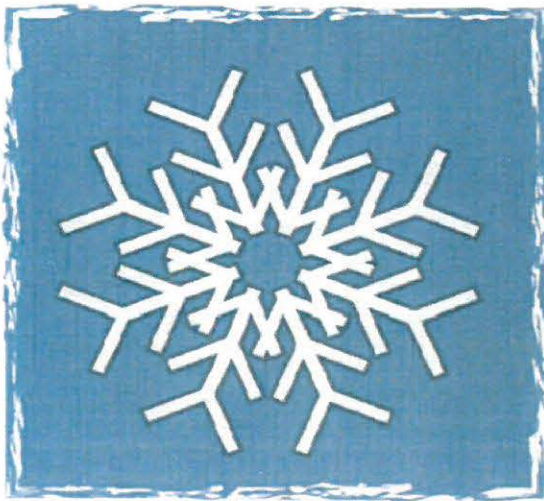
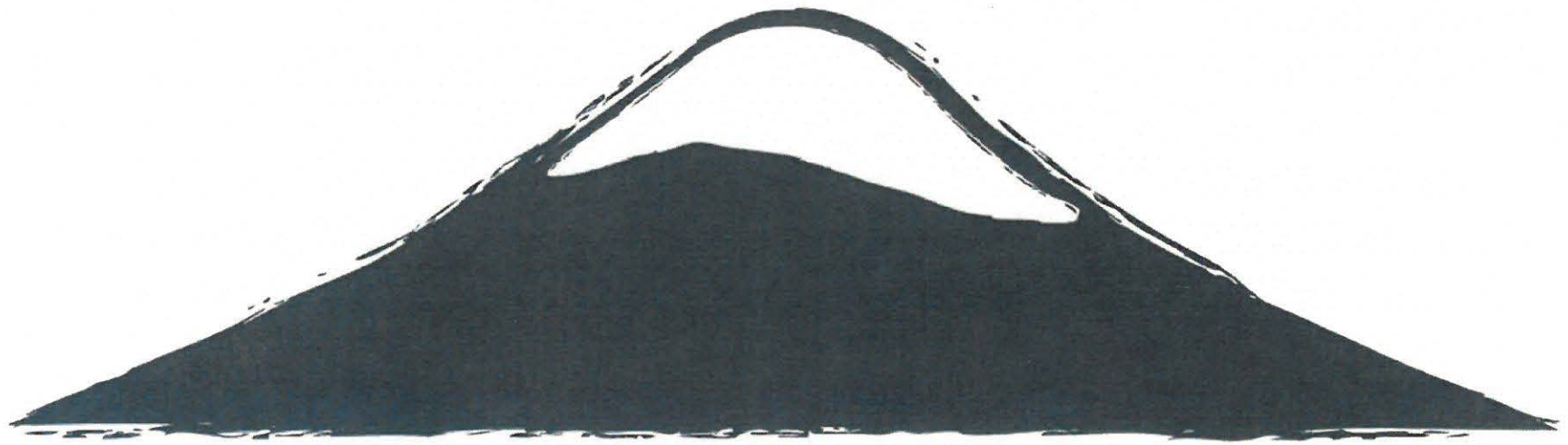
**Set next meeting:** Saturday, February 1st, 2020, time TBD.

**Executive Session:** Mr. Marks motioned to enter executive session at 10:14 PM to matters affecting reputation. Mr. Toles seconded and the motion passed unanimously.

Executive session was adjourned at 10:51 AM and Mr. Tole made a motion to seal the executive session meeting minutes, Mr. Griffiths seconded, and the motion passed unanimously.

**Adjournment:** Mr. Tole motioned to adjourn the meeting, Mr. Griffiths seconded, and the motion passed unanimously at 10:52 PM.





**WATERVILLE ESTATES**

# WATERVILLE ESTATE VILLAGE DISTRICT COMMISSIONERS DRAFT WARRANT ARTICLES JANUARY 18, 2020 MEETING AGENDA

1

Meeting called to order at 8 am

Review, corrections and acceptance of January 11 meeting minutes

Vote to remove Ted Kunz from all WEVD bank accounts and add Karen Sacco

Review draft Warrant Articles:

Warrant Article 1

To choose one commissioner for the three year-term, Moderator for a two-year term, Clerk and Treasurer for the ensuing year.

Warrant Article 2

To see if the Village District will vote to raise and appropriate the sum of One Million Three Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and no cents (\$1,347,272) for general municipal operations with an off set of Eighty-Four Thousand Six Hundred Ninety-Four Dollars (\$ 84,694) from unassigned fund balance. This article does not include appropriations contained in special or individual articles addressed separately.

Warrant Article 3

To see if the Village District will vote to raise and appropriate the sum of Three Hundred Eighty Thousand Six Hundred Fifty-One Dollars (\$380,651) for the interdepartmental water department operations. With an off set of One Hundred Five Thousand Six Hundred Sixty-Four Dollars (\$105,664) from water fee.

Special Warrant Article 4

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for a new maintenance truck.

Special Warrant Article 5

To see if the Village District will vote to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) For purchasing a new back hoe for the water department. This article is non-lapsing until 12/31/2024. This special article is a special warrant article per RAS 32:7 V.

# DRAFT

## WATERVILLE ESTATES VILLAGE DISTRICT

### January 11, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Lenny Imbraccio, Ned McElroy, Becky McElroy, Chris Fagas, Frank Marshall, Pat Bagge, Harry Bertino, Karen Waters, Steve Waters, Sean Slattery, Ross Bouchard, Susan Alessandri, Libby Griffiths, Sue Hering, Mike Hering, Jim Murphy, Ross Bouchard, David Ketcham, Bobbi Ketcham, Scott Ivers, Rick LeBlanc, Andrea Canfield, Mark Canfield, Chris Bemardi, Courtney Germani, Erich Kikel, Madhavi Challagulla, Ed Culver

Called to order: Mr. Marks at 9:05 AM

Nomination of Treasurer: Mr. Griffiths made a motion to appoint Karen Waters as Village District Treasurer, Mr. Tole seconded, motion passed unanimously.

Review and approval of Meeting Minutes: Mr. Tole made a motion to accept the meeting minutes of December 6, 2019 with no amendments, Mr. Griffiths second, motion passed unanimously.

#### Treasurer Report:

##### Operating Accounts Balance:

Northway	\$69,376.22
MVSB	\$257,488.42
Total	\$326,864.64

**Water Department Balance:** Northway \$24,948.02

**Rec. Fund Account Balance:** Northway 80,191.31

**Friends of Campton Mt. Balance:** Northway \$37,477.24

**Tax Collection as of today's date (Town, year, appropriation, balance):** Campton, 2015, \$985,422, \$33,412.72. Campton, 2016, \$985,552, \$8,302.83. Campton, 2017, \$976,757, \$1,014.29. Campton, 2018, \$1,069,955, \$33,772.90. Campton, 2019, \$1,124,327, \$61,557.84. Thornton, 2016, \$290,944, \$1,426. Thornton, 2017, \$299,741, \$0. Thornton, 2018, \$324,690, \$3,441.83. Thornton, 2019, \$360,718, \$324,144.

**Water Fee Delinquencies:** \$4,833.30 is the current open balance. Some of the accounts on the report have been settled between the printing of the handout and the meeting.



# DRAFT

## WATERVILLE ESTATES VILLAGE DISTRICT January 11, 2020 MEETING MINUTES

### Manager's Report:

**Water System Master Planning:** Mr. C. Smith. Reported that developing the master plan is progressing. Indicated the written information we have is being documented in GIS so we have a good record of current conditions. Reported that the data recording problem violation has been corrected and if we test for 12 months and find no bacteria, we can come off the current 4 log procedure (chlorine requirements).

**Water System Leakage:** Mr. C. Smith reported that a consultant has been contacted to come in and evaluate piping our piping infrastructure.

**Water System Electrical Upgrades at the Ski Bowl:** Mr. Griffiths motioned to include Mr. McElroy's letter in the minutes, Mr. Tole seconded, Motion passed unanimously. Commissioners will review the letter and respond on the record. Mr. C. Smith asked for direction on how to proceed. Trench is dug, pipe is in, trench is backfilled. **Mr. Griffiths, Mr. McElroy, Mr. C. Smith, and Lee Carroll will work together to revise last month's plan should Mr. McElroy's findings be upheld by Mr. Carroll.**

**Water System PFOA:** Mr. C. Smith reported PFOA (Teflon) testing is no longer required. Testing is estimated at \$500. Mr. C. Smith recommends we test anyway. Mr. Marks recommends against at this time. Mr. Tole recommends waiting for more guidance from the State of New Hampshire. Mr. Kikel had experience with PFOA from Newburgh NY who had 1100 parts per trillion. The solution in Newburgh was to connect to a new water supply. Acceptable Federal level is 70 parts per trillion. **All the commissioners feel we need to do more research before we test and will keep the item on the agenda.**

**Roads and Paving:** Mr. C. Smith reported that we have a contract to lock in last summer's uncompleted paving projects at last year's pricing for this coming summer.

**Rec Center Kids Arcade and Fitness Room:** Mr. C. Smith reported that upgrades have been completed and the feedback is good.

## DRAFT

# WATERVILLE ESTATES VILLAGE DISTRICT January 11, 2020 MEETING MINUTES

**Rec Center Heating System:** Mr. C. Smith reported on the burst pipe and expansion tank repair. Mr. M. Smith commented that an air vent needs to be installed in the horizontal line right at the tank. Mr. M. Smith asked that the commissioners write a letter of thanks to Emerson-Swan Inc. commending the service of Steve Babin and Andy. Mr. Tole asked if we have done an analysis on the state of the heating system. Ms. McElroy asked about persistent leaks in the gym ceiling. Mr. C. Smith stated that the historical ceiling moisture has been ductwork condensation.

**Rec Center Electrical Problem:** Mr. C. Smith reported on a short in the lady's locker room that filled the area with smoke on New Year's. The problem has been identified as the sauna electric heater.

**Rec Center Volunteerism:** Maxine Coyle and others volunteered for a teen New Year's Eve activity and Mr. C. Smith wanted to thank them.

**Ski Area Updates:** Mr. C. Smith, reported that all infrastructure testing is completed and we passed. Not sure we can open quickly as we may not be able to find staff. Ms. Germani asked if we could have a volunteer list of people that could get the ski area open with reduced staffing. Mr. C. Smith said the rope tow is not complicated but the lift is. He said, that rope tow training could be an hour and lift evacuation training would be 4-5 hours.

**Ski Area WEA BOD:** Mr. Hering asked if the BOD could submit a request to the commissioners and have it be included in the public record. Mr. Marks stated the commissioners needed to see it first. After review, the commissioners allowed it. It read as follows. *In light of the Positive Support of the Snowmaking Petition from Homeowners, and the State of the Water System Report I heard at the December 6th, 2019 WEVD Commissioners Meeting where the PhD and PE Water Experts responsible for our water system clearly stated there was no impact last year on our community's domestic water system from snowmaking, I would like to make a motion that we request at this Saturday's WEVD Meeting that the WEVD Commission allows us to use domestic water for snowmaking annually. "The Friends of Campton Mountain" will pay for the water at a rate to be determined through the water distribution and treatment portion of the water budget, with the gallons to be verified by actual meter reading of consumption by the Fan Gun. Electric consumption*



# DRAFT

## WATERVILLE ESTATES VILLAGE DISTRICT January 11, 2020 MEETING MINUTES

by the Fan Gun will also be reimbursed by the "Friends of Campton Mountain" account, at the calculated electrical usage charge for that season. Mr. Hering stated that the motion passed unanimously. Mr. M Smith pointed out that because the FOCM funds rest with the district, the district is the fiduciary, and only they can authorize disbursements from the fund. Discussions of the pros and cons of the effects of snowmaking were discussed by the assembled guests. Mr. Bouchard asked if any there are any DES permitting requirements, Mr. C. Smith stated there are not. **Mr. M. Smith asked that we get something from DES in writing. Mr. C Smith said he would.** Mr. Bertino questioned the ability to make snow with warm temps and rain. Mr. Hering stated that revenue is down 21% from last year. Mr. McElroy suggested that it rained Christmas week and that could have been the reason. Ms. Germani expressed concerns about what would happen to home values if the ski area closed. Mr. O'Hare shared his experiences with weather monitoring and his research on the impact of weather on snowmaking and stated that even in warmer winters because of the orientation of the ski hill, it had great snow retention. Mr. Tole has stated he has a report from McIntyre, Mr. Bertino asked for data from McIntyre. Mr. McElroy stated that we asked for a financial impact study and have still not seen one. Mr. Bouchard brought up the blended financial analysis that was discussed at the August 2, 2019 public hearing. Mr. Marks used the weddings to point out that when there is no revenue from an activity the overhead expenses still have to be covered. Mr. Marshall stated that our amenity model is not self-sustaining and we need to find more revenue streams like snowmaking and management of community rentals. Mr. Culver supported the concept of being involved in community rentals. Mr. McElroy indicated that we need a long-term plan that we can evaluate short term desires against. Mr. M. Smith pointed out that WEVD used to pay WEA to manage the community and in 2006 it flipped. Mr. C, Smith stated that the FOCM golf tournament proceeds are part of the Recreation Revolving Fund. Mr. Tole cited that Town of Henniker has set up funds to support the notion the WEVD could have a FOCM fund. Mr. M. Smith asked if FOCM was started by Mike Mahoney, and this was confirmed by Mr. C. Smith, Ms. Kinney, and Mr. Marks. Mr. Hering stated that costs of services are reimbursed to village. Mr. Bouchard asked if the gun would be gifted to the district. Mr. M. Smith noted that the transfer of capital improvements from the association to the district are covered in the Recreation Management Agreement Part 2 sections c through h. Mr. Tole made a motion to approve the use of water and electricity for snow making, that it be paid for by FOCM, that WEVD not accept ownership of the snow gun from WEA at this time, that the gun only be used at lowest demand times, and that is approval was only for the remainder of the 2020 ski season. Mr. Marks seconded. Mr. Griffiths stated he supports the area currently under consideration for snowmaking, but he expressed concern that he could not overrule the will of the registered voters expressed in the amendment of warrant article 3 from WEVD's 2019 spring annual meeting. Mr. Tole asked Mr. McElroy for his electrical concerns, Mr. McElroy stated that rushing the installation before finishing the water system master plan, was not a good investment as we may spend too much or we may have to spend again if the master plan shows we need more. Mr. Tole asked if we could provide power from the diesel generator. Mr. McElroy expressed code concerns for that use as well. Mr. Marks stated that the motion would have his support if the WEA BOD agrees to pay for the costs of the electrical upgrades that were over and above what is required for code from the CIF. Mr. Bertino asked if the upgrades allow for the water pumps to stay on when the snowmaking is on, the commissioners stated it would. The motion was voted and passed with a majority vote with Mr. Griffiths voting no and Mr. Marks and Tole voting yes with the caveat about the costs of snow making related upgrades coming from the CIF.

### Financials:

**District Operations:** Mr. C. Smith. Stated we have money to add the surplus. Reported that we are \$230k under budget but still need to pay for already appropriated projects estimated as \$123k. Ms. Kinney brought up an excel spreadsheet with the proposed village district budget for 2020 currently at \$1.7 million.

**DRAFT**  
**WATERVILLE ESTATES VILLAGE DISTRICT**  
**January 11, 2020 MEETING MINUTES**

**Water Department:** Ms. Kinney brought up an excel spreadsheet with the proposed water budget for 2020 currently at \$231k.

**Rec. Fund:** Ms. Kinney brought up an excel spreadsheet with the proposed recreation fund budget for 2020 and reported that income minus expense is budgeted to leave a \$12k surplus.

**New Business:**

**Matt Smith:** Mr. M. Smith requested that we establish a records committee which he would chair. Mr. Griffiths made a motion to accept this proposal, Mr. Tole seconded, motion passed unanimously. Mr. M. Smith stated that he had the statute for records retention and would begin organizing the village records. Mr. M. Smith stated that he would set record aside that were beyond their retention schedule and that we should allow 30 days for anyone to review. He stated that he would separate out documents that were exempt from "Right to Know", like legal advice to the village district and turn over to the commissioners through the general manager so they could store or destroy as allowed by statute.

**Old Business:**

**Reserve Advisors:** Mr. Bouchard asked when we would have the report from Reserve Advisors, Mr. C. Smith stated we would have it in a few weeks.

**Guest Business:**

**Insurance and Liabilities:** Ms. Maier expressed concern about whether employees bringing children to work is covered in our insurance. She stated that an employee's child was not supervised at 10 pm at night and was creating a nuisance by playing under the table Ms. Maier was seated at, with other children. She states she asked the child to leave and later the employee confronted her and criticized her for directing her child. She also expressed concern about children in proximity to alcohol at the ski lodge. Mr. C. Smith stated that we have coverage for liability associated with our liquor license. We have staff monitoring the areas where alcohol is served. Ms. McElroy suggested this is a security concern. Mr. Tole stated that all residents should be aware of improper behavior and speak up. Mr. Culver stated that eating areas must be separated with an area where children are not allowed.

**State and US Flags:** Mr. Bertino suggested we need to have New Hampshire and US flags on display during public meetings per statute and that we have them in the building. The commissioners agreed that we should display them during meetings.

**Set next meeting:** Saturday, January 18th, 2020, 8:00 AM.

**Executive Session:** Mr. Tole motioned to enter executive session at 12:27 PM to matters affecting reputation. Mr. Griffiths seconded and the motion passed unanimously.

**Adjournment:** Mr. Tole motioned to adjourn the meeting, Mr. Griffiths seconded, and the motion passed unanimously at 12:50 PM.



## DRAFT WARRANT ARTICLES

### Warrant Article 1

To choose one commissioner for the three year-term, Moderator for a two-year term, Clerk and Treasurer for the ensuing year.

### Warrant Article 2

To see if the Village District will vote to raise and appropriate the sum of One Million Three Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and no cents (\$1,347,272) for general municipal operations with an off set of Eighty-Four Thousand Six Hundred Ninety-Four Dollars (\$ 84,694) from unassigned fund balance. This article does not include appropriations contained in special or individual articles addressed separately.

### Warrant Article 3

To see if the Village District will vote to raise and appropriate the sum of Three Hundred Eighty Thousand Six Hundred Fifty-One Dollars (\$380,651) for the interdepartmental water department operations. With an off set of One Hundred Five Thousand Six Hundred Sixty-Four Dollars (\$105,664) from water fee.

### Special Warrant Article 4

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for a new maintenance truck.

### \*\*Special Warrant Article 5

To see if the Village District will vote to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) For purchasing a new back hoe. This article is non-lapsing until 12/31/2024. This special article is a special warrant article per RAS 32:7 V.

\*\* Waiting to hear back from Michelle (DRA) do we put the full amount \$100,000 and have it as a non-lapsing or do we do \$20,000 each year as a warrant article



## WATERVILLE ESTATES VILLAGE DISTRICT

### January 31, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Harry Bertino, Libby Griffiths, Mike Hering, Chris Fagas, Anthony Patty, John Herlihy, David Spinney

Called to order: Mr. Marks at 3:00 PM.

Review and approval of Meeting Minutes: Mr. Griffiths made a motion to accept the meeting minutes of January 18, 2020 with no amendments, Mr. Tole seconded, motion passed unanimously.

#### **Clerk's Report:**

**RSA's:** Mr. Marks asked Mr. Bertino and Mr. M. Smith for input on concerns so that he could present them to the village district attorney for review.

#### **Manager's Report:**

**Tax Rate Analysis:** Mr. M. Smith suggested that the increase in the cost of taxes has exceeded inflation by a factor of 2-3. Mr. C. Smith stated that individual owner tax bills had not. Mr. Marks recommended we form a sub-committee.

#### **Warrants:**

**Warrant Article 2 Revised:** From \$1,347,272 to \$1,252,667. Mr. C. Smith will get with Ms. Kinney to figure out why the number changed.

**Warrant Article 3 Revised:** From \$380,651 to -\$360,651. The \$20,000 difference is the backhoe was pulled out of the water department article and placed in its own warrant.

**Warrant Article 4 Discussed:** Mr. Tole recommended we shop around for the plow truck.

**Warrant Article 5 Discussed:** Mr. C. Smith indicated if we get the backhoe early, we'd be renting it. He also advised the commissioners that 0% financing was no longer available and the financing rate would be 3.1%.

#### **Budget Hearing:**

**New Wells:** Mr. Spinney asked about the budget line item of \$90,000 for new wells and whether that money had been set aside. Mr. C. Smith stated that it has technically not been, but unspent tax revenue rolls into the unreserved fund balance at the end of the year. Mr. Spinney and Mr. C. Smith estimated that \$360,000 to \$450,000 had been collected against this budget line item to date. The current estimated unreserved fund balance for 2020 is approximately \$859,000. We are required to hold a reserve of \$574,000 to cover operating costs of the village while we wait for taxes to be collected and turned over from Campton and Thornton. That leaves \$285,000. With \$123,214.94 reserved for 2019 Warrant Article 3, it leaves \$161,785.06 available for new wells.

**ADA:** Mr. Bertino asked if there were any plans in 2020 or beyond to install an elevator. It was suggested that based on research Lloyd Wiley had done, in consultation with the village attorney and ADA compliance expert Jerry Teppe, an elevator is not required in the recreation center. Mr. Bertino asked about the ADA line item on the last page of the budget. Ms. Kinney pointed out that it was from the 2019 non-lapsing warrant article 3 which does not lapse until the end of 2021.

**General:** There will be another budget hearing.

#### **New Business:**

**RFP/RFQ for Water System:** Mr. Griffiths asked which commissioner would take ownership of seeking bids from qualified firms. Mr. Tole said he would take ownership if Mr. C. Smith would help. Mr. C. Smith already has the proposals ready to go out in the mail.

#### **Old Business:**

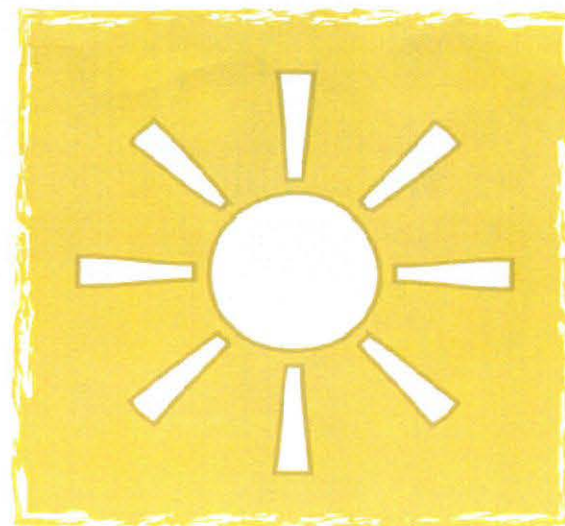
**Ski Area Water Use:** Mr. M. Smith asked that we get something from DES in writing. Mr. C. Smith said he would.

**Ski Bowl Pump House:** Mr. Griffiths stated that the 800 amp panel is being dropped to a 400 amp panel. Mr. Griffiths provided an update on the sequence of events leading up to our current plans. Mr. M. Smith asked for clarification of discoveries made at the most recent meeting that Ned attended. Mr. Griffiths acknowledged that an issue with the designed electrical panel had been discovered and addressed, but said there were no other new issues discovered. Mr. Griffiths reported that Mr. Mike Soucy, head electrical inspector for the state, said our current plans are fine. Mr. Griffiths states that the commissioners support Lee Carroll and Dave Costa. Mr. Marks said for liability reasons he would not include Ned's correspondence in the meeting minutes because he was concerned **it potentially contained** slander and defamation of the electrical contractor and engineer, but would keep it in the public record as correspondence. Mr. M. Smith suggested that Ned's comments did not rise to a level of defamation that would be actionable. Mr. Bertino pointed out that Ned offered his help at the 12/6/19 WEVD meeting and the commissioners accepted.

**New Treasurer:** Ms. Waters reported that she had signed a letter of intent with the auditors for our 2019 audit and would work closely with them. Ms. Waters met with Judy, Corey and other WEVD staff and started the process of getting up to speed. Ms. Waters will meet with Judy next week regarding the budget and that she is still in information gathering phase. Mr. Marks asked for a recommendation for deputy treasurer so checks can get signed in Ms. Waters absence. Ms. Waters stated she would consider a deputy after the Annual meeting once she has had a chance to better understand the processes. Mr. C. Smith asked that Ms. Waters get the auditors to drop an unnecessary reporting requirement regarding retired employees when the district has none.

**Set next meeting:** Wednesday, February 12th, 2020, 3:00 PM.

**Adjournment:** Mr. Griffiths motioned to adjourn the meeting, Mr. Tole seconded, and the motion passed unanimously at 4:43 PM.



**WATERVILLE ESTATES**

# WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS

## BUDGET HEARING

### JANUARY 31, 2020

### AGENDA

1

- I. Meeting called to order at 3 PM
- II. Review, corrections and acceptance of January 18 meeting minutes
- III. Clerk's Report
  - I. RSA compliance & other legal compliance
- IV. Manager's Report
  - I. Tax rate analysis
- V. Budget hearing
- VI. New Business
- VII. Old Business
- VIII. Set February meeting date & time
- IX. Adjournment

# WATERVILLE ESTATES VILLAGE DISTRICT

## January 11, 2020 MEETING MINUTES

2

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Lenny Imbrascio, Ned McElroy, Becky McElroy, Chris Fagas, Frank Marshall, Pat Bagge, Harry Bertino, Karen Waters, Steve Waters, Sean Slattery, Ross Bouchard, Susan Alessandri, Libby Griffiths, Sue Hering, Mike Hering, Jim Murphy, Ross Bouchard, David Ketcham, Bobbi Ketcham, Scott Ivers, Rick LeBlanc, Andrea Canfield, Mark Canfield, Chris Bernardi, Courtney Germani, Erich Kikel, Madhavi Challagulla, Ed Culver

Called to order: Mr. Marks at 9:05 AM

Nomination of Treasurer: Mr. Griffiths made a motion to appoint Karen Waters as Village District Treasurer, Mr. Tole seconded, motion passed unanimously.

Review and approval of Meeting Minutes: Mr. Tole made a motion to accept the meeting minutes of December 6, 2019 with no amendments, Mr. Griffiths second, motion passed unanimously.

### Treasurer Report:

#### Operating Accounts Balance:

Northway	\$69,376.22
MVSB	<u>\$257,488.42</u>
Total	\$326,864.64

**Water Department Balance:** Northway \$24,948.02

**Rec. Fund Account Balance:** Northway 80,191.31

**Friends of Campton Mt. Balance:** Northway \$37,477.24

**Tax Collection as of today's date (Town, year, appropriation, balance):** Campton, 2015, \$985,422, \$33,412.72. Campton, 2016, \$985,552, \$8,302.83. Campton, 2017, \$976,757, \$1,014.29. Campton, 2018, \$1,069,955, \$33,772.90. Campton, 2019, \$1,124,327, \$61,557.84. Thornton, 2016, \$290,944, \$1,426. Thornton, 2017, \$299,741, \$0. Thornton, 2018, \$324,690, \$3,441.83. Thornton, 2019, \$360,718, \$324,144.

**Water Fee Delinquencies:** \$4,833.30 is the current open balance. Some of the accounts on the report have been settled between the printing of the handout and the meeting.

# WATERVILLE ESTATES VILLAGE DISTRICT

## January 11, 2020 MEETING MINUTES

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### **Manager's Report:**

**Water System Master Planning:** Mr. C. Smith. Reported that developing the master plan is progressing. Indicated the written information we have is being documented in GIS so we have a good record of current conditions. Reported that the data recording problem violation has been corrected and if we test for 12 months and find no bacteria, we can come off the current 4 log procedure (chlorine requirements).

**Water System Leakage:** Mr. C. Smith reported that a consultant has been contacted to come in and evaluate piping our piping infrastructure.

**Water System Electrical Upgrades at the Ski Bowl:** Mr. Griffiths motioned to include Mr. McElroy's letter in the minutes, Mr. Tole seconded, Motion passed unanimously. Commissioners will review the letter and respond on the record. Mr. C. Smith asked for direction on how to proceed. Trench is dug, pipe is in, trench is backfilled. **Mr. Griffiths, Mr. McElroy, Mr. C. Smith, and Lee Carroll will work together to revise last month's plan should Mr. McElroy's findings be upheld by Mr. Carroll.**

**Water System PFOA:** Mr. C. Smith reported PFOA (Teflon) testing is no longer required. Testing is estimated at \$500. Mr. C. Smith recommends we test anyway. Mr. Marks recommends against at this time. Mr. Tole recommends waiting for more guidance from the State of New Hampshire. Mr. Kikel had experience with PFOA from Newburgh NY who had 1100 parts per trillion. The solution in Newburgh was to connect to a new water supply. Acceptable Federal level is 70 parts per trillion. **All the commissioners feel we need to do more research before we test and will keep the item on the agenda**

**Roads and Paving:** Mr. C. Smith reported that we have a contract to lock in last summer's uncompleted paving projects at last year's pricing for this coming summer.

**Rec Center Kids Arcade and Fitness Room:** Mr. C. Smith reported that upgrades have been completed and the feedback is good.

**Rec Center Heating System:** Mr. C. Smith reported on the burst pipe and expansion tank repair. Mr. M. Smith commented that an air vent needs to be installed in the horizontal line right at the tank. Mr. M. Smith asked that the commissioners write a letter of thanks to Emerson-Swan Inc. commending the service of Steve Babin and Andy. Mr. Tole asked if we have done an analysis on the state of the heating system. Ms. McElroy asked about persistent leaks in the gym ceiling. Mr. C. Smith stated that the historical ceiling moisture has been ductwork condensation.



# WATERVILLE ESTATES VILLAGE DISTRICT

## January 11, 2020 MEETING MINUTES

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**Rec Center Electrical Problem:** Mr. C. Smith reported on a short in the lady's locker room that filled the area with smoke on New Year's. The problem has been identified as the sauna electric heater.

**Rec Center Volunteerism:** Maxine Coyle and others volunteered for a teen New Year's Eve activity and Mr. C. Smith wanted to thank them.

**Ski Area Updates:** Mr. C. Smith, reported that all infrastructure testing is completed and we passed. Not sure we can open quickly as we may not be able to find staff. Ms. Germani asked if we could have a volunteer list of people that could get the ski area open with reduced staffing. Mr. C. Smith said the rope tow is not complicated but the lift is. He said, that rope tow training could be an hour and lift evacuation training would be 4-5 hours.

**Ski Area WEA BOD:** Mr. Hering asked if the BOD could submit a request to the commissioners and have it be included in the public record. Mr. Marks stated the commissioners needed to see it first. After review, the commissioners allowed it. It read as follows. *In light of the Positive Support of the Snowmaking Petition from Homeowners, and the State of the Water System Report I heard at the December 6th, 2019 WEVD Commissioners Meeting where the PhD and PE Water Experts responsible for our water system clearly stated there was no impact last year on our community's domestic water system from snowmaking, I would like to make a motion that we request at this Saturday's WEVD Meeting that the WEVD Commission allows us to use domestic water for snowmaking annually. "The Friends of Campton Mountain" will pay for the water at a rate to be determined through the water distribution and treatment portion of the water budget, with the gallons to be verified by actual meter reading of consumption by the Fan Gun. Electric consumption by the Fan Gun will also be reimbursed by the "Friends of Campton Mountain" account, at the calculated electrical usage charge for that season. Mr. Hering stated that the motion passed unanimously. Mr. M Smith pointed out that because the FOCM funds rest with the district, the district is the fiduciary, and only they can authorize disbursements from the fund. Discussions of the pros and cons of the effects of snowmaking were discussed by the assembled guests. Mr. Bouchard asked if any there are any DES permitting requirements, Mr. C. Smith stated there are not. Mr. M. Smith asked that we get something from DES in writing. Mr. C Smith said he would. Mr. Bertino questioned the ability to make snow with warm temps and rain. Mr. Hering stated that revenue is down 21% from last year. Mr. McElroy suggested that it rained Christmas week and that could have been the reason. Ms. Germani expressed concerns about what would happen to home values if the ski area closed. Mr. O'Hare shared his experiences with weather monitoring and his research on the impact of weather on snowmaking and stated that even in warmer winters because of the orientation of the ski hill, it had great snow retention. Mr. Tole has stated he has a report from McIntyre, Mr. Bertino asked for data from McIntyre. Mr. McElroy stated that we asked for a financial impact study and have still not seen one. Mr. Bouchard brought up the blended financial analysis that was discussed at the August 2, 2019 public hearing. Mr. Marks used the weddings to point out that when there is no revenue from an activity the overhead expenses still have to be covered. Mr. Marshall stated that our amenity model is not self-sustaining and we need to find more revenue streams like snowmaking and management of community rentals. Mr.*

# WATERVILLE ESTATES VILLAGE DISTRICT

## January 11, 2020 MEETING MINUTES

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*Culver supported the concept of being involved in community rentals. Mr. McElroy indicated that we need a long-term plan that we can evaluate short term desires against. Mr. M. Smith pointed out that WEVD used to pay WEA to manage the community and in 2006 it flipped. Mr. C. Smith stated that the FOCM golf tournament proceeds are part of the Recreation Revolving Fund. Mr. Tole cited that Town of Henniker has set up funds to support the notion the WEVD could have a FOCM fund. Mr. M. Smith asked if FOCM was started by Mike Mahoney, and this was confirmed by Mr. C. Smith, Ms. Kinney, and Mr. Marks. Mr. Hering stated that costs of services are reimbursed to village. Mr. Bouchard asked if the gun would be gifted to the district. Mr. M. Smith noted that the transfer of capital improvements from the association to the district are covered in the Recreation Management Agreement Part 2 sections c through h. Mr. Tole made a motion to approve the use of water and electricity for snow making, that it be paid for by FOCM, that WEVD not accept ownership of the snow gun from WEA at this time, that the gun only be used at lowest demand times, and that is approval was only for the remainder of the 2020 ski season. Mr. Marks seconded. Mr. Griffiths stated he supports the area currently under consideration for snowmaking, but he expressed concern that he could not overrule the will of the registered voters expressed in the amendment of warrant article 3 from WEVD's 2019 spring annual meeting. Mr. Tole asked Mr. McElroy for his electrical concerns, Mr. McElroy stated that rushing the installation before finishing the water system master plan, was not a good investment as we may spend too much or we may have to spend again if the master plan shows we need more. Mr. Tole asked if we could provide power from the diesel generator. Mr. McElroy expressed code concerns for that use as well. Mr. Marks stated that the motion would have his support if the WEA BOD agrees to pay for the costs of the electrical upgrades that were over and above what is required for code from the CIF. Mr. Bertino asked if the upgrades allow for the water pumps to stay on when the snowmaking is on, the commissioners stated it would. The motion was voted and passed with a majority vote with Mr. Griffiths voting no and Mr. Marks and Tole voting yes with the caveat about the costs of snow making related upgrades coming from the CIF.*

### **Financials:**

**District Operations:** Mr. C. Smith. Stated we have money to add the surplus. Reported that we are \$230k under budget but still need to pay for already appropriated projects estimated as \$123k. Ms. Kinney brought up an excel spreadsheet with the proposed village district budget for 2020 currently at \$1.7 million.

**Water Department:** Ms. Kinney brought up an excel spreadsheet with the proposed water budget for 2020 currently at \$231k.

**Rec. Fund:** Ms. Kinney brought up an excel spreadsheet with the proposed recreation fund budget for 2020 and reported that income minus expense is budgeted to leave a \$12k surplus.



# WATERVILLE ESTATES VILLAGE DISTRICT

## January 11, 2020 MEETING MINUTES

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### **New Business:**

**Matt Smith:** Mr. M. Smith requested that we establish a records committee which he would chair. Mr. Griffiths made a motion to accept this proposal, Mr. Tole seconded, motion passed unanimously. Mr. M. Smith stated that he had the statute for records retention and would begin organizing the village records. Mr. M. Smith stated that he would set record aside that were beyond their retention schedule and that we should allow 30 days for anyone to review. He stated that he would separate out documents that were exempt from "Right to Know", like legal advice to the village district and turn over to the commissioners through the general manager so they could store or destroy as allowed by statute.

### **Old Business:**

**Reserve Advisors:** Mr. Bouchard asked when we would have the report from Reserve Advisors, Mr. C. Smith stated we would have it in a few weeks.

### **Guest Business:**

**Insurance and Liabilities:** Ms. Maier expressed concern about whether employees bringing children to work is covered in our insurance. She stated that an employee's child was not supervised at 10 pm at night and was creating a nuisance by playing under the table Ms. Maier was seated at, with other children. She states she asked the child to leave and later the employee confronted her and criticized her for directing her child. She also expressed concern about children in proximity to alcohol at the ski lodge. Mr. C. Smith stated that we have coverage for liability associated with our liquor license. We have staff monitoring the areas where alcohol is served. Ms. McElroy suggested this is a security concern. Mr. Tole stated that all residents should be aware of improper behavior and speak up. Mr. Culver stated that eating areas must be separated with an area where children are not allowed.

**State and US Flags:** Mr. Bertino suggested we need to have New Hampshire and US flags on display during public meetings per statute and that we have them in the building. The commissioners agreed that we should display them during meetings.

**Set next meeting:** Saturday, January 18th, 2020, 8:00 AM.

**Executive Session:** Mr. Tole motioned to enter executive session at 12:27 PM to matters affecting reputation. Mr. Griffiths seconded and the motion passed unanimously.

**Adjournment:** Mr. Tole motioned to adjourn the meeting, Mr. Griffiths seconded, and the motion passed unanimously at 12:50 PM.

## TAX RATE ANALYSIS

Year	BLS Ave Inflation	SSA COLA	Delta	WEVD Tax Rate	WEVD Net Appropriations	Increase YOY	Increase vs 2010
2020				\$ 17.95	\$ 1,734,114.00	1.160955107	1.60299094
2019	1.8	1.6	0.2	\$ 16.08	\$ 1,493,696.00	1.068151036	1.38075188
2018	2.4	2.8	-0.4	\$ 17.87	\$ 1,398,394.00	1.092258088	
2017	2.1	2	0.1	\$ 16.46	\$ 1,280,278.00	0.843299007	
2016	1.3	0.3	1	\$ 16.72	\$ 1,518,178.00	1.018060065	
2015	0.1	0	0.1	\$ 16.82	\$ 1,491,246.00	1.186969842	
2014	1.6	1.7	-0.1	\$ 16.12	\$ 1,256,347.00	1.030000312	
2013	1.5	1.5	0	\$ 14.46	\$ 1,219,754.00	1.061344142	
2012	2.1	1.7	0.4	\$ 14.07	\$ 1,149,254.00	1.06113423	
2011	3.2	3.6	-0.4	\$ 13.34	\$ 1,083,043.00	1.001149936	
2010	1.6	0	1.6	\$ 13.50	\$ 1,081,799.00		
2009	-0.4	0	-0.4				
2008	3.8	5.8	-2				
2007	2.8	2.3	0.5				
2006	3.2	3.3	-0.1				
2005	3.4	4.1	-0.7				
2004	2.7	2.7	0				
2003	2.3	2.1	0.2				
2002	1.6	1.4	0.2				
2001	2.8	2.6	0.2				
2000	3.4	3.5	-0.1				
	43.3	43	0.3				

## WARRANT ARTICLES

### Warrant Article 2

To see if the Village District will vote to raise and appropriate the sum of One Million Two Hundred Fifty-Two Thousand Six Hundred Sixty-Seven Dollars and no cents (\$1,252,667) for general municipal operations with an off set of Eighty-Four Thousand Six Hundred Ninety-Four Dollars (\$ 84,694) from unassigned fund balance. This article does not include appropriations contained in special or individual articles addressed separately. Commission recommended

### Warrant Article 3

To see if the Village District will vote to raise and appropriate the sum of Three Hundred Sixty Thousand Six Hundred Fifty-One Dollars (\$360,651) for the interdepartmental water department operations. With an off set of One Hundred Three Thousand Two Hundred Dollars (\$103,200) from water fee. Commission recommended

### Special Warrant Article 4

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for the purpose of purchasing a new maintenance/Plow truck. Commissioner recommended

### Special Warrant Article 5

To see if the Village District will vote to authorize the Commissioners to enter into a lease purchase agreement, with a non-appropriation clause, for the purchase of a new backhoe, for the total amount of One Hundred Thousand Dollars (\$100,000), and to raise and appropriate the sum of Twenty Thousand (\$20,000) for the first year installment payment. Majority voted; Commissioner recommended

## 2020 BUDGET HEARING

4130.2 · WEVD Manager	87,550	Warrant Article 2
4130.3 Admin assistant	67,980	Warrant Article 2
4130 · Employee Benefits	155,530	Warrant Article 2
4130.4 · Retirement Contribution	17,373	Warrant Article 2
4196.1 · Employee Benefits - Other deductible reimb	17,599	Warrant Article 2
4155.1 · Social Security	9,740	Warrant Article 2
4155.2 · Medicare	2,271	Warrant Article 2
4196.2 · Health Insurance	33,591	Warrant Article 2
4155.3 · NH Unemployment	150	Warrant Article 2
4196.3 · Workers Comp Ins	22,047	Warrant Article 2
4199.12 · Travel Reimbursement	142	Warrant Article 2
4196.4 · Dental Ins	1,410	Warrant Article 2
4130.5 · Health Reimbursement	7,474	Warrant Article 2
4196.5 · Bonuses	10,107	Warrant Article 2
4196.6. PR Taxes	824	Warrant Article 2
Total 4130 · Employee Benefits	278,258	

## 2020 BUDGET HEARING

4199.11 · Cellular Phones	1,080	Warrant Article 2
4199.2 · Commissioners Stipend & Expense	3,815	Warrant Article 2
4150.1 · Accounting/Taxes/Audit	8,098	Warrant Article 2
4153.1 · Legal / Consulting	13,510	Warrant Article 2
4196.7 · Insurances	27,239	Warrant Article 2
4199.3 · Telephones	1,607	Warrant Article 2
4199.4 · Radios/Repeater	1,662	Warrant Article 2
4199.5 Computer Services	6,096	Warrant Article 2
4197.1 · Advertisements	58	Warrant Article 2
4199.6 · Postage	753	Warrant Article 2
4199.7. Uniforms	554	Warrant Article 2
4199.8 · Bank/Finance Charge	305	Warrant Article 2
4199.9 · Payroll Expenses	1,550	Warrant Article 2
4199.10 · Licenses/Fees/Education	594	Warrant Article 2
4199.13 Miscellaneous	19,971	Warrant Article 2
total	86,891	
Total 4100 · GENERAL GOVERNMENT	365,149	
4311.1. Office Supplies	4,064	Warrant Article 2
4311.2. Taxes/Fees/Charges	1,435	Warrant Article 2
Total	5,499	

## 2020 BUDGET HEARING

### 4312 - HIGHWAYS & STREETS

4312.01 - Roads	38,605	Warrant Article 2
4312.02 - Seasonal Plowing	16,969	Warrant Article 2
4319.1 Consulting	25,400	Warrant Article 2
4312.03. Contractor Plowing	17,213	Warrant Article 2
4312.04. Payroll Taxes	4,284	Warrant Article 2
4312.05. Health Insurance	11,123	Warrant Article 2
4312.06. Dental Insurance	705	Warrant Article 2
4312.07. Retirement	5,055	Warrant Article 2
4312.08.Travel expense	418	Warrant Article 2
4319.2 cell phone	300	Warrant Article 2
4312.9 - Misc. Material & Supplies	19,520	Warrant Article 2
4312.10 Calcium/Magnesium Chloride	3,324	Warrant Article 2
4312.11 Cold Patch	0	
4312.12 - Roadside Mowing/Sweeping	8,180	Warrant Article 2
4312.13 - Culvert Expense	2,297	Warrant Article 2
4312.14 - Road Sand & Salt	18,837	Warrant Article 2
4312.15 - Equipment Rental	4,019	Warrant Article 2
4312.16 - Equipment Repair	1,435	Warrant Article 2

## 2020 BUDGET HEARING

4312.17 · Misc. Projects	3,444	Warrant Article 2
4312.18 · Diesel Fuel	10,000	Warrant Article 2
4312.19 · Plow Gears & Sanders	5,080	Warrant Article 2
4312.20. Oil & Filters	574	Warrant Article 2
4312.21 · Maintenance & Tune-ups	1,000	Warrant Article 2
4312.22 · Osh Kosh Repairs	0	
4312.23 · Truck Repairs	6,648	Warrant Article 2
4312.24 · Back Hoe Repair	0	
4312.25 · Body Maintenance	1,000	Warrant Article 2
4312.26 · Tires	3,878	Warrant Article 2
4312.27 · Shop supplies	3,000	Warrant Article 2
4312.28 · Small Tools/Equipment	3,000	Warrant Article 2
4312.29 · Large Equipment/Tools	1,551	Warrant Article 2
4312.30 · Grader Repairs	1,000	Warrant Article 2
4312.31 · Shop Electricity	3,444	Warrant Article 2
3831. Generator Maint		
4312.32 · Shop Heat	3,324	Warrant Article 2
Total 4312 · HIGHWAYS & STREETS	224,628	

## 2020 BUDGET HEARING

### 4220 · PUBLIC SAFETY

4220.1 · Alarm, Fire & Water	4,593	Warrant Article 2
4220.2 · Safety Supplies	2,799	Warrant Article 2
4220.3 · Fire & Security	8,038	Warrant Article 2
Total 4220 · PUBLIC SAFETY	15,430	

### 4520 · CULTURE & RECREATION

4520.01 · Building Wages	51,841	Warrant Article 2
4520.02. Payroll Taxes	5,125	Warrant Article 2
4520.03. Health Insurance	11,123	Warrant Article 2
4520.04. Dental Insurance	705	Warrant Article 2
4520.05. Retirement	4,122	Warrant Article 2
4520.06. Travel	229	Warrant Article 2
4520.10. Building Equipment Repairs	15,667	Warrant Article 2
4520.11. Cell Phone	300	Warrant Article 2
4520.12. ski area insurance	10,000	Warrant Article 2
4520.13. Snowcat Maintenance	10,000	Warrant Article 2
4520.14 · Building Infrastructure	31,026	Warrant Article 2
4520.15. Employee Training	1,500	Warrant Article 2
4520.16 · Pool Repair & Maint	5,339	Warrant Article 2



## 2020 BUDGET HEARING

4520.17 · Outdoor Lighting	776	Warrant Article 2
4520.18 · Building Elec	60,000	Warrant Article 2
4520.19 · building heat	55,000	Warrant Article 2
4520.7. Ski area Repairs & Maintenance	18,850	Warrant Article 2
4520.8. Kitchen Equipment Repairs	5,222	Warrant Article 2
4520.9. Maintenance Supplies	3,133	Warrant Article 2
Total 4520 · CULTURE & RECREATION	289,958	
CAPITAL Preservation Plan		
4312 Road Elements Paving	120,000	Warrant Article 2
4902 road elements New Maintenance Truck w/plow	96,543	Warrant Article 4
water elements		
4520. Recreation Elements and Major Building	128,676	Warrant Article 2
TOTAL CAPITAL Preservation Plan (deferred Maint.)	345,219	
Growth and new		
Enterprise Elements	0	
road elements		
water elements		
4520 Recreation Elements	8,800	Warrant Article 2
ADA	0	
Total Growth and New	8,800	

## 2020 BUDGET HEARING

4520.33 Rec Fund Contingency	61,000	Warrant Article 2
4520.31 Ski Area operational off-set	33,528	Warrant Article 2
1 Time Funding 2017		
increase tax off-set	0	
Total Expenses	1,349,209	
	1,453,160	
4300 · WATER DIST & TREATMENT	80,000	Warrant Article 3
4332.1 · System Repair,Materials,Supply	0	Warrant Article 3
4332.10 · Water System Propane	5,541	Warrant Article 3
4332.11. Generator Maint.	1,607	Warrant Article 3
4332.12 · Licenses/Fees/Education	700	Warrant Article 3
4332.13 · Finance Charges	1,000	Warrant Article 3
4332.14. Office Supplies	500	Warrant Article 3
4332.15. Postage	2,613	Warrant Article 3
4332.2 · Water Testing - DES	17,728	Warrant Article 3
4332.3 · Leak Repairs	8,311	Warrant Article 3
4332.4 · Engineering	1,148	Warrant Article 3

## 2020 BUDGET HEARING

4332.5 · Equip Rental	8,865	Warrant Article 3
4332.6 · Telemetry	8,865	Warrant Article 3
4332.7 · Misc. Projects	1,435	Warrant Article 3
4332.8 · Subscriptions/ Dues	73,153	Warrant Article 3
4332.9 · Water System Electricity	9,186	Warrant Article 3
4335.1 · Water Treatment Chemicals	220,651	
Total 4300 · WATER DIST & TREATMENT		
GROWTH & NEW		
Water Elements		
4909.1 Water Line Upgrade		
4909.2 New Wells	90,000	Warrant Article 3
Total Water Elements	90,000.00	
CAPITAL PRESERVATION		
4909.3. Water Elements		
Equipment, Backhoe, 2008	20,000	Warrant Article 5
types, domestic water, capital repairs/pump stations	50,000	Warrant Article 3
New Storage Tank liner at Ski Bowl	0	
New Storage Tank at Sunset/Weetamoo engineering	0	
	70,000	
sub-total		
Total Expenses	380,651	

## Non-Lapsing Recreational Projects

Item	12/31/2021	Cost	Expense as of 12/31/19	Balance
Computer Equipment		9,459.00	2,579.00	6,880.00
Exercise Equipment - Phase Replacement		15,000.00	15,998.82	0.00
Mahogany Fence		5,000.00	11,300.00	0.00
Men's Locker-room Showers		8,000.00	35.00	7,965.00
Ladies Locker-room Floor		16,000.00	11.00	15,989.00
Rec Center Interior Renovations		10,000.00	2,078.64	7,921.36
Septic System Pump Replacement		15,455.00	2,300.00	13,155.00
HVAC		10,000.00	6,763.11	3,236.89
Rec Center Roof		20,000.00	19,003.00	997.00
Security System Rec Center		10,000.00	741.00	9,259.00
Tennis/ Pickle Ball Court		50,000.00	3,568.86	46,431.14
Exterior Painting Rec Center		15,000.00	6,576.45	8,423.55
ADA		3,000.00	43.00	2,957.00
Total		186,914.00	70,997.88	123,214.94

## WATERVILLE ESTATES VILLAGE DISTRICT

### February 12, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Harry Bertino, Al Zulli

Called to order: Mr. Marks at 3:06 PM.

Review and approval of Meeting Minutes: Mr. Marks and Mr. Griffiths noted required corrections. For the January 31, 2020 meeting minutes. Mr. Bertino suggested that his video could be reviewed to ensure accuracy. Minutes will be corrected for review for the next meeting.

#### **Treasurer's Report:**

**General:** Ms. Waters spent time last week reviewing bill processing and providing oversight. She stated that the staff is doing a good job. Ms. Waters can sign all accounts but one and is working that one out. Ms. Waters is developing some procedures for who can sign checks and other processes. She will submit them to the commissioners for review after the budget process is completed. She is working on a new method of providing a treasurer's report that is more informative than simply presenting bank account balances. She is considering office hours so people can have a time and place to ask questions and express concerns. Ms. Kinney said the staff is excited to work with Ms. Waters. Mr. Marks said it would be a great idea to provide office hours and be able to address concerns. Mr. Griffiths said that once the office hours are decided, they should be posted on the web site.

#### **Manager's Report:**

**Ski Bowl Pump House Electrical Work:** Mr. C. Smith stated 90% complete, probably another week for final completion.

**Water System Master Plan:** Mr. C. Smith has received a few inquiries. DES portal is down so engineers may have to come to our building to review documents. Water system mapping is ongoing.

**PFOA:** Mr. C. Smith stated that 400 out of 1500 towns in New Hampshire have tested for PFOA's. There is a Senate committee putting an article forward to allow DES to require the testing. There is also a bill to help communities with costs of dealing with PFOA. Lincoln tested and found none in any of their three water sources. Mr. Griffiths had an expert contact who said charcoal filtrations or reverse osmosis would be required to remove PFOAs.

**Staff Update:** With Ms. Chamberlain gone, other employees are picking up the slack. Mr. C. Smith commended Ms. Chamberlain on the way she exited her employment.

**Tax Rate Analysis:** Mr. C. Smith has been reviewing and collating old tax studies. He has asked Marty Humphrey to help.

**Detailed Financial Analysis:** Mr. C. Smith is working on the spreadsheet that covers income versus expense for all village departments. Mr. M. Smith volunteered to do some work on separating the roads and water department into separate tabs so that each can be evaluated separately.

#### **Budget Hearing:**

**Warrant Article 2:** The discrepancy between the dollar value presented at the January 18 and January 31 meetings was the result of a formula error in excel and the \$1,252,667 is the correct number.

**Warrant Article 5:** DRA has said that we only need to appropriate the \$20,000 annual cost and then each subsequent year include the \$20,000 in the budget though year five.

**General:** Mr. Bertino asked about page 8 item 3 “4319.1 Consulting”. Discussion took place regarding its purpose. Essentially, it’s a contingency that will go to the unreserved fund balance if unspent but can be reallocated to any other valid appropriated purpose.

#### **New Business:**

**Candidates Night:** Mr. Tole, pointed out that we have a WEA BOD candidates night and should probably do the same for the village district. It is proposed to have a village district candidates March 7<sup>th</sup> at 6:30 PM at the Ski Lodge. Mr. Tole suggested using constant contact to let people know about the event and provide candidate resumes.

**Moderator:** Mr. C. Smith stated that Samantha Ciaston resigned from the WEA BOD and Moderator position in the same letter (see attached). Mr. M Smith stated that the resignation from the moderator position was never stated in the public record. Mr. C. Smith said that Jack Letvinchuk should be appointed. Ms. Ciaston resigned effective 11/2020. Mr. Griffiths stated he would see if Mr. Letvinchuk would serve as moderator. Discussion took place about whether the commissioners had the power to appoint a replacement.

**Pemi Baker Community Health Fundraiser:** Marty Humphrey has asked to use the Recreation Center for a fundraising event. Discussion took place around how much to charge. The commissioners recommended no charge for the room and member prices for food and beverages.

**Adaptive Skier:** Mr. Marks stated that Mr. C. Smith was contacted by a blind skier who wanted to use the Campton Mountain Ski Area. Discussion took place around how much to charge. Mr. Tole motion to provide two season passes, Mr. Griffiths seconded, passed unanimously. Mr. Marks suggested that we should develop an adaptive sports program at the ski area.

**Greater Community Access to Ski Area:** Mr. Tole asked what we could do to make the mountain more accessible to the public. Discussion took place.

**Revolving Recreation Fund and Recreation Management Agreement:** Mr. M. Smith stated that setting fees and charges was the purview of the commissioners. Mr. C Smith stated the warrant article from 2006 which created the revolving recreation fund stated “in consultation with association”.

**Petitioned Warrant Articles:** Mr. Griffiths reported that the articles have been submitted to DRA and DRA has responding advising the village to send them to their legal counsel. Ms. Kinney stated she has forwarded as recommended. Mr. Griffiths suggested that we notify taxpayers via constant contact and post them on the website.

#### **Old Business:**

**DES Correspondence:** Mr. Marks said the full email chain should be inserted in the record (see attached).

**Reserve Study:** Mr. C. Smith has forwarded the study to the Reserve working group.

**Old Clerk Records:** Mr. C. Smith turned over information that had been in the possession of Lloyd Wiley to Mr. Tole. Mr. Tole separated out the legal documents, which are not part of the public record, and turned the remainder over to Mr. M. Smith as each clerk must pass on all documents to the next clerk when a new clerk is elected.

**Set next meeting:** TBD.

**Adjournment:** Mr. Griffiths motioned to adjourn the meeting, Mr. Tole seconded, and the motion passed unanimously at 4:34 PM.

October 23, 2019

Board of Directors WEA  
Commissioners of WEVD  
Corey Smith Manager

My fellow Board Members & Commissioners & Corey Smith,

It is with regret that I am writing to inform you of my decision to resign my position(s) on the Board of Directors as Treasurer of WEA and as Moderator of the Village District, this is effective November 7<sup>th</sup>, 2019.

My other commitments have become too great for me to be able to fulfill the requirements of my position(s) on the Board and Commission, and I feel it is best for me to make room for someone with the time and energy to devote to the job.

It has been a pleasure being a part of the Board (18yrs.) and Commission (12yrs). I am so proud of all we have accomplished and I have no doubt for your success in the future.

If I can be of any assistance during the transition, please don't hesitate to ask.

Sincerely,



Samantha T. Ciaston





Matt Smith &lt;mattsmith847@gmail.com&gt;

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**Fwd: Chlorinated Water for Snow-making - Waterville Estates**

2 messages

**Corey Smith** <corey@waterville-estates.com>

Mon, Feb 3, 2020 at 12:40 PM

To: ANDREW GRIFFITHS &lt;asg@oneoceanltd.com&gt;, Art Marks &lt;awmarks7@gmail.com&gt;, Sean Tole &lt;sptole@gmail.com&gt;, Matt Smith &lt;mattsmith847@gmail.com&gt;, Judy Kinney &lt;wea.judy@waterville-estates.com&gt;

See correspondence below in which Department of Environmental Services (DES) engineer Cynthia Klevens states that she feels no permitting to use the water for snowmaking is required. She has c.c.'d Steve Roy, who is the head of the DES. If I hear any more I will pass it along. Judy, please include this correspondence in the next meeting agenda and packet..

Corey Smith  
General Manager  
Waterville Estates  
562 Winterbrook Road  
Campton, NH 03223  
PH: 603-726-3082 / FX: 603-726-8611

----- Forwarded message -----

From: **Klebens, Cynthia** <Cynthia.Klebens@des.nh.gov>

Date: Mon, Feb 3, 2020 at 10:00 AM

Subject: Chlorinated Water for Snow-making - Waterville Estates

To: Roy, Stephen J. &lt;Stephen.Roy@des.nh.gov&gt;, corey@waterville-estates.com &lt;corey@waterville-estates.com&gt;

Cc: Suozzo, Randal &lt;Randal.Suozzo@des.nh.gov&gt;

Hi Corey, the water volume is captured in your water use reporting so that is already permitted. I've added Steve Roy for his comments also both on the withdrawal and the discharge to the ground. Thanks, Cindy

**From:** Corey Smith <corey@waterville-estates.com>**Sent:** Friday, January 31, 2020 4:49 PM**To:** Klebens, Cynthia <Cynthia.Klebens@des.nh.gov>**Subject:** Chlorinated Water for Snow-making

Hello Cynthia,

If my memory serves me correctly, snowmaking with community water does not require a permit. Is this correct?

Corey Smith

General Manager  
Waterville Estates  
562 Winterbrook Road  
Campton, NH 03223  
PH: 603-726-3082 / FX: 603-726-8611

---

**Corey Smith** <corey@waterville-estates.com>

Mon, Feb 3, 2020 at 12:43 PM

To: Art Marks <awmarks7@gmail.com>, ANDREW GRIFFITHS <asg@oneoceanltd.com>, Sean Tole <sptole@gmail.com>, Matt Smith <mattsmith847@gmail.com>, Judy Kinney <wea.judy@waterville-estates.com>

Steve Roy, being the final authority at the DES has weighed in similarly.

Corey Smith  
General Manager  
Waterville Estates  
562 Winterbrook Road  
Campton, NH 03223  
PH: 603-726-3082 / FX: 603-726-8611

----- Forwarded message -----

From: **Roy, Stephen J.** <[Stephen.Roy@des.nh.gov](mailto:Stephen.Roy@des.nh.gov)>  
Date: Mon, Feb 3, 2020 at 12:44 PM  
Subject: Re: Chlorinated Water for Snow-making - Waterville Estates  
To: Klevens, Cynthia <[Cynthia.Klezens@des.nh.gov](mailto:Cynthia.Klezens@des.nh.gov)>, [corey@waterville-estates.com](mailto:corey@waterville-estates.com) <[corey@waterville-estates.com](mailto:corey@waterville-estates.com)>  
Cc: Suozzo, Randal <[Randal.Suozzo@des.nh.gov](mailto:Randal.Suozzo@des.nh.gov)>, Locker, Mitch <[Mitchell.Locker@des.nh.gov](mailto:Mitchell.Locker@des.nh.gov)>

Corey, generally we discourage the use of drinking water for snowmaking, particularly if its chlorinated, but have given the nod to the WE before because its minimal volumes. Steve

---

From: Klevens, Cynthia  
Sent: Monday, February 3, 2020 10:00:39 AM  
To: Roy, Stephen J.; '[corey@waterville-estates.com](mailto:corey@waterville-estates.com)'  
Cc: Suozzo, Randal  
Subject: Chlorinated Water for Snow-making - Waterville Estates

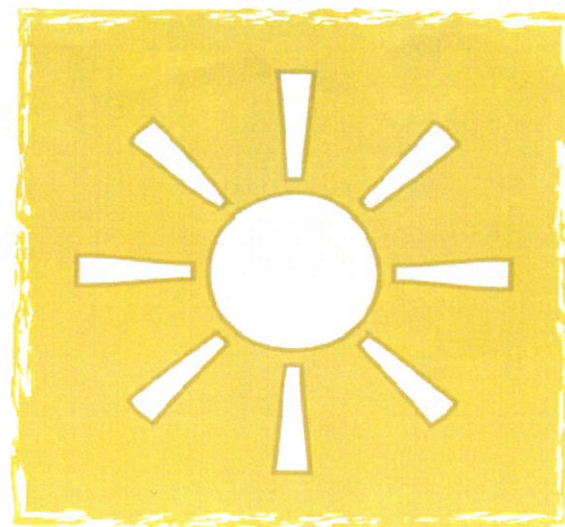
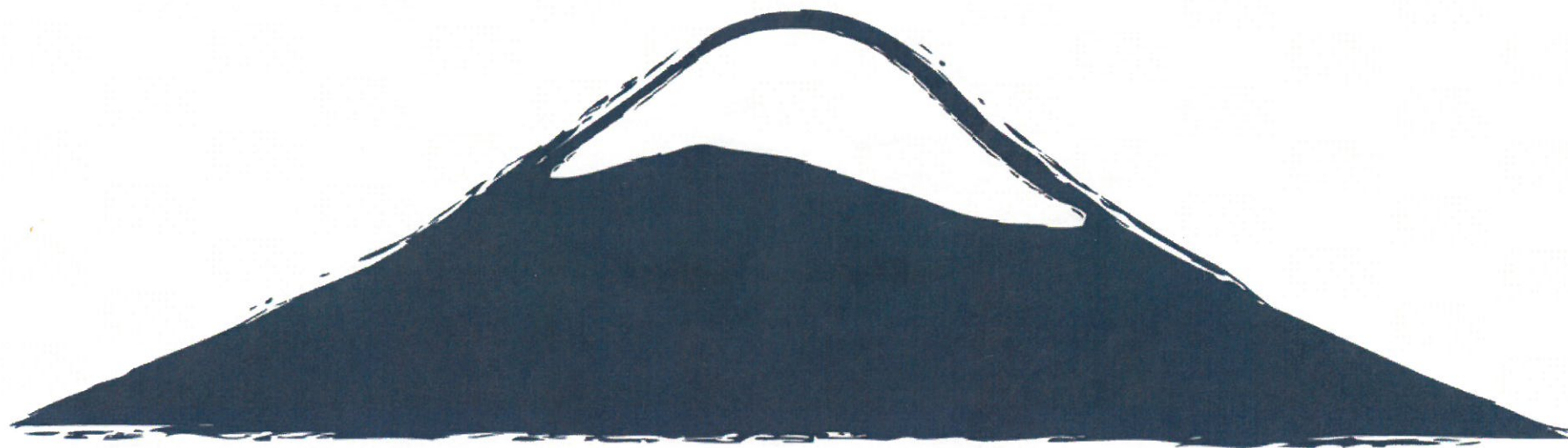
Hi Corey, the water volume is captured in your water use reporting so that is already permitted. I've added Steve Roy for his comments also both on the withdrawal and the discharge to the ground. Thanks, Cindy

From: Corey Smith <[corey@waterville-estates.com](mailto:corey@waterville-estates.com)>  
Sent: Friday, January 31, 2020 4:49 PM  
To: Klevens, Cynthia <[Cynthia.Klezens@des.nh.gov](mailto:Cynthia.Klezens@des.nh.gov)>  
Subject: Chlorinated Water for Snow-making

Hello Cynthia,

If my memory serves me correctly, snowmaking with community water does not require a permit. Is this correct?

Corey Smith  
General Manager  
Waterville Estates  
562 Winterbrook Road  
Campton, NH 03223  
PH: 603-726-3082 / FX: 603-726-8611



**WATERVILLE ESTATES**

WATERVILLE ESTATES VILLAGE DISTRICT COMMISSIONERS  
BUDGET HEARING #2  
FEBRUARY 12, 2020  
AGENDA

- I. Meeting called to order at 3 PM
- II. Review, corrections and acceptance of January 31 meeting minutes
- III. Treasure's update
- IV. Manager's Report
- V. Budget hearing
- VI. New Business
  - I. Candidates Night
  - II. Pemi Baker Community Health fundraiser
- VII. Old Business
  - I. DES Correspondence
  - II. Reserve Study
- VIII. Next meeting date & time - Annual Meeting March 21 @ 10 AM
- IX. Adjournment

# WATERVILLE ESTATES VILLAGE DISTRICT

## JANUARY 31, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Harry Bertino, Libby Griffiths, Mike Hering, Chris Fagas, Anthony Patty, John Herlihy, David Spinney

Called to order: Mr. Marks at 3:00 PM.

Review and approval of Meeting Minutes: Mr. Griffiths made a motion to accept the meeting minutes of January 18, 2020 with no amendments, Mr. Tole seconded, motion passed unanimously.

### **Clerk's Report:**

**RSA's:** Mr. Marks asked Mr. Bertino and Mr. M. Smith for input on concerns so that he could present them to the village district attorney for review.

### **Manager's Report:**

**Tax Rate Analysis:** Mr. M. Smith suggested that the increase in the cost of taxes has exceeded inflation by a factor of 2-3. Mr. C. Smith stated that individual owner tax bills had not. Mr. Marks recommended we form a sub-committee.

### **Warrants:**

**Warrant Article 2 Revised:** From One Million Three Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and no cents (\$1,347,272) to One Million Three Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and no cents (\$1,252,667). Mr. C. Smith will get with Ms. Kinney to figure out why the number changed.

**Warrant Article 3 Revised:** From Three Hundred Eighty Thousand Six Hundred Fifty-One Dollars (\$380,651) to Three Hundred Eighty Thousand Six Hundred Fifty-One Dollars (\$360,651). The \$20,000 difference is the backhoe was pulled out of the water department article and placed in its own warrant.

**Warrant Article 4 Discussed:** Mr. Tole recommended we shop around for the plow truck.

**Warrant Article 5 Discussed:** Mr. C. Smith indicated if we get the backhoe early, we'd be renting it. He also advised the commissioners that 0% financing was no longer available and the financing rate would be 3.1%.



# WATERVILLE ESTATES VILLAGE DISTRICT

## JANUARY 31, 2020 MEETING MINUTES

### **Budget Hearing:**

**New Wells:** Mr. Spinney asked about the budget line item of \$90,000 for new wells and whether that money had been set aside. Mr. C. Smith stated that it has technically not been, but unspent tax revenue rolls into the unreserved fund balance at the end of the year. Mr. Spinney and Mr. C. Smith estimated that \$360,000 to \$450,000 had been collected against this budget line item to date. The current estimated unreserved fund balance for 2020 is approximately \$859,000. We are required to hold a reserve of \$574,000 to cover operating costs of the village while we wait for taxes to be collected and turned over from Campton and Thornton. That leaves \$285,000. With \$123,214.94 reserved for 2019 Warrant Article 3, it leaves \$161,785.06 available for new wells.

**ADA:** Mr. Bertino asked if there were any plans in 2020 or beyond to bring the recreation center into compliance with ADA requirements. Mr. Marks suggested that ADA does not apply to the recreation center based on research Lloyd Wiley had done. Mr. Bertino asked about the ADA line item on the last page of the budget. Ms. Kinney pointed out that it was from the 2019 non-lapsing warrant article 3 which does not lapse until the end of 2021.

**General:** There will be another budget hearing.

### **New Business:**

**RFP/RFQ for Water System:** Mr. Griffiths asked which commissioner would take ownership of seeking bids from qualified firms. Mr. Tole said he would take ownership if Mr. C. Smith would help. Mr. C. Smith already has the proposals ready to go out in the mail.

### **Old Business:**

**Ski Area Water Use:** Mr. M. Smith asked that we get something from DES in writing. Mr. C Smith said he would.

**Ski Bowl Pump House:** Mr. Griffiths stated that the 800-amp panel is being dropped to a 400-amp panel. Mr. Griffiths provided an update on the sequence of events leading up to our current plans. Mr. M. Smith asked for clarification of discoveries made at the most recent meeting that Ned attended. Mr. Griffiths acknowledged that an issue with the designed electrical panel had been discovered and addressed, but said there were no other new issues discovered. Mr. Griffiths reported that Mr. Mike Soucy, head electrical inspector for the state, said our current plans are fine. Mr. Griffiths states that the commissioners support Lee Carroll and Dave Costa. Mr. Marks said for liability reasons he would not include Ned's correspondence in the meeting minutes because he was concerned it contained slander and defamation of the electrical contractor and engineer, but would keep it in the public record as correspondence. Mr. M. Smith suggested that Ned's comments did not rise to a level of defamation that would be actionable. Mr. Bertino pointed out that Ned offered his help at the 12/6/19 WEVD meeting and the commissioners accepted.

## WATERVILLE ESTATES VILLAGE DISTRICT JANUARY 31, 2020 MEETING MINUTES

**New Treasurer:** Ms. Waters reported that she had signed a letter of intent with the auditors for our 2019 audit and would work closely with them. Ms. Waters met with Judy, Corey and other WEVD staff and started the process of getting up to speed. Ms. Waters will meet with Judy next week regarding the budget and that she is still in information gathering phase. Mr. Marks asked for a recommendation for deputy treasurer so checks can get signed in Ms. Waters absence. Ms. Waters stated she would consider a deputy after the Annual meeting once she has had a chance to better understand the processes. Mr. C. Smith asked that Ms. Waters get the auditors to drop an unnecessary reporting requirement regarding retired employees when the district has none.

**Set next meeting:** Wednesday, February 12th, 2020, 3:00 PM.

**Adjournment:** Mr. Griffiths motioned to adjourn the meeting, Mr. Tole seconded, and the motion passed unanimously at 4:43 PM.

## BUDGET HEARING 2

### Warrant Article 2

To see if the Village District will vote to raise and appropriate the sum of One Million Two Hundred Fifty-Two Thousand Six Hundred Sixty-Seven Dollars and no cents (\$1,252,667) for general municipal operations with an off set of Eighty-Four Thousand Six Hundred Ninety-Four Dollars (\$ 84,694) from unassigned fund balance. This article does not include appropriations contained in special or individual articles addressed separately. Commission recommended

See page 6 - 11

### Warrant Article 3

To see if the Village District will vote to raise and appropriate the sum of Three Hundred Sixty Thousand Six Hundred Fifty-One Dollars (\$360,651) for the interdepartmental water department operations. With an off set of One Hundred Three Thousand Two Hundred Dollars (\$103,200) from water fee. Commission recommended

See page 12-13

### Special Warrant Article 4

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for the purpose of purchasing a new maintenance/Plow truck. Commissioner recommended

See page 14

### Special Warrant Article 5

To see if the Village District will vote to authorize the Commissioners to enter into a lease purchase agreement, with a non-appropriation clause, for the purchase of a new backhoe, for the total amount of One Hundred Thousand Dollars (\$100,000), and to raise and appropriate the sum of Twenty Thousand (\$20,000) for the first year installment payment. Majority voted; Commissioner recommended

See page 14

## BUDGET HEARING 2

### WARRANT ARTICLE 2

4130.2 · WEVD Manager	87,550
4130.3 Admin assistant	67,980
4130.4 · Retirement Contribution	17,373
4196.1 · Employee Benefits - Other deductible reimbursements	17,599
4155.1 · Social Security	9,740
4155.2 · Medicare	2,271
4196.2 · Health Insurance	33,591
4155.3 · NH Unemployment	150
4196.3 · Workers Comp Ins	22,047
4199.12 · Travel Reimbursement	142
4196.4 · Dental Ins	1,410
4130.5 · Health Reimbursement	7,474
4196.5 · Bonuses	10,107
4196.6. PR Taxes	824

## BUDGET HEARING 2

4199.11 · Cellular Phones	1,080
4199.2 · Commissioners Stipend & Expense	3,815
4150.1 · Accounting/Taxes/Audit	8,098
4153.1 · Legal / Consulting	13,510
4196.7 · Insurances	27,239
4199.3 · Telephones	1,607
4199.4 · Radios/Repeater	1,662
4199.5 Computer Services	6,096
4197.1 · Advertisements	58
4199.6 · Postage	753
4199.7. Uniforms	554
4199.8 · Bank/Finance Charge	305
4199.9 · Payroll Expenses	1,550
4199.10 · Licenses/Fees/Education	594
4199.13 Miscellaneous	19,971
4311.1. Office Supplies	4,064
4311.2. Taxes/Fees/Charges	1,435



## BUDGET HEARING 2

4312 · HIGHWAYS & STREETS	
4312.01 · Roads	38,605
4312.02 · Seasonal Plowing	16,969
4319.1 Consulting	25,400
4312.03. Contractor Plowing	17,213
4312.04. Payroll Taxes	4,284
4312.05. Health Insurance	11,123
4312.06. Dental Insurance	705
4312.07. Retirement	5,055
4312.08.Travel expense	418
4319.2 cell phone	300
4312.9 · Misc Material & Supplies	19,520
4312.10 Calcium/Magnesium Chloride	3,324
4312.11 Cold Patch	0
4312.12 · Roadside Mowing/Sweeping	8,180
4312.13 · Culvert Expense	2,297
4312.14 · Road Sand & Salt	18,837
4312.15 · Equipment Rental	4,019
4312.16 · Equipment Repair	1,435

## BUDGET HEARING 2

3315.1 · Special Paving	
4312.17 · Misc. Projects	3,444
4312.18 · Diesel Fuel	10,000
4312.19 · Plow Gears & Sanders	5,080
4312.20. Oil & Filters	574
4312.21 · Maintenance & Tune-ups	1,000
4312.22 · Osh Kosh Repairs	0
4312.23 · Truck Repairs	6,648
4312.24 · Back Hoe Repair	0
4312.25 · Body Maintenance	1,000
4312.26 · Tires	3,878
4312.27 · Shop supplies	3,000
4312.28 · Small Tools/Equipment	3,000
4312.29 · Large Equipment/Tools	1,551
4312.30 · Grader Repairs	1,000
4312.31 · Shop Electricity	3,444
3831. Generator Maint	
4312.32 · Shop Heat	3,324
4220.1 · Alarm, Fire & Water	4,593
4220.2 · Safety Supplies	2,799
4220.3 · Fire & Security	8,038

## BUDGET HEARING 2

4520 · CULTURE & RECREATION	
4520.01 · Building Wages	51,841
4520.02. Payroll Taxes	5,125
4520.03. Health Insurance	11,123
4520.04. Dental Insurance	705
4520.05. Retirement	4,122
4520.06. Travel	229
4520.10. Building Equipment Repairs	15,667
4520.11. Cell Phone	300
4520.12. ski area insurance	10,000
4520.13. SnowCat Maintenance	10,000
4520.14 · Building Infrastructure	31,026
4520.15. Employee Training	1,500
4520.16 · Pool Repair & Maint	5,339
4520.17 · Outdoor Lighting	776
4520.18 · Building Elec	60,000
4520.19 · building heat	55,000
4520.7. Ski area Repairs & Maintenance	18,850
4520.8. Kitchen Equipment Repairs	5,222
4520.9. Maintenance Supplies	3,133
CAPITAL Preservation Plan	
4312 Road Elements Paveing	120,000

## BUDGET HEARING 2

4520. Recreation Elements and Major Building	128,676
4520 Recreation Elements	8,800
4520.33 Rec Fund Contingency	61,000
<u>4520.31 Ski Area operational off-set</u>	<u>33,528</u>
Total of warrant Article 2	1,252,667
Warrant Article 2 Off set	84,694

## BUDGET HEARING 2

### Warrant Article 3

4332.1 · System Repair, Materials, Supply	80,000
4332.10 · Water System Propane	0
4332.11. Generator Maint.	5,541
4332.12 · Licenses/Fees/Education	1,607
4332.13 · Finance Charges	700
4332.14. Office Supplies	1,000
4332.15. Postage	500
4332.2 · Water Testing - DES	2,613
4332.3 · Leak Repairs	17,728
4332.4 · Engineering	8,311
4332.5 · Equip Rental	1,148
4332.6 · Telemetry	8,865
4332.7 · Misc Projects	8,865
4332.8 · Subscriptions/ Dues	1,435
4332.9 · Water System Electricity	73,153
4335.1 · Water Treatment Chemicals	9,186

## BUDGET HEARING 2

4909.2 New Wells	90,000
<u>types, domestic water, capital repairs/pump stations</u>	<u>50,000</u>
Total of Warrant Article 3	360,651
Warrant Article 3 Off set	103,200



## BUDGET HEARING 2

### **Warrant Article 4**

4902 road elements New Maintenance Truck w/plow

96,543

### **Warrant Article 5**

Equipment, Backhoe, 2008

20,000

## DES CORRESPONDENCE

**From:** Corey Smith <[corey@waterville-estates.com](mailto:corey@waterville-estates.com)>  
**Sent:** Friday, January 31, 2020 4:49 PM  
**To:** Klevens, Cynthia <[Cynthia.Klezens@des.nh.gov](mailto:Cynthia.Klezens@des.nh.gov)>  
**Subject:** Chlorinated Water for Snow-making

Hello Cynthia,

If my memory serves me correctly, snowmaking with community water does not require a permit. Is this correct?

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**Date:** Mon, Feb 3, 2020 at 10:00 AM  
**Subject:** Chlorinated Water for Snow-making - Waterville Estates  
**To:** Roy, Stephen J. <[Stephen.Roy@des.nh.gov](mailto:Stephen.Roy@des.nh.gov)>, [corey@waterville-estates.com](mailto:corey@waterville-estates.com) <[corey@waterville-estates.com](mailto:corey@waterville-estates.com)>  
**Cc:** Suozzo, Randal <[Randal.Suozzo@des.nh.gov](mailto:Randal.Suozzo@des.nh.gov)>

Hi Corey, the water volume is captured in your water use reporting so that is already permitted. I've added Steve Roy for his comments also both on the withdrawal and the discharge to the ground. Thanks, Cindy

## WATERVILLE ESTATES VILLAGE DISTRICT

### February 22, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Harry Bertino, Jim Murphy, Ned McElroy, Jack Letvinchuk, Stan Bujarlski, Mike Hering, Sue Hering, Dave Ketchum, Anthony Patti, Maureen Patti, Andrea Canfield

Called to order: Mr. Marks at 8:10 AM.

#### **Appoint and Swear in Moderator:**

Mr. Griffiths made a motion to appoint Jack Letvinchuk as moderator to replace Samantha Ciaston, Mr. Tole seconded, unanimously approved. Mr. Letvinchuk was sworn in by Mr. Tole.

#### **Petitioned Warrant Articles:**

**Warrant Article 6:** To see if the Village District will vote to establish a planning board under RSA 673:1. The commissioners voted unanimously to **NOT** recommend.

**Warrant Article 7:** To see if the Village District will vote to change the name from Waterville Estates Village District to Campton Mountain Village District. Mr. M. Smith stated that NHMA and DRA often refer to our village district as Waterville Valley Estates Village District. Mr. Hering asked if deeds might be affected. Ms. Waters said the process is more involved than people might think. Mr. Ketchum asked if Campton Mountain Village might be confused with the ski area. Mr. Bertino pointed out that most of the confusion is around the association being conflated with the village district. Mr. Letvinchuk agreed. Mr. Letvinchuk stated it would be worth the effort to prevent the association being confused with the village district. The commissioners voted unanimously to **NOT** recommend.

**Warrant Article 8:** To see if the Village District will vote to establish the treasurers' term from one year to a three-year term. The commissioners voted unanimously **TO** recommend.

**Warrant Article 9:** To see if the Village District will vote to ban the use of village district drinking water and the village district water system for snow making. Mr. Marks asked whether this meant that pond water could not be used if it was considered part of the "water system". Mr. McElroy cited well pump flows and whether we cavitate at max flow. Mr. C. Smith said that we downsized the pumps from approximately 190 GPM to 150 GPM and have not have not had cavitation issues since. Debate ensued about the definition of the water system. Mr. Ketchum and Mr. Tole observed that the ponds are part of our overall fire suppression. The commissioners voted unanimously to **NOT** recommend.

**Warrant Article 10:** To see if the Village District will vote to authorize the board of commissioners to accept gifts of real estate or any interest in real estates, after a public hearing, in the name of the village district for any valid public purpose. The authority shall be limited to undeveloped land, or any interest in such land having a fair market value of ten thousand dollars (10,000) or less and shall remain in effect until rescinded or modified by further vote of the village district. Mr. Marks asked if the current limit was \$50,000 which was confirmed. Mr. Bertino stated that the New Hampshire statutes dictate how the village district can acquire assets citing RSA 31:19, 31:95-b, and 31:95-e. Mr. M. Smith stated that 40 or 41:14a covered real property. Mr. Tole suggested that land has no cost of ownership and that in that case the warrant would be overly onerous.

**Warrant Article 10 continued:** Mr. M. Smith stated we currently have approved in perpetuity 31:95-b, 31:95-e, real estate and WEA property transfer ability. Mr. C. Smith read the warrant article from 1999. The commissioners voted unanimously **TO** recommend.

**Warrant Article 11:** To see if the Village District will vote to rescind the authority of the commissioners to accept ownership of such properties of the Waterville Estates Association as they may deem prudent. Mr. M. Smith pointed out that it does not repeal the warrant articles 31:95-b, 31:95-e, and real property cited in discussion for Warrant Article 10. Mr. Marks stated there has been no previous commissioners meeting about these petitioned articles so we should bear with their deliberation during this session. Discussion took place around whether the wording of Warrant Article 11 was specific enough. Mr. M. Smith recommended that the author propose an amendment at the annual meeting stating that it does not prevent the village district and association from transferring assets through the previously approved methods. The commissioners voted unanimously to **NOT** recommend. Mr. Tole stated that the village district attorney indicated that the commissioners can't qualify, they have to recommend or not recommend.

**Warrant Article 12:** To see if the Village District will vote to establish an official budget committee under RSA 32:14. Three members at large are to be elected, the meeting shall either elect the initial members for a one year term by means other than by official ballot, or shall authorize the moderator to appoint members to serve until the next annual meeting, as provided in RSA 669:17. Elections for staggered terms, as described in RSA 32:15 paragraph II, shall not begin until that next annual meeting, and shall be by official ballot if the municipality has adopted the official ballot system, as set forth in RSA 669. Ms. Kinney stated that the moderator can appoint or village citizens can elect from the floor. Mr. Tole confirmed. Mr. Griffiths asked who members at large could be. Mr. M. Smith stated they must be village citizens. Mr. Tole suggested that as a small district it would add a level of bureaucracy and add no other value. Mr. C. Smith stated that the budget committee would have the power to separate funds into special warrant articles that could then be defunded and the commissioners would not be able to change the budget. Mr. Bertino disagreed and cited an NHMA article from September/October 2017 article on the matter. Ms. Canfield asked if we were looking at this wrong and if a budget committee wouldn't be helpful. Mr. Tole disagreed. Mr. Bertino read from the NHMA article to support his earlier point. Mr. Berrion asked that the article be sent out via constant contact. The commissioners declined on advice from the village attorney that it constituted electioneering. The commissioners voted unanimously to **NOT** recommend.

#### **Old Business:**

**Treasurer Update:** Ms. Waters provided an update on her office hours and requests from the community. She has also continued to work with Ms. Kinney on an improved treasurer's report. Mr. Hering asked that Ms. Waters make a presentation to the WEA board. Ms. Waters updated the commissioners on the written treasurer's policy she is working on and how it will be a living document that commissioners approve and each new commissioner would have an opportunity to review and approve.

**Tax Rate Analysis:** Mr. C. Smith provided an update on the tax rate analysis. He showed a handful of properties illustrating that tax bills have gone up LESS than inflation. He indicated he would be providing an updated analysis covering the entire village.

**Candidates Night:** Discussion took place on getting candidates bio's out via constant contact.

**Web Site:** Mr. C. Smith stated that separation of the WEA and WEVD information was being reviewed.

**Adjournment:** Mr. Tole motioned to adjourn the meeting, Mr. Griffiths seconded, and the motion passed unanimously at 9:22 AM.

## **DISTRICT COMMISSIONER'S MEETING – HELD VIA ZOOM ON JUNE 9, 2020**

Present: Judy Kinney, Marna McLendon, Bill Donohue, Maureen Patti, Alissa Imbraccio, Harry Bertino, Sean, Bobbi Ketcham, Karen Waters, Claire, Chris, Terry, Kerri Antonuccio, Scott Devens, Amanda Kierce, Aaron Woods, Sue McDermott, Mark O'Hara, Claire Denton, Lori Routhier, Andy Griffiths, Corey Smith, Art, Ned, Jack Letvinchuk, Mike Hering, Amanda Kierce

Called to order at 3:22p.m. – June 9

Karen gave an update: totally unintelligible via Zoom recording

- Wants feedback on report
  - Nothing that man in conference room wants to add at this time
- COVID 19 update
- Writing some policies that will be audit driven to provide guidance in our procedures
- Water bills are coming in as our annual dues
- Office staff coming in on part time basis; making sure accounts are being entered correctly and are up to date and ready for the audit
- AUDIT
  - March 17<sup>th</sup> letter was signed with the auditors
  - Have completed questionnaires sent by the auditors
  - Judy will reach out to them within the next week
  - Because of COVID it will take awhile for audit to be scheduled/completed
- WATER BILLS (not on agenda but important to discuss)
  - \$203.60 – confusing on what this bill was for; amount plus inflation
    - Commissioner's could add inflation
    - Warrant article will be amended at next meeting
    - Lloyd confirmed this had been discussed at a past meeting
    - 2<sup>nd</sup> billing went out at \$205.00
    - Suggested to look back at minutes – uncertain if this was a "vote" by Commissioner's or if inflation could be added without a vote. \_\_\_\_\_ talked to legal who confirmed that it was at Commissioner's discretion
    - Harry's recollection is COLA was not to be added to water bills
    - Could re-bill or bring up at annual meeting
    - Karen will look into the water bills and bring it to a future meeting
    - Art felt it should be year by year decision and NOT put on bills this year
      - Could cost more to give it back – deduct it from next year (bill \$197.00)

Inquiry from Matt Smith

- Matt has talked with Corey in the past
- Corey talked with Matt but Corey could not discuss with Commission outside a scheduled meeting
- Matt would like it discussed in a public forum
- Corey cannot talk with Bart (lawyer) unless it has been discussed at a Commissioner's meeting
- Two sides of \$10,000 issue if we keep or return it
  - Return of money effects future development of other lots
  - Return sets a precedent
- Within confines of the law, we can now discuss this with legal since its been brought before the Commissioner's at this meeting

Harry Bennett: public bids for Master Plan

- Terry recommendation: post a meeting and set a date for bids. Committee will work on 5 point check list; create a list of companies to interview or recommend one company.
  - Request for qualifications can be posted at any time – coordinate with Matt (Clerk of District) ASAP
- Thank you all for an excellent job

## OLD BUSINESS

### WATER UPDATE

- Leakage: Prowler Water Conservation is working with Horizon Engineering to address leaks
  - 5 leaks found upon first detection with 50-70 gal/min– 4 have been repaired. We have 40-45 gal/min right now.
- Lakes Region Water has equipment that makes work much easier (vacuum to suck out water/mud), is not sure they can continue to assist us due to amount of work they have
- 2<sup>nd</sup> round of leak detection will happen on Friday and they will check those that have been addressed
  - 9 leaks in last 3 weeks; some obvious, Lakes Region Water addressed those we could not fix
- Horizon (Peter Goodwin) will issue a report on condition of system at the close of the detection project
- Question on Lakes Region Water providing us assistance – lack of availability due to amount of work they have. They are being upfront with their ability to provide assistance.
  - Looking for other providers
  - Cost to purchase one of the vacuums may be an option
  - We are OK on man power to address leaks; we don't have large equipment often needed
- WVE is doing more than normal for the water lines right now.
- BIG PICTURE: hiring Ray back or other contractors (for roads as well) is dependent on our bank account. We need to analyze where our "new normal" will be dependent on opening.
- E-coli – 5 months that we've been clear; in month 6, of non-chlorinated samples.. All other testing has come back clear.
- Next water line replacement needs to be Pegwood Hill. When we look to pave S turns & McLaren needs to be on the master plan.
- Hodgeman condos & unit at ski area: system has improved but problem is probably not completely gone; 1 1/4in line to the units is the problem.
  - Per Art, system is providing right amount of pressure and the issue is most likely the line into the condos
  - Per Corey – we may be given permission to work on the lines
    - We have done work on 2 of 4 lines due to other areas effected – something for the master plan
  - Worry is if we work on one condo unit, we could be required to work on lines at other condo units
  - Art felt this is a specific ability provided to the District to work on Hodgeman lines
  - Bring up Hodgeman water at the next meeting

Comment: COVID has thrown a wrench into many of the projects we had been working on.

- Sewage, septic are also Hodgeman issues that may need to be addressed in the future, but they are not items the District will deal with

### ROADS

- Roads have been swept
- Late winter required plowing roads that were partly plowed
  - One truck will need \$2,500 repairs
- Oil prices being lower may mean paving could be less expensive – getting quotes, have 2 out of 3
  - Will Association want to use capital improvement funds to pave more roads?
  - CIF in management agreement is being pulled except for Recreational capital improvement
  - CIF for roads is its own standalone discussion by the association

### VILLAGE DISTRICT and RECREATION ASSOCIATION MANAGEMENT AGREEMENT

- Covered too many items; become convoluted
- Art, Karen and Mark Canfield looked at items from the Commission side and Mike and Chris Vegas from the Association.
- AGREEMENT: Provision of Recreation Services as well as Recreation CIF (other CIF would be a dialog about those projects)
  - Problem is when an Association CIF project leads into a District project
    - District hadn't budgeted for the project



- Discussed what problems arise from being driving to do a project as opposed to being planned in advance
  - Strong, open dialog is important
- Hope is new outline will encourage more dialog between Association and District
- Association signed the agreement without comment
- **MOTION:** *Sign the Association Management Agreement – PASSED*
- Payment schedule:
  - As needed is replaced with a quarterly payment
    - Karen talked with Sarah (Association accounting)
    - Karen creating a policy for the process – who/how does request, date of transfers, etc.
  - Karen reviewed several of the policies being created around financial transactions. Once finalized, she will do a presentation to the WEA Board.
  - Corey clarified that in the absence of a “schedule” for payments, there are not 2020 bills for the money and its residing with the Association. Amt right now is \$23,000.
    - Karen defined that there is catch up that is needed. She will address it with WEA and the District so everything is transparent.

#### ANNUAL MEETING

- Jack: COVID sensitive logistics
  - Utilize tennis courts – flat, easier seating
  - Voting and non voting participants
  - Inclement weather – Summit Lounge will be used and determined 48 hours before the meeting
    - Would be difficult to accommodate everyone – can accommodate approx 85 people accounting for “couples” who don’t need the full distance between them
    - Nonvoting would not be in the lounge but in the halls, other locations
  - Paper ballots – have been prepared for Commissioner’s election as well as YES or NO voting in varying colors to be used as needed
    - Requires 3 voters to make request in writing
    - Rules will be explained at the meeting
  - Length of voting time was reviewed: 1 hr

#### TENNIS COURT

- Corey: A number of years ago, it was identified they needed to be resurfaced, but there was limited use of the courts
- Artificial surface was put in place and has recently been removed by request of the players
  - To recover cost, see if someone would want to purchase this material
    - To use in our bathrooms, would need to be removed to clean under surface
    - Can someone in the community, eg Andrea Canfield, see if there is a way to sell the material
  - We’ve had the material about 6 years
    - Depreciation would have happened over 5 years
    - Thus has no actual “value” to the Association
    - Experiment that is no longer valid
  - Cost of resurface is approx. \$50K
  - Can it be placed on basketball court
    - Not sure about how material would stand up to a plow as the court is an emergency egress in the winter
  - Mike: There would be a cost to take it to the dump. It has value (20 year product). How about plywood on it during the winter if used on the basketball court.
  - Believed to be an Association purchase

## LOGISTICS TO RE-OPENING THE CENTER

- Pools could re-open
  - 10 person limit – how do we control this
  - Any chairs used must be disinfected between uses
- District Agreement
  - Association decides what it wants to do/open or not
  - Passes info to the District
  - District replies with how many employees are needed and defines the process
    - Association comes to Commission to request opening of services
    - Fiscal responsibility for covering costs is the Association's responsibility
    - Will people come? Guess that 25% fewer will use facility due to COVID
    - There is no rainy day contingency fund. Association would go in the hole.
- Do we restrict to picture passes or also open to anyone who is using a Guest pass
  - Our employees are not paid sufficiently to police the use rules
  - If we open, just open and hope people follow the suggested guidelines without policing
  - Association needs to make this decision
- District: follow state guidelines, *we're a municipality not a private club*
  - NH beaches had crowding once open and it was hot temperature
  - Hired private police services and not asking local employees to enforce rules
- Fiscal question: What all will be open – pool, food, bar?
  - It's a lot of employees to provide services to 8 people allowed with social distancing
  - Costs for setting up with required distancing, marking floors, plastic shields, signs, etc.
  - Wiping down of furnishings after every seating
  - Hire cleaning company for nightly decontamination
- Balancing two services: pool and restaurant. Different requirements for each type of service
  - Food and beverage would be easiest to open within prescribed state guidelines
  - Association needs to realize the fiscal loss that could occur due to reduction of F&B sales
- Discussion about what businesses in NH and MA are doing. Also discussed about possibility of being sued if someone gets ill while using WVE facilities.
- Maybe we open the pond and put grills outside – shows Association we're making an effort to open some services
  - Minimal cleaning of chairs put outside
  - Work our way into opening slowly
  - Following govt guidelines with outside services (pond, courts), none inside
  - People cannot *sit* at the bar; form a line to order
- Normally open June 20<sup>th</sup> (longest day of the year)
  - This year, July 1 opening would be the best to hope for
- Mike will schedule a Zoom meeting with the Association Board
  - They have already crafted a liability waive form
  - Need to decide on who can use facilities: pass holders and/or guests
  - Govt rqmt for 14 days of quarantine for people that are from out of state
- Listen to Gov Sununu's announcement on June 14<sup>th</sup> for guidance

## PROPANE

- Locked into \$1.25/gal
- About \$0.25 cents less than other suppliers – no other fees
- Send out a letter to all residents; mention there should be no other fees

## LANDSCAPING AROUND CENTER

- Volunteers have been doing this on their own
- Scott and Andrea to coordinate a day for people to get together
- Can we have fees for littering and post signs?
  - May be a "town" ordinance we can use
  - Corey to contact Campton about Winterbrook Rd

Corey: Having issues with BOILERS that are not working.

- Current service provider has dropped us as customer after we fixed a problem on our own.
- Not many commercial repair companies
- Just warning that issues may take longer to address

QUESTIONS posted during the meeting

Can volleyball net go up? YES

All other questions during course of the meeting.

Adjourned at approx. 5:50pm

## WATERVILLE ESTATES VILLAGE DISTRICT

### June 23, 2020 EMERGENCY MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, Corey Smith, John Herlihy, Sean Tole, Karen Waters

Guests: Ned McElroy, Harry Bertino, James Murphy, Anthony Patti, Maureen Patti, David Spinney

Called to order: Mr. Griffiths, 8:02 AM.

#### **Purpose:**

Mr. Griffiths stated that the emergency meeting was called to discuss the decision of the Waterville Estates Association Board of Directors decision to not open the pools after teasing pool opening on social media. He indicated we wanted to discuss what implications it might hold for the village district and what, if anything, the village district could do. Mr. Herlihy asked why we were having a public meeting without proper notification. Mr. Tole stated that because we've had a communication go out to our resident members about a soft opening and the WEA BOD made a decision late yesterday to not open he wanted to be respectful of people wishes and wants a consistent message going forward versus confusion about opening or not. Mr. Herlihy stated we could have had the meeting tomorrow. Mr. Griffiths stated that we have a right to an emergency meeting, but that it just had to be posted. Mr. C. Smith stated that he'd never been to an emergency meeting before but he believed it was warranted when immediate action was required. He stated he did not know it was part of the consideration to hold the meeting, but the immediate action required was to place a food order which had to happen by noon today to be ready for an opening were it to occur. Discussion continued on whether there was a valid emergency.

#### **Discussion:**

**WEA BOD:** Mr. Griffiths indicated he had investigated liability in March or April. He indicated that the WEA BOD knew then that they did not have the required clause to protect them from liability. He stated he could not understand why soft opening was pursued if this was the issue all along. He indicated that at first it was BOD members personal wealth liability that was the issue but now it came down to WEA liability. He stated that he had been expressing a sense of urgency to the WEA BOD to make a decision. Mr. C. Smith stated that both concerns were valid but the key concern was the association itself (WEA). If there were a problem the liability claims could very well end the association (WEA). Mr. M. Smith asked for clarification on whether there were two insurance policies for WEA, one for the BOD and one for the corporation. Mr. C. Smith stated there were and both excluded pandemics. Ms. Waters asked if there was a BOD meeting that wasn't a public meeting and what was the reason for them not moving forward. Mr. Griffiths stated he does not know the rules of the BOD as he does the rules that governs the meetings of the Board of Commissioners. There was discussion around whether the decision was to protect the BOD or the association (WEA). Mr. C. Smith said this is what he means by a lack of collaboration being problematic. He said everyone present was depending on one person, himself, to relay the intent of the WEA BOD. Mr. Griffiths to exception to the notion that the village district has not been collaborative. Discussion continued. Mr. Griffiths indicated he was not invited to the WEA BOD Zoom meeting where the decision to not open was made. Mr. C. Smith said he felt the risk to the association was the overriding factor in the decision of the WEA BOD.

**Recreation Management Agreement payments from WEA:** Mr. M. Smith asked how much funds have been paid to the village district to date from the association for rental fees and management fees. There was a lot of discussion and a review of the numbers eventually indicating we had received about \$24,000 of the \$100,000 dues for management fees and \$61,000 of the around \$290,000 for rental fees. Ms. Kinney indicated that it used to be paid over as needed, but per the new agreement was paid quarterly. Mr. C. Smith

clarified that the quarterly payments went into effect when the new agreement was signed but up until that point it was paid as needed. Mr. Tole stated that the new agreement was for services rendered and if we are not providing services, it will be hard to collect any money from them (WEA BOD). Mr. Tole stated we needed to consider whether we had the funds to open in some fashion, one or two pools, food and beverage, or because of the agreement was it just not incumbent upon us to open.

**Pros and Cons of opening:** Mr. M. Smith pointed out that if we open, WEA is not incentivized to open and in fact, since the revenue from food and beverage sales go into the recreation revolving fund, would still be rewarded with fund growth by not opening and that fund growth would be paid for by taxes. Mr. Griffiths stated it was a discussion of what we legally can do. Mr. Tole asked what we could afford to do as some monies had already come in. Discussion continued.

**Methods of opening:** Mr. Bertino pointed out that a revolving recreation fund allowed us to provide recreation for a fee so we could fund the opening with fees instead of taxes. Mr. Bertino stated he felt the association (WEA) needs its own manager so Mr. C. Smith was not always left in the position of having to represent two parties. Mr. C. Smith clarified that food and beverage sales don't go into a WEA account it goes into the district rec fund, owned and administered by the district. Mr. C. Smith and Mr. M. Smith had a discussion of who benefits by tax dollars being used to generate income for the rec fund. Mr. M. Smith contends that the public record indicates that the WEA BOD is the official or advisory, both have been stated, that authorizes disbursements from the rec fund such that they would benefit by this process without doing any of the work. Mr. M. Smith supported Mr. Bertino's proposal for using fees to fund the opening. Discussion continued around what WEA BOD has paid to date and whether they are obligated to pay if they have not had use of the facilities. Mr. Tole stated that he would like to open the outdoor pools for our residents. Mr. Griffiths asked if we should use the fee model proposed by Mr. Bertino. Mr. Tole indicated he would be worried about the blowback from that. Mr. Herlihy expressed support for the fee model. Mr. C. Smith asked if the commissioners had the power to set fees without a vote. Mr. M. Smith cited the warrant article from 2006 that created the rec fund and how it could be financed and indicated that the commissioners had the power to set fees. Discussion took place around who would be granted access if we did open. Discussion took place around the complications of opening with stricter state guidelines and the associated higher costs. Discussion took place around what occupancy rate could be accommodated while maintaining the 6' rule in and out of the pools. Much discussion took place around other logistical issues relating to opening. The details around how the rec fund is used came up again. Mr. Herlihy said we needed details budgets for proposed activities. Mr. Tol stated that per the new rec management agreement any funds left over at the end of the year go back to the WEA BOD as a credit. Mr. M. Smith stated that the WEA BOD has underfunded the recreation fund for years. He cited audits and actual village budgets showing \$500,000 of tax money, most likely improperly, going into the rec fund and pointed out that the management fee has been \$100,000 since 2006 meaning there has been no adjustment for inflation. He stated that the commissioners just needed to have the association increase dues next year or cut funding as people like Lloy had been requesting consistently. Mr. C. Smith discussed the voters will to provide \$90,000 to the rec fund. Mr. M. Smith indicated that per the village district attorney, it was not legal for tax money to go into the rec fund. He pointed out that the statute covering rec funds establishes two funding mechanisms, taxes and fees & charges. In 2006, we specifically passed only the fees and charges part of the funding mechanism. So to put taxes in the rec fund would require a warrant article to be proposed and passed. Mr. Griffiths stated that we need to bring this up again and that we could not make a determination today. Mr. Bertino stated that he did not believe the rec fund surplus can be given as a credit to WEA BOD next year. He felt the legality of that part of contract should be reviewed. More discussion occurred around logistics. Mr. Griffiths stated that today's discussion was about opening for the weekend and the village meeting for this coming Saturday would take up opening beyond that point. Mr. Herlihy asked Mr. C. Smith to come up with a budget for opening that could be discussed at the next meeting. Mr. Tole asked that no one post these discussions on Facebook before

the WEA BOD has an opportunity to respond. A discussion took place about the association collectinbg dues before determining a recreation service plan and if that made people upset, that was on the WEA BOD. Mr. Griffiths observed that they are underfunded every year and have to come to the commissioners for assistance. He stated they felt they can't get a dues increase passed. Mr. Herlihy expressed concerns about opening for July 4<sup>th</sup> weekend and the reality that not everyone would be able to get in. Mr. C. Smith estimated a cost of \$750 per day to open. Mr. Griffiths said we should round it up to \$1000. Mr. Herlihy stated \$10 a head would cover us. Mr. Tole stated that as a tax payer and a dies paying member, it rubs him the wrong way to be discussing an additional fee. Mr. Spinney asked why charge at all. He apologized for getting in late and was brought up to speed on limitations. He was advised that to spend money, it has to come from a legitimate line item in the budget. Mr. C. Smith said you might be able to use the building wages line item to at least fund the staff required to open the pools. Mr. C. Smith indicated we already had some food here, had food ordered and had food coming and he was putting in final orders today so there's already some loss here. He stated he was told to go ahead as we were opening. Mr. Herlihy asked if it could be frozen. The Board of Commissioners determined that it was too early to open this weekend as there were too many questions that need to be answered.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 9:13 AM.



## WATERVILLE ESTATES VILLAGE DISTRICT

### June 27, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, Corey Smith, John Herlihy, Sean Tole

Guests: Ned McElroy, Scott Royley, Cheryl Smith, James Murphy, Anthony Patti, Maureen Patti, Denise Bujarlski, Stan Bujarlski, Jack Letvinchuk, Terry Bennett, Frank Marshall, Bob Ryder, Al Zulli, Harry Bertino, Libby Griffiths

Called to order: Mr. Griffiths, 8:03 AM.

#### **Election of Commission Chair:**

Mr. Tole made a motion to elect Mr. Griffiths as Chair of the Board of Commissioners, Mr. Herlihy seconded the motion and Mr. Griffiths was unanimously elected.

#### **Meeting Goals / Structure:**

Mr. Griffiths indicated he would ensure that the meetings were efficient and effective. He would try to limit the meetings to 60 minutes with a hard cap of 90 minutes. The job of the commissioners is get the village's business done. He hopes to have the Board of Commissioners (WEVD BOC) meet twice a month with an eye towards 8:00 am on the first and third Saturday's of the month. Mr. Tole suggested that the meeting could go back to monthly if possible.

#### **WEA BOD Update:**

Mr. Griffiths stated he would like to have a Waterville Estates Association Board of Directors (WEA BOD) member present at each meeting and if not that they provide an update. He indicated that one of the commissioners or Ms. Waters would provide the same courtesy at WEA BOD meetings. He said we (WEVD and WEA) are two entities but we have the same goals and it's important that we work in some collaborative fashion.

#### **Treasurer's Report:**

Mr. Griffiths indicated that the treasurer's report would no longer be a statement of account balances but rather report on the month's activities. He stated there was no change from the May treasurer's report. Ms. Waters is working on auditing some line items. The commissioners have worked on it with the village attorney from a legal perspective and Ms. Waters is reviewing it from an accounting perspective. **Ms. Waters will provide more detail at the next meeting.**

#### **Approval of Meeting Minutes:**

Mr. Griffiths indicated that because the annual meeting had not concluded, the commissioners would hold off approving meeting minutes until the annual meeting has been adjourned. Mr. M. Smith asked where the zoom meeting minutes were. There were discussions of the audio problems at the zoom meeting. Mr. Griffiths indicated that a recording of the meeting was posted on the website and would be transcribed for the next meeting. Mr. C. Smith noted that the water master plan bid opening meeting minutes were in the meeting handout.

#### **Completion of Annual Meeting:**

Mr. Griffiths indicated that the annual meeting would resume at 8:30 on Saturday July 11<sup>th</sup>, 2020 on the tennis courts or in the summit lounge if weather prevented an outdoor meeting. He stated we are waiting to hear back from one of the supervisors of the checklist. Mr. Griffiths stated that the meeting was still open so that it was important that everyone that wanted to come to the last one should be at this meeting.

### **WEVD Opening Amenities:**

Mr. Griffiths discussed the details around the need for the Emergency Meeting on June 23rd. Mr. Griffiths stated that Mr. Tole asked if there was a way that we (WEVD) could open. Mr. Tole explained why he felt an emergency meeting was required citing WEA BOD communication about opening, the sudden decision to close, the fact that people may have been making plans, and respect for Ms. Kinney's and Mr. C. Smith's time. Mr. Griffiths added that if we're going to open we had to have a food order in that afternoon. Mr. Herlihy stated for the record that he had objected to having an emergency meeting without proper notice. Mr. Griffiths updated on plans for opening should the WEVD choose to do so including budget preparation and ensuring coverage with Primex (our liability insurer). Mr. Herlihy asked about a clause in the policy citing monetary limits of coverage. Mr. C. Smith indicated correspondence from Primex indicating \$5 million per incident with no limit on coverage for additional incidents. Mr. Herlihy expressed concern that an email didn't make a binding contract. Discussion took place around the possibility that WEVD could provide the necessary coverage WEA needed through the recreation management agreement. **Mr. Griffiths asked Mr. Tole to spearhead an investigation of that possibility and expressed hope that the WEA BOD would give it serious consideration.** Mr. Griffiths discussed how we might finance an opening and stated we had line items for ski and recreation, but we couldn't put tax money in the recreation revolving fund, that would be illegal, but we can pay bills directly from that line item. We verified that with our attorney and our accountant and Ms. Waters will talk more about that at the next meeting. There was discussion about how long those funds could last, whether we could do food and beverage service and whether we could charge a fee. Mr. Marks provided an update on current action by the WEA BOD including consulting with WEA's attorney. Mr. Griffiths stated that we would skip over the remaining "opening" agenda items but would keep it on the agenda pending further developments. Mr. C. Smith clarified that the WEA BOD's coverage under WEVD's insurance plan would be limited to less than what the Commissioners had and therefore the WEA BOD would have to deliberate before agreeing to open. **Mr. Tole indicated he would liaise with Mr. Fagas of the WEA BOD to attempt to resolve.**

### **General Manager Update:**

Mr. Griffiths indicated we have been shut down for three months. We kept four employees, Corey, Judy, Shawn, and Steve, and worked on roads and water. Mr. C. Smith indicated the first three weeks employees were not allowed to come to the facility. He indicated they worked on water system problems including a pump failure, telemetry issues, pressure issues and clogged pressure regulators. Worked on water system leaks with our contractor LRW. Mr. C. Smith provided updates on pool gunite and tile repairs. Ms. Kinney paid bills and maintained correspondence. We are waiting on quotes for the back roof and a touch free front door. **Mr. Tole asked if we could look into what the Covered Bridge Restaurant is using.** A spray on treatment that lasts 30-90 days. Mr. Griffiths pointed out that even though the state gave us permission to open there are very restrictive guidelines and procedures we must comply with and we can't have people having to act as police citing that the six foot rule would apply to people in the pool. Essentially, it's not just liability that is making the decision to open difficult but also logistics. Mr. Marks observed we are not making money from dues by being closed, because we are losing food and beverage revenue. Mr. Griffiths observed that our costs will be up compared to pre-quarantine because of increased costs of compliance.

Mr. C. Smith discussed HVAC upgrades and that Mr. M. Smith has agreed to help. Mr. M. Smith stated he needed to know if the buildings are public or private as it affects equipment selection if new equipment is needed at all. Mr. Griffiths stated that's why we need the lease. Mr. C. Smith stated that the lease is under review. Mr. C. Smith stated

that paving quotes had been received and that he and Mr. Griffiths selected the low bidder. The bid was below budget so we are looking at adding some paving projects to spend the budgeted amount. Mr. Tole asked whether we had experience with all three. Mr. C. Smith indicated we had. Discussion took place about which roads need it. Mr. Griffiths asked if Mr. Herlihy would be willing to work on a road master plan and to work with the town. He indicated he would be happy to do so. Mr. C. Smith indicated he kept Lloyd Wiley involved in the process even though he had moved away. Discussion took place about maximizing the use of available funds and controlling costs. Mr. Bujarlski expressed concern about whether we were paying based on lump sum or unit costs as unit costs. Mr. C. Smith indicated that it was unit pricing and slips would be submitted indicating amounts used. Mr. Letvinchuk indicated that the Town of Campton was looking at a road master plan. Mr. C. Smith indicated we have 27 miles of roads with 1/3 each owned by Campton, Thornton, and the Village District. Mr. Tole suggested polling the community because if you pave some roads, taxes can go up.

### **Old Business:**

Mr. Tole discussed progress on selling the snap down court system estimating \$6000 to \$7000, but we have to palletize and pay for shipping and commission. Mr. Griffiths stated that Mr. Hering has requested that the WEA BOD be consulted about the proceeds. Mr. Marshall stated that once CIF is donated to the village district any assets acquired from CIF remain village district assets. Mr. M. Smith stated that assets can only come into the village district and asked which one the original CIF contribution came in under. **Mr. Griffiths said he would find out.** Mr. Tole stated the current swim platform in the pond is too small, kids were trying to flip it, and is in disrepair. He proposed building one with PT so big it could not be flipped. He estimated the cost to be around \$3000. Mr. Tole indicated there was talk about this being paid for by CIF, but it was at its end of life. Ms. Bennett asked if the commissioners were going to spend \$3000, didn't they need a vote. Mr. C. Smith stated they did not. Mr. Tole stated that it comes out of the operating budget. Mr. M. Smith asked which line item. Mr. C. Smith expressed concern that there was too much micro-management going on. Mr. Tole made a motion to expend the \$3000 on a new swim platform, Mr. Griffiths seconded the motion, and it passed unanimously. Mr. Griffiths stated we would use volunteers to build it and we would go back to the WEA BOD and request CIF money. Mr. Tole indicated he would pull together a group of volunteers. Mr. Herlihy volunteered to assist as he had experience with a Yacht Club building floats and which were the right materials to use. Mr. Griffiths provided an update on a recently discovered document that might allow the village to help resolve water issues at Hodgeman Hill and it would be determined at the next meeting. **Mr. Bertino requested that the Hodgeman Hill Board be invited to the next meeting and Mr. Griffiths indicated he would do that.**

### **New Business:**

Mr. Griffiths stated that the village district was looking into a redoing the web page and Facebook page. The Facebook page already exists but has not been used. Mr. Tole asked what the issue was. Mr. Griffiths stated that the village district was buried in it and it was old. He said it's an opportunity to address other concerns and make it clear we are two separate entities (WEA and WEVD) with the same goals. Mr. C. Smith recommended forming a committee to help resolve as we had done with the Water Master Plan Committee. Mr. Herlihy asked who owns the domain for the website, what do we pay, and who maintains it. Mr. C. Smith stated that it is maintained by former homeowners. It was redesigned 5 years ago. He stated the domain is owned by the association and the annual fee is paid by the association. Mr. M. Smith asked if it was paid from the associations budget. Mr. C. Smith stated it was. Mr. M. Smith asked for clarification that it was not paid from the Recreation Revolving Fund. Ms. Kinney stated that it was out of the rec fund and out of the association budget.

Mr. Herlihy said we need to know who owns it and who controls it. Mr. Tole stated that he would like to see collaboration between the association and the district so it remains clear we are one community. Mr. Griffiths indicated he would like the village Facebook page to allow commissioners only to post and not allow responses. We could post meeting announcements and meeting minutes.

### **Update on Water Master Plan:**

Mr. Herlihy provided an update on the bid review stating that the Water Master Plan Committee had selected the top 3 contenders, Dubois and King, Horizon Engineering, and Tata and Howard, and forwarded that to Mr. C. Smith last week. He indicated the range of prices was from \$25,000 to \$50,000 and Mr. Herlihy recommended interviewing the three firms to determine who to select. Mr. Griffiths clarified that the Water Master Plan Committee would make recommendations to the commissioners who would make the final selection. Mr. C. Smith asked whether the interviews would need to be public meetings. Mr. Herlihy indicated he did not believe it needed to be but would keep meeting minutes.

### **Volunteer / Advisory Committees:**

Mr. Griffiths discussed forming some committees covering athletic courts, aesthetics, rose garden, newsletter, and web site. He would like a cross section of residents and taxpayers. Mr. Griffiths stated that Ms. Griffiths would be working on the rose garden and Ms. Canfield and Ms. Waters were already working on the newsletter. **He will craft a letter announcing the committees we are forming and that committees should elect a chair.** He indicated a commissioner or Ms. Waters should be an ex-officio member of each committee. **Mr. Tole indicated he would volunteer to keep a list of what committees there are and who's on them.** Ms. Bennett reminded everyone that these committees' activities would be subject to New Hampshire's Right to Know law RSA 91-A and that New Hampshire Municipal Association was a great source for how meetings have to be posted and minutes need to be kept.

### **Questions from Guests:**

Mr. Griffiths opened the floor to the guests. Mr. M. Smith requested a hearing on the documents he had sent to Mr. Griffiths. Mr. Griffiths indicated he was waiting to hear from the village attorney. Mr. C. Smith asked about the budget committee. Mr. Griffiths indicated that he had gone back to the village attorney and that the communication he sent out may not be 100% accurate but he was working with Ms. Patti to get clarification on the status of the budget committee. Mr. Bertino asked if the Facebook Page was a function of the association or the village district. Mr. Griffiths stated that it was 100% the association. Heated discussion took place about comments posted. Mr. Herlihy indicated that Facebook is a poor method of communication and he would not use it. Ms. Bennett recommended that when the Facebook and web page concerns were resolved that the commissioners vote formally about where information would be posted to remain compliant with Right to Know. Mr. Griffiths clarified that we currently meet the dual posting requirements by posting on the board by the mailboxes and on the web site.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, July 18<sup>th</sup> at 8:13 AM.

**Adjournment:** Mr. Tole motioned to adjourn, Mr. Herlihy seconded and adjournment passed unanimously at 9:22 AM.

## WATERVILLE ESTATES VILLAGE DISTRICT

June 20, 2020 VILLAGE DISTRICT ANNUAL MEETING MINUTES

July 11, 2020 RESUMED VILLAGE DISTRICT ANNUAL MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters, Barton Mayer

Guests: See Voters List and Sign In Sheets

Called to order: Moderator Mr. Letvinchuk at 10:11 AM.

Pledge of Allegiance.

List of meeting rules. Only residents who Are registered to vote in Campton or Thornton may vote. Only voting residents may speak on Warrant Articles. Any speaker is limited to a maximum of 5 minutes and may do so only once until all others have spoken. All comments shall be directed to the Moderator. All comments shall be made in a civil tone, foul language and personal attacks shall not be permitted. People who don't adhere to this rule will be warned and if it persists will be ejected from the meeting.

**Move on to warrant articles.** The Moderator moved Warrant 12 to position 8 to allow for the statutory ballot process as the ballot box must be kept open for an hour. This allows us to conduct other business during the 1 hour period.

### Warrant Article 1

To choose one commissioner for the three year-term, Moderator for a two-year term, Clerk and Treasurer for the ensuing year.

Motioned, seconded, discussion. The Moderator asked Ms. Kinney if the vote was to be by ballot. She indicated that it could be. The Moderator stated that we would try it without. Mr. McElroy made a point of order requesting a discussion period to question the candidates. The Moderator did not allow this citing the Candidates Night that was held at the Ski Lodge indicating that was the opportunity for discovery. Mr. McElroy requested a vote on the matter and it was denied by the Moderator who then called for a vote for the role of Commissioner stating that the candidates were Art Marks and John Herlihy requesting a show of voting cards for each candidate alphabetically.

For commissioner, 24 for Herlihy, 25 for Marks. Art Marks was declared by the Moderator. Mr. Herlihy requested a recount. The Moderator polled the legislators who agreed by show of hands. The result of the recount was 28 for Herlihy, 25 for Marks. John Herlihy was declared by the Moderator. Mr. Marks requested a recount. The Moderator indicated he would honor the request. **The result of the recount was 30 for Herlihy, 29 for Marks. John Herlihy was declared by the Moderator.**

The Moderator called for a vote on Clerk for **Matt Smith, and declared him elected unanimously.**

The Moderator called for a vote on Treasurer for **Karen Waters, and declared her elected unanimously.**

The Moderator called for a vote on Treasurer for **Jack Letvinchuk, declared him elected unanimously.**

### Warrant Article 2

To see if the Village District will vote to raise and appropriate the sum of One Million Three Hundred Forty-Seven Thousand Two Hundred Seventy-Two Dollars and no cents (\$1,252,667) for general municipal operations with an off set of Eighty-Four Thousand Six Hundred Ninety-Four Dollars (\$ 84,694) from unassigned fund balance. This article does not include appropriations contained in special or individual articles addressed separately.

Motioned, seconded, and discussion. Mr. McElroy 2020 budget has a line item for wells, how much money has been saved towards the \$1 million dollar goal? Mr. C. Smith stated there has been confusion on this issue all along. He stated the manner in which the money is raised goes against the unreserved fund balance which then falls back to the bottom line and carries forward every year and we keep extending the plan out. Mr. McElroy stated no money has been saved. The Moderator stated the question had been asked and answered. Mr. McElroy restated that the question had not been answered as a figure had not been provided. Ms. Waters stated that we had \$725,904 at the end of May, part unreserved fund balance, part appropriated money. Mr. Smith stated that after a review of budget reports from the village district, over \$600,000 had been appropriated for water infrastructure, \$70,000 had been spent, leaving \$530,000. He continued that at a recent village district meeting it was stated that the village has about \$850,000 in the unreserved fund balance, that \$500,000 was required to be kept to fund operations while awaiting the disbursement of tax revenues from the town to the village, \$123,000 was reserved to complete the work appropriated for in 2019 warrant article 3, leaves \$160,000 available for new wells. He stated the way we appropriated the money doesn't allow us to save up \$1 million for new wells and each year unspent appropriation falls to unreserved fund balance and goes to offset taxes or is re-appropriated. He concluded with the fact that there is no legal means to compel the commissioners to spend the money on new wells. The Moderator advised the body that water was part of warrant article 3. Mr. Spinney stated he was at the meeting Mr. Smith had described and that the \$500,000 reserve was because we don't raise enough money to pay our bills. He stated that it's a way to stay liquid. Mr. Spinney stated that most of the \$700 we have is for new wells and we are using it to operate the village. He concluded that it will come to a head when we need to use that money. Mr. C. Smith asked to make clarification, and the Moderator denied the request. The Moderator re-read the warrant and called for a vote.

**Vote 34 yeas 18 nays, Warrant 2 passes.**

### **Warrant Article 3**

To see if the Village District will vote to raise and appropriate the sum of Three Hundred Eighty Thousand Six Hundred Fifty-One Dollars (\$360,651) for the interdepartmental water department operations. With an off set of One Hundred Five Thousand Six Hundred Sixty-Four Dollars (\$103,200) from water fee.

Motioned, second, and discussion. Mr. McElroy expressed concern about \$90,000 for new wells and asked for the budget amount to be re-read. The Moderator stated \$360,651. Mr. McElroy stated the actual budget is around \$280,000 and the \$90,000 should be removed so that next year we could appropriate it as intended to be saved for new wells. The Moderator stated that was for another meeting. Mr. M. Smith stated that, as a point of order, we are able to make a motion to adjust the budget amount. The Moderator stated yes you are. Mr. M. Smith made a motion to reduce the warrant article by \$90,000 since we can't legally compel the commissioners to spend money in the unreserved fund balance on new wells. The Moderator conferred with counsel and asked Mr. M. Smith to restate the motion. Mr. M. Smith restated the motion to reduce the budget by \$90 reducing the new wells line item to \$0. The motion to amend was seconded. Mr. C. Smith said there was confusion in that people think we are raising \$90,000 every year and we are not, we are appropriating \$90,000. He asserted that we have only raised \$90,000 once and that we are not raising \$90,000 every year. Mr. Spinney asked if Mr. C. Smith could explain what would happen if the \$90,000 was removed from the budget. Mr. C. Smith said that if you leave it in, you can spend it on wells if anything that year is progressing



with new wells. He stated that there's no downside as whatever you don't spend falls to the surplus so that when you re-appropriate the following year, you're not re-raising it again. Mr. Spinney asked where did \$750,000 we have now come from. Mr. C. Smith proposed that if we appropriate \$1.2 million but spend only \$1 million, \$200,000 falls to the unreserved fund balance. He said that, then in subsequent years, it can be used to offset the proposed budget. Mr. Bertino asked why the governing body or the treasurer wasn't answering the questions. The Moderator stated we are here to approve or disapprove the warrant and the time for discovery and drawing down were over. That we are here to clarify misconceptions, move to vote on the amendment.

The amendment was motioned, seconded.

**Vote 27 yea, 29 nay, the amendment failed.**

The original warrant was re-read by the Moderator then was motioned, seconded.

**Vote 30 yea, 25 nay, warrant 3 passes.**

#### **Warrant Article 4**

To see if the Village District will vote to raise and appropriate the sum of Ninety-Six Thousand Five Hundred Forty-Three Dollars (\$96,543) for a new maintenance truck.

Motioned, seconded, discussion. Mr. Goodman asked if it had been out out for bid. Ms. Waters said it had.

**Vote 49 yea, handful, nay, warrant 4 passes.**

#### **Warrant Article 5**

To see if the Village District will vote to authorize the Commission to enter into a lease agreement, with a non-appropriation clause, for the purchase of a new backhoe, for the total amount of One Hundred Thousand Dollars (\$100,000), and to raise and appropriate the sum of Twenty Thousand (\$20,000) for the first year installment payment.

Motioned, seconded, discussion. Ms. Waters stated that she had given the Moderator an update on a piece of paper. The Moderator indicated he stood corrected. There was an amended article. The Moderator read the amended warrant.

To see if the Village District will vote to authorize the Commissioners to enter into a lease purchase agreement, with a non-appropriation clause, for the purchase of a new backhoe, for the total amount of One Hundred Thousand Dollars (\$100,000), and appropriate the sum of Twenty Thousand (\$21,516.86) for the first year installment payment. The Moderator indicated a simple majority vote was required.

**Vote warrant 5 passed by a vast majority.**

#### **Warrant Article 6**

To see if the Village District will vote to establish a planning board under RSA 673:1.

Motioned, seconded, discussion. Mr. Bertino petitioned to request a secret ballot. The Moderator requested and received the petitions. Petitioners were roll called as Harry Bertino, Maureen Patti, Jackie Herlihy, Yvonne Moore, and Lauren Bennett.

A resident was asked why the warrant article was being proposed. The Moderator indicated he would not entertain the question because the warrant had been posted for some time. The individual persisted with the fact that the towns of Campton and Thornton had planning boards so the village did not need one. The Moderator thanked him for his concern and called for a vote. The moderator indicated we did not have the ballot box key and would move to the next item of business until the key could be located.

**Vote 29 yea, 28 nay, warrant 6 passes.**

#### **Warrant Article 7**

To see if the Village District will vote to change its' name from Waterville Estates Village District to Campton Mountain Village District.

Motioned, seconded, discussion. Mr. Timms asked what is the cost associated with changing the name. The moderator asked Mr. C. Smith if he had a cost estimate. He indicated there was no cost estimate as it was not a warrant put forth by the commissioners and it should be asked of the petition author. Mr. Timms then stated that it would just be a name change which the Moderator confirmed. Ms. Waters pointed out that there would definitely be costs. The Moderator said there would be re-branding re-naming costs. Mr. M. Smith asked, as a point of order, and asked why discussion was being allowed on this matter when no discussion was allowed for Warrant Article 6. He stated that all the warrants had been out for the same time period so there was no difference. The Moderator thanked him and moved on. Mr. Bertino indicated the purpose of the warrant was to address the confusion around people not understanding they were buying into a village district. He stated he feels that clarifying what we are is beneficial for all. Mr. Hickle stated he felt considering a name change was a waste of time. Mr. Marshall stated he thinks it's an unnecessary expense when we are scrutinizing taxes and well expenses. Mr. Tole questioned how a name changes helps in any clarification when purchasing a home. He stated there would be costs to the village district citing re-branding, re-submitting deeds, re-submitting titles perhaps, working with a bank. He stated there is a lot of work for the district and all the home owners just for a simple name change that he felt would not eliminate any confusion. The Moderator re-read the warrant and called for a vote

**Vote warrant 7 failed by a vast majority.**

#### **Warrant Article 12**

To see if the Village District will vote to establish an official budget committee under RSA 32:14. Three members at large are to be elected, the meeting shall either elect the initial members for a one year term by means other than by official ballot, or shall authorize the moderator to appoint members to serve until the next annual meeting, as provided in RSA 669:17.. Elections for staggered terms, as described in NH RSA 32:15 paragraph II, shall not begin until that next annual meeting, and shall be by official ballot if the municipality has adopted the official ballot system, as set forth in RSA 669.

Motioned, seconded, discussion. Mr. Bertino requested a secret ballot. The Moderator confirmed the presence of the seven signatories to the secret ballot petition. Ms. Tole expressed concern that the budget can only be adjusted by 10% it's too much power in the hands of three people. Mr. Bertino clarified, that the budget committee prepares the budget, confers with the governing body, other officers, and department heads relative to cost estimates, revenue estimates, and services performed. They provide four copies of the final budget to the clerk and two copies to the governing body at least 20 days prior to the annual meeting. They have the ability to review expenditures through comparative statements and meet periodically to review such statements. Department heads submit statements of operating expenses and receipts to the governing body. The governing body submits its' own recommendations to the budget committee including each purpose for

which an appropriation is sought and each item of anticipated revenue. The group of three people don't have control of every dollar. Mr. M. Smith pointed out that Ms. Toles objection to three people having control over the budget is the condition that already exists except the three are the commissioners. Mr. Ivers stated he did not understand the need for it, but if it passes he wishes to be on the committee. Ms. Waters requested that the Moderator consult with counsel. The Moderator stated that if the budget committee is approved, it has the opportunity to set the budget, then the commissioners can only increase or decrease by 10%. The Moderator then corrected the statement that only the people can increase or decrease by 10%. Mr. Bertino suggested that the commissioners can still do special warrant articles like the truck. The moderator said yes, at the annual meeting. Mr. Bertino suggested that still gave the commissioners latitude. The Moderator consulted with counsel. Mr. Bertino asked if the plus or minus 10% included special warrant articles. The Moderator asked counsel to explain. Mr. Mayer stated that if we establish a budget committee, it is responsible for offering final budget to meeting. It will review all articles you people submit separate from the budget. If it doesn't support your article, then that's part of the 10% rule. The total amount of the budget and the articles the budget committee approves is allowed. The total amount of the budget and additional warrant articles the budget committee approves sets the basis off which the 10% rule applies. If additional articles are put forth that exceed, by 10%, the budget and articles approved by the budget committee, the cap kicks in. Mr. Bertino stated that the budget still needs approval by the residents and the budget committee can't just impose what they want. Mr. Marshall stated that a budget committee would be redundant over what we already have and made a motion to change the warrant from a committee to an advisory committee and asked for a second. His motion was seconded. The Moderator stated there was a motion to amend warrant article 12 changing the official budget committee to an advisory budget committee. He then asked for a motion and a second and invited further discussion. Mr. Bertino pointed out that it was a petitioned warrant article by the residents and the commissioners already have the power to establish an advisory budget committee and you don't need a warrant article for that. You need a warrant article for an official budget committee. The Moderator asked counsel for clarification. Mr. Mayer stated that the governing body can set up whatever committees it wants. Mr. Bertino asked why we had the ballots if we were still discussing the matter. The Moderator requested that we address the amendment. Ms. Bennett asked if the secret ballot was still in affect. The Moderator stated no, it was not and that we are voting amended warrant article 12 and read the amended warrant article as follows.

To see if the Village District will vote to establish an advisory budget committee under RSA 32:14. Three members at large are to be elected, the meeting shall either elect the initial members for a one year term by means other than by official ballot, or shall authorize the moderator to appoint members to serve until the next annual meeting, as provided in RSA 669:17.. Elections for staggered terms, as described in NH RSA 32:15 paragraph II, shall not begin until that next annual meeting, and shall be by official ballot if the municipality has adopted the official ballot system, as set forth in RSA 669.

The Moderator re-stated we were voting on the amended warrant article 12. Mr. Bertino called for a point of order that the commissioners can already appoint an advisory budget committee making this an incorrect act. He warned that we were giving powers of an official budget committee to an advisory budget committee. The Moderator stated again, that we are voting on amended warrant article 12 for an advisory budget committee. Mr. Bertino restated his position on advisory versus official and the Moderator sought counsel.

Mr. Mayer stated that there was a statutory provision for an advisory budget committee stating that the commissioners can appoint, but it can be a vote of the citizens as well. Mr. McElroy asked for clarification. The Moderator stated we are voting on the amendment on the floor. Mr. McElroy asked if it was by secret ballot. The Moderator stated that it did not require a secret ballot. Mr. Canfield stated the amendment is well intentioned but leaving the statute references is a mistake. He felt that was a great deal of benefit in people

assisting the commissioners in evaluating the budget activity on an annual basis. Earlier discussion showed there was great confusion around the budget. Mr. Slattery expressed concern that the way the warrant was amended left the powers in place. The Moderator stated that it changes it from official to advisory. Mr. Slattery again asked if all powers fall away. The Moderator stated yes. Mr. M. Smith asked if the advisory committee would be subject to all the requirements of the right to know law. Mr. Mayer stated that any committee created by the government commissioners or this meeting is subject to right to know with proper meeting notice and meeting minutes.

The Moderator moved to vote on adopting the amendment.

**Amend Vote 28 yea, 25 nay, amendment to warrant article 12 passed.**

The Moderator moved to vote on amended warrant article.

**Vote amended warrant 12 passed by a vast majority.**

### **Warrant Article 8**

To see if the Village District will vote to change the treasurer's position from 1 year to 3 year position.

Motioned, seconded, discussion. No discussion.

**Vote 46 yea, 8 nay, warrant article 8 passed.**

### **Special Warrant Article 9**

To see if the Village District will vote to ban the use of district drinking water for snowmaking.

Motioned, seconded discussion. Mr. McElroy recapped the details around the 2019 warrant article 3 amendment that passed but was later deemed unenforceable as proper notice had not been conveyed. Mr. Canfield stated that he felt last year's vote was invalid due to improper notice. Mr. McElroy asked what the difference was between last year's warrant article three amendment and this year's warrant article 12 amendment. Debate ensued. Ms. Tole expressed concern that drinking water is used for pools and this warrant could lead to further restrictions. She asked the voters to think about the children. Mr. Spinney seconded Ms. Toles concerns and added other uses for district drinking water that could be affected. The Moderator asked that we stick to the details of the warrant article. Mr. Bertino cited a study that suggested that snowmaking required a separate water source and a 200,000 to 300,000 gallon reservoir. Mr. Herlihy stated that he supports Campton Mountain but a more thorough analysis is required. He referenced the NH DES approval for limited use of treated water in small amounts for snowmaking. Mr. Slattery asked if another water system assessment had been done since the one referenced by Mr. Bertino. Mr. Tole said yes and the results were the water system supported snowmaking. Mr. O'Hara said he supported snowmaking and we'd be better served by fixing leaks in the overall water system. Mr. Canfield expressed support for the warrant stating that water for homes was more important than water for snowmaking. He suggested we look at water sources dedicated to snowmaking. Mr. Bertino observed that the snow gun wasn't connected to the water system during the testing that was referenced by Mr. Tole and it occurred in August. Mr. Patti asked Mr. Tole. If he was saying the water or water system was adequate and if the water system, what is it based on. The Moderator advised Mr. Patti to address all comments to the Moderator and restrict his comments to support either in favor or against. The Moderator re-read the article and called for a vote.

**Vote 25 yea, 28 nay, warrant article 9 failed.**

## **Warrant Article 10**

To see if the Village District will vote to authorize the board of commissioners to accept gifts or real estate or any interest in real estate, after a public hearing, in the name of the village for any valid purpose. The authority shall be limited to undeveloped land, or any interest on such land as having a fair market value of ten thousand dollars (\$10,000) or less, and shall remain in effect until rescinded or modified by further vote of the village district.

Motioned, seconded, discussion. No discussion.

**Vote warrant 10 passed by a vast majority.**

**Suspension:** The meeting was suspended by rain at 12:01 PM.

**Swearing in of Treasurer:** Mr. Tole administered the oath of office to Ms. Waters prior to the resumption of the annual meeting.

**Resumption Called to order:** Moderator Mr. Letvinchuk at 8:30 AM.

Pledge of Allegiance.

List of meeting rules. Mr. Letvinchuk re-read the meeting rules that had been previously been adopted.

Mr. Tole made a motion to restrict consideration of previously passed warrant articles. The motion was seconded. Mr. Bertino raised a point of order asking for discussion. Mr. Letvinchuk stated that he had been advised that there was no need, but that he would allow it. Mr. Bertino asked if it was improper for that motion to occur at the beginning of the meeting. Mr. Letvinchuk answered no and called for a vote. Mr. M. Smith raised a point of order that attendees were voting without a proper registered voter card. Ms. Kinney stated that the Supervisors of the checklist had run out and went to get more. Mr. Bertino raised a point of order stating that since people didn't have cards how were voters and non-voters being segregated. Mr. Letvinchuk indicated that we would get the required cards and we would not be segregating voters and non-voters, but using cards to identify voters. Ms. Kinney returned and attempted to distribute said cards. Mr. C. Smith and Mr. M. Smith raised a point of order that only the supervisors of the checklists could distribute voter cards. Mr. Letvinchuk stated that voters without cards needed to be sent back to the supervisors to re-check in and obtain cards. Mr. M. Smith raised a point of order stating that Mr. Canfield was introduced at the last meeting as the assistant moderator and asked why Mr. Marshall was acting in that capacity. Mr. Letvinchuk stated that Mr. Canfield was unavailable so he had appointed a replacement. Mr. M. Smith stated he believed the appointment needed to be approved by the commissioners in public session. Mr. Letvinchuk was advised by Mr. Mayer that it was not required.

**31 yea, 16 nay. Motion passes.**

## **Warrant Article 11**

To see if the Village District will vote to rescind the authority of the commissioners to accept ownership of such properties of the Waterville Estates Association as they deem prudent.

Motioned, seconded, discussion. Ms. Patti asked the moderator to clarify whether passage of warrant article 11 would invalidate or rescind warrant article 10 passed at the beginning of the meeting. Additional discussion took place. Mr. Mayer stated that if the legislators were concerned about warrant 11's impact on warrant 10, they could add language to the warrant to clarify their will. He stated that he could not advise the legislators as he did not know their will. Ms. Patti asked for a minute to consult with someone as she had the

floor for five minutes. Mr. Letvinchuk stated that we had to move on. Mr. M. Smith made a motion to append the warrant as follows. Precluding any past warrant, with proper statutory language, that authorized the village district to accept money, property, or real estate. Mr. Letvinchuk requested the amendment in writing so that he could read the proposed revised warrant before calling the vote.

The amendment was motioned, seconded, discussion. Ms. Tole expressed concern that the warrant article seeks to restrict, inhibit, and shackle the ability of our governing bodies to work in tandem. She stated that Waterville Estates Village District and Waterville Estates Association are meant to work cooperatively. She expressed concern about a drive this voting season to restrict the abilities of our board and our association. She stated that if you don't know why this warrant article is being put forth. She was interrupted by Mr. M. Smith calling for a point of order stating that there should be no electioneering going on attempting to influence peoples votes and if she had a point to make, she should do so. Ms. Tole stated that she should not be suppressed and that she had civil liberties to, not just you Matt. Mr. M. Smith called for a point of order stating Ms. Tole was singling him out and that the meeting rules did not allow personal attacks. Mr. Letvinchuk reminded the legislative body that personal attacks were not allowed, even in the heat of the moment. He stated that we should be civil and comments should be addressed to him and called for other comments. Mr. M. Smith stated that the village district had already passed warrants. .with proper statutory language, that were still in effect today that allowed the village district to accept donations of money and property as well as real property. He said therefore, the warrant and his amendment don't prevent the Waterville Estates Village District from accepting assets from Waterville Estates Association. He said it simply removes the ability of the commissioners to not hold a public hearing citing warrant 11 versus warrant 10. Mr. Letvinchuk then read the proposed amended warrant article.

To see if the Village District will vote to rescind the authority of the commissioners to accept ownership of such properties of the Waterville Estates Association as they may deem prudent, except as allowed under previous warrants passed that included proper statutory language.

**Amend Vote 23 yea, 26 nay. Amendment fails.**

Mr. Letvinchuk re-read the original warrant article 11.

**22 yea, 25 nay. warrant 11 fails.**

Mr. Bertino requested a point of order. He protested the fact that the secret ballot requested for warrant article twelve during the initial meeting was not honored. Discussion took place around Ms. Patti's withdrawal of her signature. Mr. Mayer stated that when Ms. Patti removed her name as sponsopr it dropped the request below the minimum number of signatures. Mr. Bertino stated that Ms. Patti was not the sponsor of the warrant or secret ballot and that even with her withdrawal from the latter, there were still more than the required number of signatures. Mr. Mayer then stated that the time for challenging this matter had passed when the moderator declared the vote and that therefore it was too late to be raising the issue. Mr. Bertino stated that he disagreed as the reasons cited were incorrect regarding sponsorship and the number of signature and also the fact that the annual meeting was still in session.

Mr. Patti asked when budget committee would be appointed. Mr. Letvinchuk stated that it would be Monday after the commissioners appoint the ex officio officer.

**Motion to adjourn:** Mr. Letvinchuk asked for a motion to adjourn. Motioned, seconded, and adjourned at 8:58 AM.

## WATERVILLE ESTATES VILLAGE DISTRICT

### July 18, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, Corey Smith, John Herlihy, Sean Tole, Karen Waters

Guests: Ned McElroy, Becky McElroy, Al Zulli, Harry Bertino, Kimberly Pacheco, Jack Letvinchuk, Libby Griffiths, Denise Bujarski, Stan Bujarski, Richard Doore, James Reynolds, Art Marks, James Murphy, Maureen Patti, Lori Routhier, Adam Lomba, Linda Ivers, Claire Denton, Scott Monroe.

Called to order: Mr. Griffiths, 8:00 AM.

**Welcome Comments:** Will continue with meetings every other Saturday.

**Approval of Previous meeting minutes:** Mr. Tole asked why we didn't have the last few meeting minutes. Mr. Griffiths stated that the zoom meeting minutes still needed to be transcribed. Mr. M. Smith stated that the minutes from the 18<sup>th</sup> had been posted. They were not included in the handout so they will be approved next meeting. Mr. Herlihy made a motion to approve the meeting minutes from February 12 and 22, 2020, Mr. Tole seconded and the meeting minutes were approved, as submitted, unanimously.

**WEA BOD Update:** Mr. Marks provided an update from the Association Board of Directors. The Board only has personal protection up to \$325,000. Mr. Griffiths stated that even that would mean extending additional insurance through the village district. Mr. Marks stated it would also require modification of the Recreation Management Agreement. Mr. Marks reported the resignation of Mr. Fagas and Mr. B Smith from the WEA BOD. Mr. Marks stated that the BOD checked with other associations who are in the same boat. He stated that many that have opened did so not understanding that they were not covered and had personal exposure to liability. He indicated there was a precedent for associations voting to agree to a special assessment for legal fees. He suggested this was an option if the association membership really wanted the facilities opened and a 60% majority was required. If approved, all association members would share in the liability. He stated the village and association lawyers have opined that there is no way to separate the opening from the association even if the village district opens. Discussion took place around how this was different from any previous pandemic and what must change moving forward. Mr. Marks stated only legislated legal indemnification or a vaccine would solve the problem. Mr. Marks stated that the people screaming at us to open because they want to rent their properties could share in the legal expenses. Discussion took place about other ways we might open that had already been discussed at previous village district meetings. Mr. Marks stated that a lot of places that are open are for profit private corporations that can simply go bankrupt if they are sued. Mr. C Smith presented the details around extending the \$325,000 protection to the BOD. It involves sacrificing some coverage that we don't use in exchange for providing the \$325,000. Discussion took place about costs and future cost increases in the event that a claim was filed. Mr. C. Smith stated there is no cost to make the change ::but that future costs could increase if a claim was made. Mr. Griffiths recommended tabling the insurance change for another meeting.

**WEVD Treasurer Report:** Ms. Waters reported on 2019 taxes still owed to the district from Campton and Thornton and discussed collection measure.

**New Check Signing Policy:** Ms. Waters presented a check signing policy for the commissioners to review and approve. She also proposed a policy binder that could be easily maintained. Mr. Herlihy asked about commingling reported in past audits. Ms. Waters said it simply that payments were received into the wrong accounts and procedures had been put in place to prevent future incidents. Mr. M. Smith asked about the requirements of commissioners to sign vouchers and stated that only commissioners can act for the town and: can act for the town and:are required to act in majority. Ms. Waters stated that it had not been done in the past and she did not have an answer for that. Mr. M. Smith recommended she check NHMA website articles which detail the practice and Ms. Waters indicated that she would. It was discussed that it would require the BOC to review payments two weeks



before they were du, but it was possible. Mr. Herlihy made a motion to adopt the policy, Mr. Tole seconded and the policy was adopted by unanimous vote. Ms. Waters stated she would be appointing a deputy treasurer at the next meeting and asked for a change to the website to allow people to contact here directly from the web page.

**Code of Conduct:** Mr. Herlihy talked about how commissioners should conduct themselves recommending staying off social media, and refer all matters to public session. He indicated that trust, respect, upholding the law, and avoiding conflicts if interest were important. He indicated he would have a proposed code of conduct for the next meeting. Mr. Herlihy stated that the Board and employees should not participate in debate on social media and if they do they should be ready to resign or be fired. Mr. Griffiths addressed the existing Facebook policy and stated that it needed to be updated. He discussed fiduciary responsibility and that the BOC might have a duty to respond to egregious claims even when on social media. He agrees with a code of conduct but isn't sure how strict we can be on it. He has designated Ms. Canfield as our communications director. Mr. Tole discussed free speech and individual rights and asked that we make sure we are not overstepping our bounds with the policy. Ms. Patti asked if the submitted FB policy from 2014 had been adopted. It was unclear if and when it was adopted. Ms. Waters volunteered to assist with policy creation, adoption, and tracking. Mr. Griffiths stated policies would have to be approved by motion.

**WEVD/WEA Lease Update:** Mr. Griffiths spoke to improving the ability to determine the status of acts of the village, referring to the lease between WEA and WEVD and that we cannot locate a valid copy from any time period. He stated the lease is under review by the attorney and he would present something hopefully at the next meeting and to have it executed by the WEA BOD within the next thirty days. He indicated that the lease was covered by the RMA. Mr. M. Smith pointed out that the RMA literally refers to the lease. Mr. Bertion asked about the rent payments associated with the lease. Mr. Tole offered to run point on the lease update and Mr. Griffiths concurred.

**GM Update:** Mr. C. Smith reported work in progress including completion of the auto chlorination loop on the water system, and main meter calibration down at the wells. He reported a large leak at the "interconnect" that Lakes Region Water would be addressing and a leak behind the recreation center. Because of the storms, road raking and drainage maintenance have been ongoing. We'll be bringing Ray back in for grading.. He reported clogged drainage on McLaren and Richardson Trail. Mr. M. Smith reported that the one on Weetamoo was still clogged. The pools are up and running but there is a leak on the big pool that has been there for years, but recently got worse so we have to bring someone in to look at it. He stated that the pavers were coming on to give a quote for the extra work and would provide a start date soon. A discussion occurred around addressing the basketball court as well. Mr. C. Smith reported that Mr. M. Smith was working with Shawn on upgrading the recreation center ventilation systems. The new truck has been ordered but is on backorder. Discussion took place around options. Cat has asked for another opportunity to quote the Backhoe. The recreation center roof was discussed. Mr. Griffiths stated we should get three bids.

**Infrastructure Incident Report/Tracking:** Mr. Griffiths introduced Mr. Herlihy's proposal for incident tracking. Mr. Herlihy elaborated on the process which involves logging additional details and recordkeeping as well as automatic updates to the community via email. Mr. Herlihy indicated he would assist Mr. C. Smith with the process.

**Digitizing Records:** Mr. Herlihy stated that digitizing our records sustains us for the future and helps with disaster recovery. He indicated our records should be stored in the cloud.

#### **Old Business/Items:**

**Court Sale:** Mr. Griffiths reported on the sale of the court covering tiles. The village district will receive \$5250 for the materials.

**Swim Platform:** Mr. Tole provided an update on the swim platform. We are waiting on a cable and a ladder. Once in, the platform will be put in the pond.

## **New Business Items**

**Payroll Protection Program:** Mr. C. Smith reported that as a municipality we are not eligible for the Payroll Protection Act. He asked people to let him know if the second round of aid included municipalities.

**Aesthetics/tidiness/Cleanliness Priorities:** Mr. Griffiths indicated we would try to do clean up with volunteers. Mr. Tole said we need to set up a process so as not to burden Mr. C. Smith.

**Archiving/Digitalizing of Governing Warrant Articles:** Mr. Griffiths indicated Ms. Patti would be reviewing the village history of warrants passed and compiling a list of warrants currently in effect. Mr. Griffiths made a motion to give her access to the recreation center so she could review the warrant binder, seconded by Mr. Herlihy, and the motion passed unanimously.

**Digitalizing of All RTK Items:** Mr. Griffiths indicated we are getting quotes from companies that assist municipalities with searchable archiving of municipal documents and that he would bring them forward at the next meeting. He stated that it would augment the digitization work already performed by Mr. M. Smith.

**Public Hearing Request/Hammerhead:** Mr. Griffiths indicated Mr. M. Smith requested a public hearing on the Hammerhead that was installed to obtain his building permit. Mr. Griffiths asked what Mr. M. Smith's expectation was. Mr. M. Smith stated it was a quasi-judicial ruling. Mr. Griffiths indicated they needed to consult with village counsel regarding statute of limitations. Mr. M. Smith stated that the village has been aware of the request for some time and that this should already have been addressed before today. He requested that the date be set as it could be cancelled if counsel advised that the statute of limitations had passed. Discussion took place about how long the statute of limitations was and when the clock would have started ticking. Mr. Tole expressed that he did not think it appropriate to grant the hearing. Mr. Herlihy made a motion to schedule the public hearing pending feedback from village counsel, Mr. Griffiths seconded, and the motion passed with two yeas and one nay by Mr. Tole. The date was set for Wednesday July 29<sup>th</sup> at 4:00 PM.

**RTK Request Update:** Mr. Griffiths stated that Mr. M. Smith has submitted a number of right to know requests. And that the village district has a consultant now and is looking for some outside help to compile the information. He also acknowledged a right to know request from Mr. Bettino that he hoped to have resolved this week.

**Water Fees:** Mr. Griffiths discussed the water bills that went out with a rate increase. Ms. Kinney stated that some bills were corrected when people went to pay their bills. Mr. Griffiths stated that he wasn't sure this was covered in the zoom meeting and he would get people up to speed on the record. Mr. M. Smith stated that to increase the water rates, the commissioners must vote to do so in public session and asked if meeting minutes existed showing that this occurred. Mr. Griffiths agreed and stated that he did not want to do that today. Mr. Griffiths stated that there is a plan to address any overpayments made. He said it would be on the agenda at the next meeting to be addressed officially. Mr. M. Smith asked for clarification that there was never a vote to raise rates and Mr. Griffiths concurred. Ms. Kinney claimed that Mr. Wiley had directed her to apply COLA increases to the water bill. Discussion took place around the timing of the direction and when the bill increase occurred and when Mr. Wiley left office.

**Master Plan for Water System Update:** Mr. Herlihy provided an update on the water master plan committee's actions. He indicated that telephone interviews had taken place and the sub-committee would meet this week to determine what recommendations they would provide to the commissioners. He indicated he wanted to start a road committee as well and would present more information at the next meeting. Mr. Marks asked if we had costs for the water master plan. Mr. Herlihy and Mr. Bujalski provided details that the range was \$26 to \$55k but other factors like fixed price versus multi-phase proposals would have to be factored in when selecting the engineer.

**Hodgeman Hill Condominium Water System:** Mr. Herlihy discussed a contract between Hodgeman Hill Condos and the water system in the village that is still in effect. He stated that sometime in the 60's or 70's HHC had its own well and it was determined there was a benefit if they provided water to the Estates. He indicated that the contract was specific as to the line of demarcation was. The point that determines ownership of the infrastructure. He indicated that there has been talk of increasing the throughput of that connecting line. He indicated if the village were to improve that line there would have to be billing to Hodgeman Hill. He indicated that the improvement wasn't a requirement of the contract and that the improvement was not currently budgeted by the village district. Ms. Pacheco spoke for HHC as a board member of the condo association and stated their opinion that the contract was still in effect and had never been amended or cancelled. She highlighted the contract flows required as well as the village being responsible to maintain the line to the first building. Discussion took place around whether the village was currently drawing water from the HHC well and Mr. Griffiths and Mr. C Smith said the village was not. Mr. C. Smith indicated that HHC was connected to the village district for the village to supply water in 1997 because of the water quality of the HHC wells and that it was not an EPA approved source. He indicated that the connecting line was installed in 1997 and did not exist before then. Mr. Murphy expressed that the intent of the contract was pertinent and should be reviewed by attorneys. Mr. Tole stated that there was no question about the district responsibility to deliver water to HHC. He indicated the question was where does that delivery ends and what the flow requirements are. Mr. C. Smith said that was not the issue but whose responsibility it was to upgrade the line from the pit to unit A. He stated that there is a long-standing policy that a property owner is responsible for installing a water line from the village water system but after that the village is responsible for the water line except for upgrades which are still the responsibility of that taxpayer. Ms. Pacheco expressed that the master plan engineer needed to determine if the HHC well was producing and if not, fine, but of so it would be germane. Again the issue of the water quality of the HHC well was presented as not acceptable. Mr. Herlihy stated that if the well was producing you might be able to use it for snowmaking. Ms. Pacheco expressed that it would be worth the water engineers' examination. Mr. Bettino asked for documentation from Lakes Region Water for work performed in association with the water line to HHC, the village water line policy, village maintenance records, and the correspondence with the village attorney regarding the contract.

**Volunteer/Advisory/Action Committees:** Mr. Griffiths stated that MS. Canfield was looking for volunteers to serve on committees. Some committees will be under the association. A newsletter will be produced and a welcome folder made available to new owners. These committees will be discussed in more detail at the next meeting. Ms. Canfield hopes that committees will be formed by the end of the month.

**Budget Advisory Committee Appointees:** Mr. Letvinchuk announced that he had appointed Mark Canfield, Chris Bernardi, and Karen Waters to the budget committee. He indicated that all were eminently qualified. Mr. Herlihy recommended Ed Culver as adjunct. Mr. Griffiths appointed Mr. Herlihy as ex-officio. Mr. Tole questioned the concept of whether new board members would be elected or appointed. Mr. M. Smith pointed out that village counsel was on the record stating that the annual meeting could elect people to an unofficial budget committee. Mr. Tole expressed a desire to double check.

**Planning Board Committee:** Mr. Griffiths stated that these members would be appointed at the next meeting.

**Roads~ Water Committee:** Mr. M Smith volunteered to serve on the water committee as he had experience with instrumentation for a water system exactly like ours. Mr. Scott Monroe volunteered for the roads committee citing construction experience. Mr. Griffiths said we would also have an infrastructure committee that he would sit on.

**WEVD Communications/Presence:** Mr. Griffiths stated that he was working with Ms. Canfield to help improve communication. Action items are to make it clearer as to whom a communication is coming from. He indicated she would have access to Constant Contact. Mr. Tole urged caution expressing concerns about privacy violations. Mr.

Griffiths talked about updating the web page and starting to use the village Facebook page without allowing comments. Mr. Tole volunteered to liaise with the association. Mr. Griffiths asserted that he viewed Mr. Tole as the liaison with the association. Mr. Griffiths stated that the association has expressed an interest in dialing down CIF spending while the building was unoccupied. He said the items would be addressed at the next meeting. Discussion occurred about improper use of the pontoon boat and the BOC recommended locking the equipment up.

**Open Floor/Questions:** Mr. Bujarlski expressed concern about use of outdoor amenities during the pandemic and whether that created liability for the WEA BOD. Mr. Tole requested the authority to negotiate RMA changes on behalf of the BOC with the WEA BOD. Mr. Herlihy denied the request. Mr. M. Smith pointed out that the commissioners had to act in majority when making town decisions. Mr. Griffiths indicated that the RMA review was something the commissioners needed to do together.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, August 1<sup>th</sup> at 8:00 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Griffiths seconded and adjournment passed unanimously at 9:58 AM.



WATERVILLE ESTATES VILLAGE DISTRICT  
COMMISSIONERS MEETING

JULY 18, 2020

**Proposed Agenda for Commissioner Meeting**  
**Saturday July 18th @ 8:00AM**  
**Pool Upper Deck (Summit Lounge if inclement weather)**

1. Call to Order
2. Welcome Comments
3. Approval of Previous meeting(s) minutes
4. WEA BOD Update
5. WEVD Treasurer Report
6. New Check Signing Policy
7. Code of Conduct
  - a. General Fiduciary Responsibility
  - b. FB Policy (see handout)
8. Amenities Update/Opening
9. Amendment of RMA for Insurance Clause
10. WEVD/WEA Lease Update
11. GM Update
  - a. Current items/issues to be tended to:
  - b. Plan/items moving forward
  - c. Infrastructure Incident Report/Tracking
12. Old Business/Items
  - a. Court Sale
  - b. Swim Platform
13. New Business Items
  - a. Payroll Protection Program
  - b. Aesthetics/tidiness/Cleanliness Priorities
  - c. Other
14. Archiving/Digitalizing of Governing Warrant Articles
  - a. Digitalizing of All RTK items
15. Public Hearing Request/Hammerhead-M.S.
16. RTK Request Update
17. Water Fees -
18. HHC Water System
19. Master Plan for Water System Update
20. Disaster Recovery Plan
21. Volunteer/Advisory/Action Committees Committees.
  - a. Budget Advisory Committee Appointees
  - b. Planning Board Committee
  - c. Roads & Water Committee
22. WEVD Communications/Presence
  - a. Constant Contact
  - b. Web Site
  - c. FB Page
23. Next Meeting - Saturday, August 1, 2020, Same Bat time,  
Same Bat Channel!
24. Open Floor/Questions
25. Adjournment

## WATERVILLE ESTATES VILLAGE DISTRICT

### February 12, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Harry Bertino, Al Zulli

Called to order: Mr. Marks at 3:06 PM.

Review and approval of Meeting Minutes: Mr. Marks and Mr. Griffiths noted required corrections. For the January 31, 2020 meeting minutes. Mr. Bertino suggested that his video could be reviewed to ensure accuracy. Minutes will be corrected for review for the next meeting.

#### **Treasurer's Report:**

**General:** Ms. Waters spent time last week reviewing bill processing and providing oversight. She stated that the staff is doing a good job. Ms. Waters can sign all accounts but one and is working that one out. Ms. Waters is developing some procedures for who can sign checks and other processes. She will submit them to the commissioners for review after the budget process is completed. She is working on a new method of providing a treasurer's report that is more informative than simply presenting bank account balances. She is considering office hours so people can have a time and place to ask questions and express concerns. Ms. Kinney said the staff is excited to work with Ms. Waters. Mr. Marks said it would be a great idea to provide office hours and be able to address concerns. Mr. Griffiths said that once the office hours are decided, they should be posted on the web site.

#### **Manager's Report:**

**Ski Bowl Pump House Electrical Work:** Mr. C. Smith stated 90% complete, probably another week for final completion.

**Water System Master Plan:** Mr. C. Smith has received a few inquiries. DES portal is down so engineers may have to come to our building to review documents. Water system mapping is ongoing.

**PFOA:** Mr. C. Smith stated that 400 out of 1500 towns in New Hampshire have tested for PFOA's. There is a Senate committee putting an article forward to allow DES to require the testing. There is also a bill to help communities with costs of dealing with PFOA. Lincoln tested and found none in any of their three water sources. Mr. Griffiths had an expert contact who said charcoal filtrations or reverse osmosis would be required to remove PFOAs.

**Staff Update:** With Ms. Chamberlain gone, other employees are picking up the slack. Mr. C. Smith commended Ms. Chamberlain on the way she exited her employment.

**Tax Rate Analysis:** Mr. C. Smith has been reviewing and collating old tax studies. He has asked Marty Humphrey to help.

**Detailed Financial Analysis:** Mr. C. Smith is working on the spreadsheet that covers income versus expense for all village departments. Mr. M. Smith volunteered to do some work on separating the roads and water department into separate tabs so that each can be evaluated separately.



## **Budget Hearing:**

**Warrant Article 2:** The discrepancy between the dollar value presented at the January 18 and January 31 meetings was the result of a formula error in excel and the \$1,252,667 is the correct number.

**Warrant Article 5:** DRA has said that we only need to appropriate the \$20,000 annual cost and then each subsequent year include the \$20,000 in the budget though year five.

**General:** Mr. Bertino asked about page 8 item 3 “4319.1 Consulting”. Discussion took place regarding its purpose. Essentially, it’s a contingency that will go to the unreserved fund balance if unspent but can be reallocated to any other valid appropriated purpose.

## **New Business:**

**Candidates Night:** Mr. Tole, pointed out that we have a WEA BOD candidates night and should probably do the same for the village district. It is proposed to have a village district candidates March 7<sup>th</sup> at 6:30 PM at the Ski Lodge. Mr. Tole suggested using constant contact to let people know about the event and provide candidate resumes.

**Moderator:** Mr. C. Smith stated that Samantha Ciaston resigned from the WEA BOD and Moderator position in the same letter (see attached). Mr. M Smith stated that the resignation from the moderator position was never stated in the public record. Mr. C. Smith said that Jack Letvinchuk should be appointed. Ms. Ciaston resigned effective 11/2020. Mr. Griffiths stated he would see if Mr. Letvinchuk would serve as moderator. Discussion took place about whether the commissioners had the power to appoint a replacement.

**Pemi Baker Community Health Fundraiser:** Marty Humphrey has asked to use the Recreation Center for a fundraising event. Discussion took place around how much to charge. The commissioners recommended no charge for the room and member prices for food and beverages.

**Adaptive Skier:** Mr. Marks stated that Mr. C. Smith was contacted by a blind skier who wanted to use the Campton Mountain Ski Area. Discussion took place around how much to charge. Mr. Tole motion to provide two season passes, Mr. Griffiths seconded, passed unanimously. Mr. Marks suggested that we should develop an adaptive sports program at the ski area.

**Greater Community Access to Ski Area:** Mr. Tole asked what we could do to make the mountain more accessible to the public. Discussion took place.

**Revolving Recreation Fund and Recreation Management Agreement:** Mr. M. Smith stated that setting fees and charges was the purview of the commissioners. Mr. C Smith stated the warrant article from 2006 which created the revolving recreation fund stated “in consultation with association”.

**Petitioned Warrant Articles:** Mr. Griffiths reported that the articles have been submitted to DRA and DRA has responding advising the village to send them to their legal counsel. Ms. Kinney stated she has forwarded as recommended. Mr. Griffiths suggested that we notify taxpayers via constant contact and post them on the website.

## **Old Business:**

**DES Correspondence:** Mr. Marks said the full email chain should be inserted in the record (see attached).

**Reserve Study:** Mr. C. Smith has forwarded the study to the Reserve working group.



**Old Clerk Records:** Mr. C. Smith turned over information that had been in the possession of Lloyd Wiley to Mr. Tole. Mr. Tole separated out the legal documents, which are not part of the public record, and turned the remainder over to Mr. M. Smith as each clerk must pass on all documents to the next clerk when a new clerk is elected.

**Set next meeting:** TBD.

**Adjournment:** Mr. Griffiths motioned to adjourn the meeting, Mr. Tole seconded, and the motion passed unanimously at 4:34 PM.

DRAFT

## WATERVILLE ESTATES VILLAGE DISTRICT

### February 22, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Sean Tole, Andy Griffiths, Art Marks, Corey Smith, Karen Waters

Guests: Harry Bertino, Jim Murphy, Ned McElroy, Jack Letvinchuk, Stan Bujarski, Mike Hering, Sue Hering, Dave Ketchum, Anthony Patti, Maureen Patti, Andrea Canfield

Called to order: Mr. Marks at 8:10 AM.

#### **Appoint and Swear in Moderator:**

Mr. Griffiths made a motion to appoint Jack Letvinchuk as moderator to replace Samantha Ciaston, Mr. Tole seconded, unanimously approved. Mr. Letvinchuk was sworn in by Mr. Tole.

#### **Petitioned Warrant Articles:**

**Warrant Article 6:** To see if the Village District will vote to establish a planning board under RSA 673:1. The commissioners voted unanimously to **NOT** recommend.

**Warrant Article 7:** To see if the Village District will vote to change the name from Waterville Estates Village District to Campton Mountain Village District. Mr. M. Smith stated that NHMA and DRA often refer to our village district as Waterville Valley Estates Village District. Mr. Hering asked if deeds might be affected. Ms. Waters said the process is more involved than people might think. Mr. Ketchum asked if Campton Mountain Village might be confused with the ski area. Mr. Bertino pointed out that most of the confusion is around the association being conflated with the village district. Mr. Letvinchuk agreed. Mr. Letvinchuk stated it would be worth the effort to prevent the association being confused with the village district. The commissioners voted unanimously to **NOT** recommend.

**Warrant Article 8:** To see if the Village District will vote to establish the treasurers' term from one year to a three-year term. The commissioners voted unanimously **TO** recommend.

**Warrant Article 9:** To see if the Village District will vote to ban the use of village district drinking water and the village district water system for snow making. Mr. Marks asked whether this meant that pond water could not be used if it was considered part of the "water system". Mr. McElroy cited well pump flows and whether we cavitate at max flow. Mr. C. Smith said that we downsized the pumps from approximately 190 GPM to 150 GPM and have not had cavitation issues since. Debate ensued about the definition of the water system. Mr. Ketchum and Mr. Tole observed that the ponds are part of our overall fire suppression. The commissioners voted unanimously to **NOT** recommend.

**Warrant Article 10:** To see if the Village District will vote to authorize the board of commissioners to accept gifts of real estate or any interest in real estates, after a public hearing, in the name of the village district for any valid public purpose. The authority shall be limited to undeveloped land, or any interest in such land having a fair market value of ten thousand dollars (10,000) or less and shall remain in effect until rescinded or modified by further vote of the village district. Mr. Marks asked if the current limit was \$50,000 which was confirmed. Mr. Bertino stated that the New Hampshire statutes dictate how the village district can acquire assets citing RSA 31:19, 31:95-b, and 31:95-e. Mr. M. Smith stated that 40 or 41:14a covered real property. Mr. Tole suggested that land has no cost of ownership and that in that case the warrant would be overly onerous.

**Warrant Article 10 continued:** Mr. M. Smith stated we currently have approved in perpetuity 31:95-b, 31:95-e, real estate and WEA property transfer ability. Mr. C. Smith read the warrant article from 1999. The commissioners voted unanimously **TO** recommend.

**Warrant Article 11:** To see if the Village District will vote to rescind the authority of the commissioners to accept ownership of such properties of the Waterville Estates Association as they may deem prudent. Mr. M. Smith pointed out that it does not repeal the warrant articles 31:95-b, 31:95-e, and real property cited in discussion for Warrant Article 10. Mr. Marks stated there has been no previous commissioners meeting about these petitioned articles so we should bear with their deliberation during this session. Discussion took place around whether the wording of Warrant Article 11 was specific enough. Mr. M. Smith recommended that the author propose an amendment at the annual meeting stating that it does not prevent the village district and association from transferring assets through the previously approved methods. The commissioners voted unanimously to **NOT** recommend. Mr. Tole stated that the village district attorney indicated that the commissioners can't qualify, they have to recommend or not recommend.

**Warrant Article 12:** To see if the Village District will vote to establish an official budget committee under RSA 32:14. Three members at large are to be elected, the meeting shall either elect the initial members for a one year term by means other than by official ballot, or shall authorize the moderator to appoint members to serve until the next annual meeting, as provided in RSA 669:17. Elections for staggered terms, as described in RSA 32:15 paragraph II, shall not begin until that next annual meeting, and shall be by official ballot if the municipality has adopted the official ballot system, as set forth in RSA 669. Ms. Kinney stated that the moderator can appoint or village citizens can elect from the floor. Mr. Tole confirmed. Mr. Griffiths asked who members at large could be. Mr. M. Smith stated they must be village citizens. Mr. Tole suggested that as a small district it would add a level of bureaucracy and add no other value. Mr. C. Smith stated that the budget committee would have the power to separate funds into special warrant articles that could then be defunded and the commissioners would not be able to change the budget. Mr. Bertino disagreed and cited an NHMA article from September/October 2017 article on the matter. Ms. Canfield asked if we were looking at this wrong and if a budget committee wouldn't be helpful. Mr. Tole disagreed. Mr. Bertino read from the NHMA article to support his earlier point. Mr. Berrtion asked that the article be sent our via constant contact. The commissioners declined on advice from the village attorney that it constituted electioneering. The commissioners voted unanimously to **NOT** recommend.

#### **Old Business:**

**Treasurer Update:** Ms. Waters provided an update on her office hours and requests from the community. She has also continued to work with Ms. Kinney on an improved treasurer's report. Mr. Hering asked that Ms. Waters make a presentation to the WEA board. Ms. Waters updated the commissioners on the written treasurer's policy she is working on and how it will be a living document that commissioners approve and each new commissioner would have an opportunity to review and approve.

**Tax Rate Analysis:** Mr. C. Smith provided an update on the tax rate analysis. He showed a handful of properties illustrating that tax bills have gone up LESS than inflation. He indicated he would be providing an updated analysis covering the entire village.

**Candidates Night:** Discussion took place on getting candidates bio's out via constant contact.

**Web Site:** Mr. C. Smith stated that separation of the WEA and WEVD information was being reviewed.

**Adjournment:** Mr. Tole motioned to adjourn the meeting, Mr. Griffiths seconded, and the motion passed unanimously at 9:22 AM.

**WEVD Treasurer Report 2020**  
**Karen Waters District Treasurer**  
**June 2020**

	Current Month		Prior Month
<b>Northway Bank</b>			
Operating Account	\$37,872.68		\$71,912.48
Waters Dept	\$94,522.63		\$47,368.53
Rec Fund	\$3,730.72		\$5,881.49
Friends of Campton Mtn.	\$37,479.11		\$37,478.80
<b>Meredith Village Savings Bank</b>			
Operating Holding Account	\$563,340.30		\$563,262.71

<b>Total</b>	\$736,945.44		\$725,904.01
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**Foot Notes**

Taxes owed by the town Thornoton 2019 \$25,948.47

Taxes owed by the town Campton 2019 \$18,278.43

Recived \$342,417.59 from the town of Campton for 2020. Not reflected in above balance

**Waterville Estates Village District**  
**Check Signing Policy**

<b>Policy</b>	
<b>Approved By:</b>	
<b>Approval Date:</b>	
<b>Revision Date:</b>	
<b>Effective Date:</b>	
<b>Date to be Reviewed</b>	
<b>Administrator Responsible:</b>	

**PURPOSE:**

The main purposes of this policy are to provide direction to the Commissioners of the Waterville Estates Village District through a consistent framework that ensures that:

- a) Authorities are clearly assigned, properly approved and that delegation instruments are regularly updated.
- b) The responsibilities and duties of those with signing authority are clearly communicated and understood.
- c) Transactions and commitments are only entered into with appropriate authority.
- d) The District's activities are conducted in a manner that provides sound financial accountability and control of public funds entrusted to the District in accordance with appropriate policies, laws and regulations.

**Authority:**

The Commissioners of the WEVD have delegated signing authority to individuals holding the following offices:

- Commissioners
- Treasurer
- Deputy Treasurer.

Commissioners and Deputy Treasurer have the authority to sign check up to \$10,000.00. The Treasurer has the authority to sign checks up to \$20,000.00. Any checks over \$20,000.00 will require the Treasurer and one Commissioner.

Any electronic payment must be authorized by the Treasurer. In the absence of the Treasurer the Deputy Treasurer along with one Commissioner my approve. Email approval is permitted.

The Treasurer is responsible to ensure that there is appropriate signing authority in their absence.

**Segregation of Duties:**

Individuals who pose the following powers are not authorized to sign checks

- Adding a new vendor to the accounting system or vendor listing
- Preparing invoices/bills for payment
- Maintaining the accounts payable ledger

- Preparing a bank reconciliation
- Processing of accounts receivable/cash receipts
- Hiring vendors

**Account Reconciliation:**

All WEVD checking accounts will be reconciled by the 10<sup>th</sup> of the month following the close of the statement.

The Treasurer will review all reconciled accounts and sign off approving the reconciliation. In the absence of the Treasurer the Deputy Treasurer will review and approve.

Stale date checks (6 months) will be researched and reported to the Treasurer.

Blank check stock is kept in a locked storage area at all times and is only available to the appropriate personnel.

Checks will be logged when used and audited monthly by the Treasurer.



# Waterville Estates Village District

November 19, 2014

## Minutes

- I. Lloyd called the meeting to order at 5:00 PM. Attendees: Corey Smith, Lloyd Willey, Harry Learned, Mike Baumann, Judy Kinney, and Clerk Barbara LaJeunesse.
- II. Harry L. made a motion to accept the October 8, 2014 meeting minutes as corrected. Mike abstained as he was not at the entire meeting. Lloyd seconded. So approved.
- III. OLD BUSINESS
  - A. WATER SYSTEM – The ski bowl work is close to being done. Upgrades to the automation system are complete.
  - B. BACKUP POWER GENERATORS – We have all the sites prepped and generators ordered.
  - C. HANDICAPPED ACCESSABILITY – Corey has been working on getting some ADA consulting. There is someone in Plymouth who might help us. Lloyd said the cost of the renovations would be approximately 1/10<sup>th</sup> of our total budget, so he suggested we have a long-term planning committee to decide what we do first. Lloyd offered to serve on that committee as well. Mike asked if there is grant money available. The chances are probably slim that our facility would get grant funds, however this is something the committee could look into.
  - D. FIREWOOD SALES – The 40 cords we purchased have all been sold. We sold an additional seven cords after that. We have thus far had no complaints about the quality of the wood. Corey thinks next year we should purchase 50 cords. Tom Avalon thinks the service has worked out very well.
  - E. FACEBOOK POLICY – Due to Right to Know Laws and established public meeting standards, WEVD officials, WEA Board Members, and management will not respond to public criticism or debate on public matters via Facebook. Matters of public policy that are discussed on social media will be acknowledged by the general manager and referred to public meeting forums.
  - F. SKI AREA UPDATE – Things are going well. The chairs and grips all passed inspection. Painting has been done. We bought a groomer and a tiller, so we can have better ski conditions. Sodexo is not able to do the food service this winter, so Corey has been talking with three different prospects. We're looking at the interior structure to see what changes need to be made to make the kitchen bigger and the bar longer.

Waterville Estates Village District Public Hearing  
Refund of Hammerhead Contribution  
July 29, 2020  
4:00 pm  
DRAFT

A Public Hearing was held by the Commission of the Waterville Estates on July 29, 4:00 pm at the Community Center Upper Deck at 562 Winterbrook Road, Campton, NH 03223. The meeting was called to order by Commissioner Herlihy at 4:00 pm.

Members Present: Chairperson Griffiths, Commissioner Herlihy

Members Absent: Commissioner Tole

Public Present: Matt Smith, Maureen Patti, Anthony Patti, Dave Ketcham, Loren Bennett, Terry Bennett, Ned McElroy, Matt Smith, Al Zulli, Harry Bertino, Art Marks, Deb Marks, Mike Hering, Arnold Goodman, James Murphy, Jacqueline Maier, Sue McDermot, Lisa Culver, Joan Wood, Corey Smith.

Commissioner Herlihy opened the Public Hearing at 4:00 pm. Rules regarding who has right to speak were defined as affected parties or those who were involved at the time. This is not the time for others to offer opinions.

**General Comments and Opening Statement by Mr. Matt Smith:**

Mr. Smith indicated that litigation has always been an option. He is hoping instead of going there a settlement recommendation can be agreed to thru this Public Hearing process. In 2009/2010 a property was developed on the road by the owner, as a private home. The Campton Planning Board indicated that a Hammerhead needed to be built at the dead end. The WEVD Commissioners interceded on behalf of the property owners with the Campton Planning Commission. Mr. Smith stated WEVD had no clear authority to do this. A letter was sent by the Commissioners acknowledging an agreement with the Campton Planning Commission. The letter to the Campton Planning Commission took the responsibility from the Mudo's and made the District responsible. Mr Smith was made aware of this letter sent to the Planning Board, Town of Campton in response to their letter dated November 12, 2009 in January of 2020.



Upon consultation with an attorney, he was informed that the clock for discovery began with his discovery of the letter.

Mr. Smith summarized that in 2009 the Campton Planning Board required the upgrading of Taylor Road , formerly Forest Road, by upgrading the width and surface and completion of the Town approved Hammerhead. The district accepted responsibility for both. This was to be done prior to the town approving any additional building permits. The improvements would be completed with the issuance of “another building permit”.

On October 26, 2013, Mr Smith applied for a Campton building permit. The Town approved the building permit for Mr. Smith on 11/07/2014 without any reference to the Hammerhead. On 12/17/2014, Mr. Smith made application to WEVD for a building permit. On January 4, 2014 Mr. Smith was denied a WEVD building permit being told; he had to build the Hammerhead. Mr. Smith feels that the Mudo's had an issue with building the Hammerhead and a settlement reflected in the letter referenced was made by the WEVD Commissioners.

Mr. Smith Worked with the WEVD to negotiate an agreement in which began with him paying the total cost of the improvement. The final agreement resulted in Mr. Smith and WEVD each sharing half the cost of the improvement. Mr Smith paid \$10,000. The Hammerhead was built and the resulting improvement is located on Mr Smith's property. He indicated he pays property tax on the Hammerhead.

Mr Smith believes the WEVD had no standing in the in the Road and requirements of the Hammerhead siting text from “Knowing the Territory”,New Hampshire Municipal League guide documents for Government. He believes he paid the entire cost of the Hammerhead. The issuance of his building permit was denied as a result of the required Hammerhead payment. He is asking for return of his \$10,000 payment.

Commissioner Herlihy stated it is important to discuss issues. Reconstructing what happened is difficult. Mr. Smith paid \$10,000 for a building permit. He is concerned this issue occurred a long time ago and he doesn't want this to set a precedence for the WEVD. His struggle is with new property owners expecting improvements as a result of their building. He is in agreement that the building permit for WEVD was \$10,000. The Hammerhead was built. Past documents indicate the trigger for this improvement is related to building of second and third

homes. He understands the Hammerhead was needed related to Fire/Safety concerns. He feels that it is past time to discuss this issue. Commissioner Herlihy stated, one thing he has learned is a need for better policies and communication to be in place.

Mr Smith again indicated the WEVD had no standing in this process. He indicated that there was discussion related to the number of driveways accessing Taylor was the trigger to the Hammerhead. He indicated his driveway was actually the first driveway not the third even though his was build after other homes were built. Campton policy relates to 500 feet, second and third homes are applying the 200 foot rule. The WEVD had not standing in the Road and interceded on behalf of other residents related to this road improvement issue. It was at the time a Private Road.

Commissioner Herlihy and Chairman Griffith indicated they had been advised that time for rediscovery and new discussion has past. Both Commissioners concurred they were told this.

Commissioner Herlihy read into the record the following portion of the March 22, 2014 Board Meeting minutes:

“ Mr. Hering discussed the Building Committee. He said that there is not a lot going on. He said that they are working on one issue concerning the Smith property. Corey Smith said that he has had numerous conversations with the town. He said that problems stem from actions that were taken 10 years ago. He said that they are making good progress in trying to fix what was a bad situation. He said that he would be meeting with an engineer today to draw up a sketch plan. He said that they hope to have the issue squared away with the town by snow melt.

Mr. Marshall asked who will cover the expense of the road. Mr Hering said that it will be covered by the Village District and the Smith's. He said that the Muto's and the Mahoney's have already invested in the road. He said that the Smith's have agreed to pay \$10,000. He said that this has all come about because of decisions made in the past. He said that moving forward, future developments will be dealt with appropriately.”

Chairman Griffith reviewed his understanding of the facts. In 2013/2014 Mr Smith signed a contract with WEVD and paid 10,000 dollars. The

Hammerhead was built complete. The letter mentioned above did not stipulate who the payment for the Hammerhead would come from.

Chairman Griffiths , restated the facts, as he understood them. A contract was signed in 2013/2014. Mr. Smith never thought it was right. The work was paid for and the work was done. The 2009 letter did not disclose how the money for the Hammerhead would be raised. Mr Marsh statement reflected Mudo's contributed land for the road improvements. He is not aware what contribution was made by another resident at the time. Chairman Griffiths indicated that other property owners have paid private companies for road improvements. WEVD nor the Towns have not reimbursed those owners for their contribution. The struggle is to understand, need to pay for private use.

Commissioner Herlihy feels money was spent and the Hammerhead was built. He suggested that neither himself or Chairman Griffith served in 2009. The problem lies with lack of written policies that guide the operation of the WEVD. Commissioner Herlihy feels bad about the muddled process and conflicting information on the requirements.

Mr. Smith again indicates that WEVD had no standing in the process. He thinks that the Hammerhead may be located in the wrong place and should be at the dead end.

Chairperson Griffiths stated that this clearly was a muddled process with conflicting communication and information. He confirmed with Mr. Smith that the road was private at the time.

After discussion between Chairman Griffiths and Commissioner Herlihy, they offered to reach a settlement and pay Mr. Smith \$5,000. Mr. Smith asked for \$7500. Mr. Smith indicated that he contributed \$10,000, plus a prorated \$5,000 for taxes he is paying on the property. Total of 15,000. This splits the "baby" right in half and would be less expensive than other options. He feels this is a fair settlement. Mr Hering indicated Mudo's and Mahoney's would be coming forward looking for a settlement. Chairman Griffiths indicated he had received a letter from Mr. Mahoney.

Chairman Griffiths indicated this would be a one time payment of 7,500 which included the future tax liability.

Motion by Griffith, seconded by Herlihy to recommend to the Commission at the August 1 ,2020 Board Meeting the payment of 7,500 dollars for settlement and ownership of the Taylor Road Hammerhead issue. Yeas: Griffith, Herlihy, Nays: none, Absent: Tole

Commissioner Herlihy request a document that would verify the completion of this issue.

Mr. Smith indicated that he would present an agreement letter with for the record.

Motion by Herlihy, seconded by Griffiths to close the Public Hearing at 4:31pm. Motion carried: Yeas: Griffiths, Herlihy; Nays: none; Absent : Tole

Motion to adjourn the meeting by Herlihy, second by Griffiths at 4:31 pm. Motion carried. Yeas: Griffith, Herlihy, Nays: none, Absent: Tole

Meeting was adjourned at 4:31pm.

Minutes Respectfully submitted as Draft Minutes by Terry Bennett, who was asked by Commissioners Griffiths and Herlihy to step in in the place of Clerk Smith.

Posted: Posted on WEVD Posting Board  
On page WEVD WEB page  
Constant Comment Communication

Draft Minutes include:  
Copy of Sign In Attendance Sheet  
Copy of Undated Letter  
Copy of Minutes from March 4, 2014

## WATERVILLE ESTATES VILLAGE DISTRICT

### August 1, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, John Herlihy, Sean Tole, Karen Waters

Guests: Ned McElroy, Becky McElroy, Al Zulli, Harry Bertino, Jack Letvinchuk, Libby Griffiths, Denise Bujalski, Stan Bujalski, Richard Doore, Art Marks, James Murphy, Maureen Patti, Anthony Patti, David Ketcham, Terry Bennett, Chris McCormack, Arnold Goodman, Jackie Herlihy, Jaime Oldmixon,

**Welcome Comments:** Commissioners introduced themselves.

**Approval of Previous meeting minutes:** Mr. Tole made a motion to approve the meeting minutes from June 9<sup>th</sup>, 2020 and July 18<sup>th</sup>, 2020, Mr. Herlihy seconded, passed.

### **WEVD Treasurer Report:**

**Report:** No update on numbers. Will begin reporting on budget status for non-lapsing items.

**Covid Costs:** Referenced but no info provided.

**Consulting and Legal Costs:** We are over budget on legal. Budgeted amount \$13,500, at \$18,300. Mr. Tole asked what the cost overrun was associated with. Treasurer stated \$14,900 is associated with right to know requests. Mr. Tole asked if we could charge for legal expenses like we can charge for copies. He was answered no.

**Rec Fund Budget Correction:** There was an error on the reported net ordinary income. It was \$6,916, not \$3,400 as reported.

**Policy for Water Bill:** The treasurer proposed a policy for the water bill. Discussion took place. Mr. M. Smith noted that the item wasn't on the agenda and the policy stated that it was "noticed: for today's meeting. He suggested moving forward that if the commissioners were going to act on approving a policy, the public should be aware of the fact ahead of time even though it is not legally required except for Warrants. Mr. Herlihy motioned to apply a late fee after thirty days effective October 1<sup>st</sup>, 2020, Mr. Tole seconded, approval passed. The treasurer observed that the water ordinance was passed in October 2017 and is available on the web site. See attached water rate collection policy.

**Deputy Treasurer:** The treasurer appointed Linda Ivers as Deputy Treasurer. Mr. Tole motioned to accept the appointment, Mr. Herlihy seconded and the motion passed.

**WEA BOD Update:** Mr. Marks provided an update from the association Board of Directors. Chris McCormack is helping with an analysis of the board's insurance policy to gain clarity as to whether the bacteria exclusion really applies to viruses. The survey to association members indicated that 93% would not support a special assessment to help with legal fees associated with opening during the pandemic. Terry Tole has been appointed to the Board to replace Brent Smith. Candidates are still being evaluated to replace Chris Fagas. CIF funds are up as many homes are selling. Mr. Marks did not have an amount available.

### **GM Update:**

**Work In Progress:** Road work is ongoing. Mr. Herlihy met with Mr. C. Smith on projects. The town has committed to repairing Goose Hollow where the drain pipe was worked on but has not done so yet. Mr. Herlihy discussed the variability of process when dealing with development and roads and water and that there needs to be consistent policies. He discussed using constant contact to update residents on service issues.

**Work In Planning:** Mr. Herlihy indicated he has spoken to representatives from both towns about roads and will continue to press them for road maintenance.

**Report:** Have found 2020 plow truck. The backhoe quote expired and we are seeking new quotes but expect to stay in budget. We are bringing people back to work since the \$600 unemployment benefit has ended. They will perform cleanup. Typically, the recreation revolving fund covers these costs, but the village will be covering these costs. The village will monitor the roads during the rain expected this week.

**Master Plan for Water System Update:** Mr. Herlihy provided an update on the committees activities. He made a motion to accept the bid from Dubois and King. Mr. Tole suggested he needed more time to review the proposals. There was heated discussion. Discussion took place about available grants and grant deadlines. The result was that Mr. Tole seconded the motion and the motion passed. Mr. Herlihy then motioned to approve a not to exceed amount of \$51,700 to be taken from the wells and pipe line items. The treasurer advised that the commissioners could not overspend beyond the amount appropriated for the water department. Mr. Griffiths seconded and the motion passed. Mr. Herlihy will contact the applicants and advise them of the results. There are likely cost savings since some leak testing has already been completed. There was a desire expressed to ask Dubois and King to use the geologist that Tata and Howard had intended to use.

#### **Old Business:**

**Court Sale:** The court sale is complete.

**Swim Float:** The dock is in.

#### **New Business:**

**Hammerhead:** A settlement was reached with Mr. M. Smith regarding the charges for the hammerhead on Taylor Dr. See attached. Mr. Griffiths motioned to accept, Mr. Herlihy seconded, and the motion passed with Mr. Tole abstaining.

**Snocat:** A tiller blade is available for the Snocat for \$1500-2000. Mr. Hering is reviewing covering the expense from the CIF.

**Aesthetics Committee:** Mr. Griffiths stated that the association enforcement of the covenants is lackadaisical. He stated that any other association he has been involved in had an active violations committee. He has had realtors come to him expressing concern for appearances and the planning of community development. He stated that there needs to be a more symbiotic permitting process where the association and village work more closely on understanding the knock on effects of building permit issuance. Discussion took place around improving the process and how as the community has grown to the point where more formal processes are required.

**WEVD/WEA Lease Update:** Mr. Griffiths is still working with the village attorney and will need the association to have their attorney review the lease as well.

**Digitization Update:** Mr. Griffiths stated that we are awaiting quotes.

**RTK Request Update:** Mr. Griffiths stated that there a still a few to respond to and he should get to them this week.

#### **Volunteer/Advisory/Action Committees:**

**US Mail Committee:** There are not always mailboxes available for new owners and they have to get a PO Box at the post office. Maureen Patti, Susan McDermott, and Mr. Tole will represent the commissioners for this

committee. Discussion took place about federal regulations and an alleged settlement between the estates and the post office.

**Planning Board Committee:** Frank Marshall and Matt Smith have put their names forward and Mr. Griffiths stated the village would send a memo out seeking applicants and that they needed to be village citizens. He said it probably needs to work with the long term planning committee. Mr. Tole indicated he needs clarification on the purpose for the committee. Mr. Griffiths stated the committee would be formalized at the next meeting.

#### **WEVD Communications/Presence:**

**Constant Contact:** We have multiple constant contact mail lists and need to get them current.

**Facebook:** Still open.

**Web Update:** Still open.

**Miscellaneous:** Mr. Griffiths stated that he had been asked to go on record that Ms. Bennett had hired Mr. Ktec ham to do some work. Mr. Tole has hired Mr. Pelchat to do some work.

**Open Floor/Questions:** Mr. McElroy read a statement about voter registration. See attached. Mr. Bertino asked about the water line policy. The commissioners acknowledged there was no policy. Mr. Bertino asked for an update on the water contract with Hodgeman Hill Condos. There is no update. He stated he found a revised contract from 1996. Mr. Griffiths asked if he would send a copy and stated he would have an answer at the next meeting. Mr. Zulli asked if the recreation center was an emergency shelter. Discussion took place and Mr. Griffiths stated he would have an answer for next meeting. Mr. Marks expressed concern about the settlement of the Taylor Drive hammerhead and the precedent it set. Jaime Oldmixon asked to be kept abreast of road and water committee activities as he had experience in the field. Mr. Herlihy pointed out that they would be posted open meetings. Mr. Tole asked where the \$7,500 for the Taylor Dr. Hammerhead was coming from. Mr. Griffiths stated they'd have to determine that.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, August 15<sup>th</sup> at 8:00 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 9:50 AM.



# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223  
Phone: (603) 726-3082; Fax: (603) 726-8611

## Water Rate Collection Policy

### **PURPOSE:**

The main purpose of this policy is to clearly define the Water Rate Ordinance that was passed by the then commissioners during a Waterville Estate Village District meeting on October 26<sup>th</sup> 2017. (Copy of Ordinance Attached).

The purpose of the annual assessment shall include the defraying of expenses associated with the development and maintenance of wells and the water distribution system, increasing water capacity, operations and maintenance.

All assessments shall be deposited into a water fund account and held by the district treasurer. An annual report shall be prepared and made available at the annual district meeting.

### **Rate:**

Beginning July 1, 2018 and annually each year after a fee of Two Hundred Dollars (\$200.00) will be assessed on all living units in the Village District for the calendar year of the date of the assessment.

### **Liens and Collection of Charges:**

Charges that become delinquent 30 days will be charged a 2% finance charge each month until paid.

Charges that become delinquent 90 days will be presented to the Commissioners to begin the process of placing liens against property.

Once charges become 6 months delinquent legal proceedings will commence. A list of accounts will be present to the Commissioners.

We, the undersigned, hereby certify that the Commissioners of Waterville Estate Village District is comprised of 3 members, of whom 3 members constitute a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 1<sup>st</sup> day of August 2020 and that the forgoing policy was duly adopted at said meeting by the affirmative vote of \_ commissioners and opposed by \_ commissioners. Policy has been recorded in the minutes and is in full force and effect.

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Andrew Griffiths – Commissioner

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Sean Tole – Commissioner

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John Herlihy – Commissioner



Approved By:Commissioners

Approval Date: August 1, 2020

Revision Date:

Effective Date: August 1, 2020

Date to be Reviewed August 2023

Administrator Responsible: Treasurer

Commissioner John Herlihy and I held a Public Hearing on Wednesday, July 29<sup>th</sup>, 2020, at the request of Mr. Matt Smith, with respect to the Mr. Smith seeking redress for the responsibility to pay for the building of a Hammerhead on Taylor/Forest Drive. All 3 Commissioners contributed much time, effort, and energy, to best understand this matter. It was concluded that this is a unique independent situation. At the hearing, Commissioner Herlihy and I made a settlement agreement with Mr. Smith, in principal, for recompense for the one-time amount of \$7,500.00, which includes compensation for property taxes in perpetuity, for the privately held property, owned by Mr. Smith, on which the Hammerhead exists. It is understood that Mr. Smith will provide proof of ownership (deed), and sign a mutual agreement in good faith, and signatures are formal agreement the issue is resolved permanently. So, given that, I would like to make a motion based on what was previously stated, to compensate Mr. Matt Smith in the amount of \$7500.00, once the agreement is executed.

To the Commissioners

All be advised that illegally claiming Domicile and thus voting at Waterville Estates Village District is in violation of New Hampshire Law RSA 659:34 Which states.

***In accordance with RSA 659:34 the penalty for knowingly or purposefully providing false information when registering to vote or voting is a class A misdemeanor with a maximum sentence of imprisonment not to exceed one year and a fine not to exceed \$2,000.00. Fraudulently registering to vote or voting is subject to civil penalty not to exceed \$5,000.***



WATERVILLE ESTATES VILLAGE DISTRICT  
COMMISSIONER'S MEETING

AUGUST 1, 2020



**Agenda for Commissioner Meeting**  
**Saturday, August 1, 2020 @ 8:00AM**  
**Pool Upper Deck (Summit Lounge if inclement weather)**

1. Call to Order
2. Welcome Comments
3. Approval of Previous meeting(s) minutes
4. WEA BOD Update
5. Treasurer's Trove
  - a. Treasurer's Report
  - b. COVID-19 Costs
  - c. Consulting and Legal Fees Costs
  - d. Rec Fund Budget Correction
  - e. Deputy Treasurer
6. GM Update - Corey on Vacation: AGM
  - a. Current items/issues to be tended to:
  - b. Plan/items moving forward
7. Old Business/Items
  - a. Court Sale Completed
  - b. Swim Float launched
8. New Business Items
  - a. Hammerhead Settlement with Matt Smith
  - b. Tiller/Blade Snow cat
    - i. CIF?
  - c. Aesthetics/tidiness/Cleanliness Priorities
9. WEVD/WEA Lease Update
10. Digitalization Update/quotes
11. RTK Request Update
12. Master Plan for Water System Update
13. Volunteer/Advisory/Action Committees
  - a. US Mail Committee
  - b. Planning Committee
    - i. LTP?
  - c. Infrastructure Committee
14. WEVD Communications/Presence
  - a. Constant Contact - Cull
  - b. Web Site -
  - c. FB Page
15. Miscellaneous items
16. Next Meeting - Saturday, August 15, 2020, Same Bat time,  
Same Bat Channel!
17. Open Floor/Questions
18. Adjournment



## DISTRICT COMMISSIONER'S MEETING – HELD VIA ZOOM ON JUNE 9, 2020

Present: Judy Kinney, Marna McLendon, Bill Donohue, Maureen Patti, Alissa Imbracsio, Harry Bertino, Sean, Bobbi Ketcham, Karen Waters, Claire, Chris, Terry, Kerri Antonuccio, Scott Devens, Amanda Kierce, Aaron Woods, Sue McDermott, Mark O'Hara, Claire Denton, Lori Routhier, Andy Griffiths, Corey Smith, Art, Ned, Jack Letvinchuk, Mike Hering, Amanda Kierce

Called to order at 3:22p.m. – June 9

Karen gave an update: totally unintelligible via Zoom recording

- Wants feedback on report
  - Nothing that man in conference room wants to add at this time
- COVID 19 update
- Writing some policies that will be audit driven to provide guidance in our procedures
- Water bills are coming in as our annual dues
- Office staff coming in on part time basis; making sure accounts are being entered correctly and are up to date and ready for the audit
- AUDIT
  - March 17<sup>th</sup> letter was signed with the auditors
  - Have completed questionnaires sent by the auditors
  - Judy will reach out to them within the next week
  - Because of COVID it will take awhile for audit to be scheduled/completed
- WATER BILLS (not on agenda but important to discuss)
  - \$203.60 – confusing on what this bill was for; amount plus inflation
    - Commissioner's could add inflation
    - Warrant article will be amended at next meeting
    - Lloyd confirmed this had been discussed at a past meeting
    - 2<sup>nd</sup> billing went out at \$205.00
    - Suggested to look back at minutes – uncertain if this was a "vote" by Commissioner's or if inflation could be added without a vote. \_\_\_\_\_ talked to legal who confirmed that it was at Commissioner's discretion
    - Harry's recollection is COLA was not to be added to water bills
    - Could re-bill or bring up at annual meeting
    - Karen will look into the water bills and bring it to a future meeting
    - Art felt it should be year by year decision and NOT put on bills this year
      - Could cost more to give it back – deduct it from next year (bill \$197.00)

Inquiry from Matt Smith

- Matt has talked with Corey in the past
- Corey: talked with Matt but Corey could not discuss with Commission outside a scheduled meeting
- Matt would like it discussed in a public forum
- Corey cannot talk with Bart (lawyer) unless it has been discussed at a Commissioner's meeting
- Two sides of \$10,000 issue if we keep or return it
  - Return of money effects future development of other lots
  - Return sets a precedent
- Within confines of the law, we can now discuss this with legal since its been brought before the Commissioner's at this meeting

Harry Bennett: public bids for Master Plan

- Terry recommendation: post a meeting and set a date for bids. Committee will work on 5 point check list; create a list of companies to interview or recommend one company.
  - Request for qualifications can be posted at any time – coordinate with Matt (Clerk of District) ASAP
- Thank you all for an excellent job



## OLD BUSINESS

### WATER UPDATE

- Leakage: Prowler Water Conservation is working with Horizon Engineering to address leaks
  - 5 leaks found upon first detection with 50-70 gal/min– 4 have been repaired. We have 40-45 gal/min right now.
- Lakes Region Water has equipment that makes work much easier (vacuum to suck out water/mud), is not sure they can continue to assist us due to amount of work they have
- 2<sup>nd</sup> round of leak detection will happen on Friday and they will check those that have been addressed
  - 9 leaks in last 3 weeks; some obvious, Lakes Region Water addressed those we could not fix
- Horizon (Peter Goodwin) will issue a report on condition of system at the close of the detection project
- Question on Lakes Region Water providing us assistance – lack of availability due to amount of work they have. They are being upfront with their ability to provide assistance.
  - Looking for other providers
  - Cost to purchase one of the vacuums may be an option
  - We are OK on man power to address leaks; we don't have large equipment often needed
- WVE is doing more than normal for the water lines right now.
- BIG PICTURE: hiring Ray back or other contractors (for roads as well) is dependent on our bank account. We need to analyze where our "new normal" will be dependent on opening.
- E-coli – 5 months that we've been clear; in month 6, of non-chlorinated samples. All other testing has come back clear.
- Next water line replacement needs to be Pegwood Hill. When we look to pave S turns & McLaren needs to be on the master plan.
- Hodgeman condos & unit at ski area: system has improved but problem is probably not completely gone; 1 1/4in line to the units is the problem.
  - Per Art, system is providing right amount of pressure and the issue is most likely the line into the condos
  - Per Corey – we may be given permission to work on the lines
    - We have done work on 2 of 4 lines due to other areas effected – something for the master plan
  - Worry is if we work on one condo unit, we could be required to work on lines at other condo units
  - Art felt this is a specific ability provided to the District to work on Hodgeman lines
  - Bring up Hodgeman water at the next meeting

Comment: COVID has thrown a wrench into many of the projects we had been working on.

- Sewage, septic are also Hodgeman issues that may need to be addressed in the future, but they are not items the District will deal with

### ROADS

- Roads have been swept
- Late winter required plowing roads that were partly plowed
  - One truck will need \$2,500 repairs
- Oil prices being lower may mean paving could be less expensive – getting quotes, have 2 out of 3
  - Will Association want to use capital improvement funds to pave more roads?
  - CIF in management agreement is being pulled except for Recreational capital improvement
  - CIF for roads is its own standalone discussion by the association

### VILLAGE DISTRICT and RECREATION ASSOCIATION MANAGEMENT AGREEMENT

- Covered too many items; become convoluted
- Art, Karen and Mark Canfield looked at items from the Commission side and Mike and Chris Vegas from the Association.
- AGREEMENT: Provision of Recreation Services as well as Recreation CIF (other CIF would be a dialog about those projects)
  - Problem is when an Association CIF project leads into a District project
    - District hadn't budgeted for the project

- Discussed what problems arise from being driving to do a project as opposed to being planned in advance
  - Strong, open dialog is important
- Hope is new outline will encourage more dialog between Association and District
- Association signed the agreement without comment
- **MOTION: Sign the Association Management Agreement – PASSED**
- Payment schedule:
  - As needed is replaced with a quarterly payment
    - Karen talked with Sarah (Association accounting)
    - Karen creating a policy for the process – who/how does request, date of transfers, etc.
  - Karen reviewed several of the policies being created around financial transactions. Once finalized, she will do a presentation to the WEA Board.
  - Corey clarified that in the absence of a "schedule" for payments, there are not 2020 bills for the money and its residing with the Association. Amt right now is \$23,000.
    - Karen defined that there is catch up that is needed. She will address it with WEA and the District so everything is transparent.

#### ANNUAL MEETING

- Jack: COVID sensitive logistics
  - Utilize tennis courts – flat, easier seating
  - Voting and nonvoting participants
  - Inclement weather – Summit Lounge will be used and determined 48 hours before the meeting
    - Would be difficult to accommodate everyone – can accommodate approx 85 people accounting for "couples" who don't need the full distance between them
    - Nonvoting would not be in the lounge but in the halls, other locations
  - Paper ballots – have been prepared for Commissioner's election as well as YES or NO voting in varying colors to be used as needed
    - Requires 3 voters to make request in writing
    - Rules will be explained at the meeting
  - Length of voting time was reviewed: 1 hr

#### TENNIS COURT

- Corey: A number of years ago, it was identified they needed to be resurfaced, but there was limited use of the courts
- Artificial surface was put in place and has recently been removed by request of the players
  - To recover cost, see if someone would want to purchase this material
    - To use in our bathrooms, would need to be removed to clean under surface
    - Can someone in the community, e.g. Andrea Canfield, see if there is a way to sell the material
  - We've had the material about 6 years
    - Depreciation would have happened over 5 years
    - Thus has no actual "value" to the Association
    - Experiment that is no longer valid
  - Cost of resurface is approx. \$50K
  - Can it be placed on basketball court
    - Not sure about how material would stand up to a plow as the court is an emergency egress in the winter
  - Mike: There would be a cost to take it to the dump. It has value (20 year product). How about plywood on it during the winter if used on the basketball court.
  - Believed to be an Association purchase



## LOGISTICS TO RE-OPENING THE CENTER

- Pools could re-open
  - 10 person limit – how do we control this
  - Any chairs used must be disinfected between uses
- District Agreement
  - Association decides what it wants to do/open or not
  - Passes info to the District
  - District replies with how many employees are needed and defines the process
    - Association comes to Commission to request opening of services
    - Fiscal responsibility for covering costs is the Association's responsibility
    - Will people come? Guess that 25% fewer will use facility due to COVID
    - There is no rainy day contingency fund. Association would go in the hole.
- Do we restrict to picture passes or also open to anyone who is using a Guest pass
  - Our employees are not paid sufficiently to police the use rules
  - If we open, just open and hope people follow the suggested guidelines without policing
  - Association needs to make this decision
- District: follow state guidelines, *we're a municipality not a private club*
  - NH beaches had crowding once open and it was hot temperature
  - Hired private police services and not asking local employees to enforce rules
- Fiscal question: What all will be open – pool, food, bar?
  - It's a lot of employees to provide services to 8 people allowed with social distancing
  - Costs for setting up with required distancing, marking floors, plastic shields, signs, etc.
  - Wiping down of furnishings after every seating
  - Hire cleaning company for nightly decontamination
- Balancing two services: pool and restaurant. Different requirements for each type of service
  - Food and beverage would be easiest to open within prescribed state guidelines
  - Association needs to realize the fiscal loss that could occur due to reduction of F&B sales
- Discussion about what businesses in NH and MA are doing. Also discussed about possibility of being sued if someone gets ill while using WVE facilities.
- Maybe we open the pond and put grills outside – shows Association we're making an effort to open some services
  - Minimal cleaning of chairs put outside
  - Work our way into opening slowly
  - Following govt guidelines with outside services (pond, courts), none inside
  - People cannot *sit* at the bar; form a line to order
- Normally open June 20<sup>th</sup> (longest day of the year)
  - This year, July 1 opening would be the best to hope for
- Mike will schedule a Zoom meeting with the Association Board
  - They have already crafted a liability waive form
  - Need to decide on who can use facilities: pass holders and/or guests
  - Govt rqmt for 14 days of quarantine for people that are from out of state
- Listen to Gov Sununu's announcement on June 14<sup>th</sup> for guidance

## PROPANE

- Locked into \$1.25/gal
- About \$0.25 cents less than other suppliers – no other fees
- Send out a letter to all residents; mention there should be no other fees

## LANDSCAPING AROUND CENTER

- Volunteers have been doing this on their own
- Scott and Andrea to coordinate a day for people to get together
- Can we have fees for littering and post signs?
  - May be a "town" ordinance we can use
  - Corey to contact Campton about Winterbrook Rd

Corey: Having issues with BOILERS that are not working.

- Current service provider has dropped us as customer after we fixed a problem on our own.
- Not many commercial repair companies
- Just warning that issues may take longer to address

QUESTIONS posted during the meeting

Can volleyball net go up? YES

All other questions during course of the meeting.

Adjourned at approx. 5:50pm

DRAFT





## WATERVILLE ESTATES VILLAGE DISTRICT

### July 18, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, Corey Smith, John Herlihy, Sean Tole, Karen Waters

Guests: Ned McElroy, Becky McElroy, Al Zulli, Harry Bertino, Kimberly Pacheco, Jack Letvinchuk, Libby Griffiths, Denise Bujarski, Stan Bujarski, Richard Doore, James Reynolds, Art Marks, James Murphy, Maureen Patti, Lori Routhier, Adam Lomba, Linda Ivers, Claire Denton, Scott Monroe.

Called to order: Mr. Griffiths, 8:00 AM.

**Welcome Comments:** Will continue with meetings every other Saturday.

**Approval of Previous meeting minutes:** Mr. Tole asked why we didn't have the last few meeting minutes. Mr. Griffiths stated that the zoom meeting minutes still needed to be transcribed. Mr. M. Smith stated that the minutes from the 18<sup>th</sup> had been posted. They were not included in the handout so they will be approved next meeting. Mr. Herlihy made a motion to approve the meeting minutes from February 12 and 22, 2020, Mr. Tole seconded and the meeting minutes were approved, as submitted, unanimously.

**WEA BOD Update:** Mr. Marks provided an update from the Association Board of Directors. The Board only has personal protection up to \$325,000. Mr. Griffiths stated that even that would mean extending additional insurance through the village district. Mr. Marks stated it would also require modification of the Recreation Management Agreement. Mr. Marks reported the resignation of Mr. Fagas and Mr. B Smith from the WEA BOD. Mr. Marks stated that the BOD checked with other associations who are in the same boat. He stated that many that have opened did so not understanding that they were not covered and had personal exposure to liability. He indicated there was a precedent for associations voting to agree to a special assessment for legal fees. He suggested this was an option if the association membership really wanted the facilities opened and a 60% majority was required. If approved, all association members would share in the liability. He stated the village and association lawyers have opined that there is no way to separate the opening from the association even if the village district opens. Discussion took place around how this was different from any previous pandemic and what must change moving forward. Mr. Marks stated only legislated legal indemnification or a vaccine would solve the problem. Mr. Marks stated that the people screaming at us to open because they want to rent their properties could share in the legal expenses. Discussion took place about other ways we might open that had already been discussed at previous village district meetings. Mr. Marks stated that a lot of places that are open are for profit private corporations that can simply go bankrupt if they are sued. Mr. C Smith presented the details around extending the \$325,000 protection to the BOD. It involves sacrificing some coverage that we don't use in exchange for providing the \$325,000. Discussion took place about costs and future cost increases in the event that a claim was filed. Mr. C. Smith stated there is no cost to make the change: but that future costs could increase if a claim was made. Mr. Griffiths recommended tabling the insurance change for another meeting.

**WEVD Treasurer Report:** Ms. Waters reported on 2019 taxes still owed to the district from Campton and Thornton and discussed collection measure.

**New Check Signing Policy:** Ms. Waters presented a check signing policy for the commissioners to review and approve. She also proposed a policy binder that could be easily maintained. Mr. Herlihy asked about commingling reported in past audits. Ms. Waters said it simply that payments were received into the wrong accounts and procedures had been put in place to prevent future incidents. Mr. M. Smith asked about the requirements of commissioners to sign vouchers and stated that only commissioners can act for the town and: can act for the town and: are required to act in majority. Ms. Waters stated that it had not been done in the past and she did not have an answer



for that. Mr. M. Smith recommended she check NHMA website articles which detail the practice and Ms. Waters indicated that she would. It was discussed that it would require the BOC to review payments two weeks before they were due, but it was possible. Mr. Herlihy made a motion to adopt the policy, Mr. Tole seconded and the policy was adopted by unanimous vote. Ms. Waters stated she would be appointing a deputy treasurer at the next meeting and asked for a change to the website to allow people to contact her directly from the web page.

**Code of Conduct:** Mr. Herlihy talked about how commissioners should conduct themselves recommending staying off social media, and refer all matters to public session. He indicated that trust, respect, upholding the law, and avoiding conflicts of interest were important. He indicated he would have a proposed code of conduct for the next meeting. Mr. Herlihy stated that the Board and employees should not participate in debate on social media and if they do, they should be ready to resign or be fired. Mr. Griffiths addressed the existing Facebook policy and stated that it needed to be updated. He discussed fiduciary responsibility and that the BOC might have a duty to respond to egregious claims even when on social media. He agrees with a code of conduct but isn't sure how strict we can be on it. He has designated Ms. Canfield as our communications director. Mr. Tole discussed free speech and individual rights and asked that we make sure we are not overstepping our bounds with the policy. Ms. Patti asked if the submitted FB policy from 2014 had been adopted. It was unclear if and when it was adopted. Ms. Waters volunteered to assist with policy creation, adoption, and tracking. Mr. Griffiths stated policies would have to be approved by motion.

**WEVD/WEA Lease Update:** Mr. Griffiths spoke to improving the ability to determine the status of acts of the village, referring to the lease between WEA and WEVD and that we cannot locate a valid copy from any time period. He stated the lease is under review by the attorney and he would present something hopefully at the next meeting and to have it executed by the WEA BOD within the next thirty days. He indicated that the lease was covered by the RMA. Mr. M. Smith pointed out that the RMA literally refers to the lease. Mr. Bertino asked about the rent payments associated with the lease. Mr. Tole offered to run point on the lease update and Mr. Griffiths concurred.

**GM Update:** Mr. C. Smith reported work in progress including completion of the auto chlorination loop on the water system, and main meter calibration down at the wells. He reported a large leak at the "interconnect" that Lakes Region Water would be addressing and a leak behind the recreation center. Because of the storms, road raking and drainage maintenance have been ongoing. We'll be bringing Ray back in for grading. He reported clogged drainage on McLaren and Richardson Trail. Mr. M. Smith reported that the one on Weetamoo was still clogged. The pools are up and running but there is a leak on the big pool that has been there for years, but recently got worse so we have to bring someone in to look at it. He stated that the pavers were coming on to give a quote for the extra work and would provide a start date soon. A discussion occurred around addressing the basketball court as well. Mr. C. Smith reported that Mr. M. Smith was working with Shawn on upgrading the recreation center ventilation systems. The new truck has been ordered but is on backorder. Discussion took place around options. Cat has asked for another opportunity to quote the Backhoe. The recreation center roof was discussed. Mr. Griffiths stated we should get three bids.

**Infrastructure Incident Report/Tracking:** Mr. Griffiths introduced Mr. Herlihy's proposal for incident tracking. Mr. Herlihy elaborated on the process which involves logging additional details and recordkeeping as well as automatic updates to the community via email. Mr. Herlihy indicated he would assist Mr. C. Smith with the process.

**Digitizing Records:** Mr. Herlihy stated that digitizing our records sustains us for the future and helps with disaster recovery. He indicated our records should be stored in the cloud.

## **Old Business/Items:**

**Court Sale:** Mr. Griffiths reported on the sale of the court covering tiles. The village district will receive \$5250 for the materials.

**Swim Platform:** Mr. Tole provided an update on the swim platform. We are waiting on a cable and a ladder. Once in, the platform will be put in the pond.

## **New Business Items**

**Payroll Protection Program:** Mr. C. Smith reported that as a municipality we are not eligible for the Payroll Protection Act. He asked people to let him know if the second round of aid included municipalities The.

**Aesthetics/tidiness/Cleanliness Priorities:** Mr. Griffiths indicated we would try to do clean up with volunteers. Mr. Tole said we need to set up a process so as not to burden Mr. C. Smith.

**Archiving/Digitalizing of Governing Warrant Articles:** Mr. Griffiths indicated Ms. Patti would be reviewing the village history of warrants passed and compiling a list of warrants currently in effect. Mr. Griffiths made a motion to give hear access to the recreation center so she could review the warrant binder, seconded by Mr. Herlihy, and the motion passed unanimously.

**Digitalizing of All RTK Items:** Mr. Griffiths indicated we are getting quotes from companies that assist municipalities with searchable archiving of municipal documents and that he would bring them forward at the next meeting. He stated that it would augment the digitization work already performed by Mr. M. Smith.

**Public Hearing Request/Hammerhead:** Mr. Griffiths indicated Mr. M. Smith requested a public hearing on the Hammerhead that was installed to obtain his building permit. Mr. Griffiths asked what Mr. M. Smith's expectation was. Mr. M. Smith stated it was a quasi-judicial ruling. Mr. Griffiths indicated they needed to consult with village counsel regarding statute of limitations. Mr. M. Smith stated that the village has been aware of the request for some time and that this should already have been addressed before today. He requested that the date be set as it could be cancelled if counsel advised that the statute of limitations had passed. Discussion took place about how long the statute of limitations was and when the clock would have started ticking. Mr. Tole expressed that he did not think it appropriate to grant the hearing. Mr. Herlihy made a motion to schedule the public hearing pending feedback from village counsel, Mr. Griffiths seconded, and the motion passed with two yea and one nay by Mr. Tole. The date was set for Wednesday July 29<sup>th</sup> at 4:00 PM.

**RTK Request Update:** Mr. Griffiths stated that Mr. M. Smith has submitted a number of right to know requests. And that the village district has a consultant now and is looking for some outside help to compile the information. He also acknowledged a right to know request from Mr. Bettino that he hoped to have resolved this week.

**Water Fees:** Mr. Griffiths discussed the water bills that went out with a rate increase. Ms. Kinney stated that some bills were corrected when people went to pay their bills. Mr. Griffiths stated that he wasn't sure this was covered in the zoom meeting and he would get people up to speed one the record. Mr. M. Smith stated that to increase the water rates, the commissioners must vote to do so in public session and asked if meeting minutes existed showing that this occurred. Mr. Griffiths agreed and stated that he did not want to do that today. Mr. Griffiths stated that there is a plan to address any overpayments made. He said it would be on the agenda at the next meeting to be addressed officially. Mr. M. Smith asked for clarification that there was never a vote to raise rates and Mr. Griffiths concurred. Ms. Kinney claimed that Mr. Wiley had directed her to apply COLA increases to the water bill. Discussion took place around the timing of the direction and when the bill increase occurred and when Mr. Wiley left office.



**Master Plan for Water System Update:** Mr. Herlihy provided an update on the water master plan committees' actions. He indicated that telephone interviews had taken place and the sub-committee would meet this week to determine what recommendations they would provide to the commissioners. He indicated he wanted to start a road committee as well and would present more information at the next meeting. Mr. Marks asked if we had costs for the water master plan. Mr. Herlihy and Mr. Bujalski provided details that the range was \$26 to \$55k but other factors like fixed price versus multi-phase proposals would have to be factored in when selecting the engineer.

**Hodgeman Hill Condominium Water System:** Mr. Herlihy discussed a contract between Hodgeman Hill Condos and the water system in the village that is still in effect. He stated that sometime in the 60's or 70's HHC had its own well and it was determined there was a benefit if they provided water to the Estates. He indicated that the contract was specific as to the line of demarcation was. The point that determines ownership of the infrastructure. He indicated that there has been talk of increasing the throughput of that connecting line. He indicated if the village were to improve that line there would have to be billing to Hodgeman Hill. He indicated that the improvement wasn't a requirement of the contract and that the improvement was not currently budgeted by the village district. Ms. Pacheco spoke for HHC as a board member of the condo association and stated their opinion that the contract was still in effect and had never been amended or cancelled. She highlighted the contract flows required as well as the village being responsible to maintain the line to the first building. Discussion took place around whether the village was currently drawing water from the HHC well and Mr. Griffiths and Mr. C Smith said the village was not. Mr. C. Smith indicated that HHC was connected to the village district for the village to supply water in 1997 because of the water quality of the HHC wells and that it was not an EPA approved source. He indicated that the connecting line was installed in 1997 and did not exist before then. Mr. Murphy expressed that the intent of the contract was pertinent and should be reviewed by attorneys. Mr. Tole stated that there was no question about the district responsibility to deliver water to HHC. He indicated the question was where does that delivery ends and what the flow requirements are. Mr. C. Smith said that was not the issue but whose responsibility it was to upgrade the line from the pit to unit A. He stated that there is a long-standing policy that a property owner is responsible for installing a water line from the village water system but after that the village is responsible for the water line except for upgrades which are still the responsibility of that taxpayer. Ms. Pacheco expressed that the master plan engineer needed to determine if the HHC well was producing and if not, fine, but of so it would be germane. Again, the issue of the water quality of the HHC well was presented as not acceptable. Mr. Herlihy stated that if the well was producing you might be able to use it for snowmaking. Ms. Pacheco expressed that it would be worth the water engineers' examination. Mr. Bettino asked for documentation from Lakes Region Water for work performed in association with the water line to HHC, the village water line policy, village maintenance records, and the correspondence with the village attorney regarding the contract.

**Volunteer/Advisory/Action Committees:** Mr. Griffiths stated that MS. Canfield was looking for volunteers to serve on committees. Some committees will be under the association. A newsletter will be produced and a welcome folder made available to new owners. These committees will be discussed in more detail at the next meeting. Ms. Canfield hopes that committees will be formed by the end of the month.

**Budget Advisory Committee Appointees:** Mr. Letvinchuk announced that he had appointed Mark Canfield, Chris Bernardi, and Karen Waters to the budget committee. He indicated that all were eminently qualified. Mr. Herlihy recommended Ed Culver as adjunct. Mr. Griffiths appointed Mr. Herlihy as ex-officio. Mr. Tole questioned the concept of whether new board members would be elected or appointed. Mr. M. Smith pointed out that village counsel was on the record stating that the annual meeting could elect people to an unofficial budget committee. Mr. Tole expressed a desire to double check.

**Planning Board Committee:** Mr. Griffiths stated that these members would be appointed at the next meeting.

**Roads~ Water Committee:** Mr. M Smith volunteered to serve on the water committee as he had experience with instrumentation for a water system exactly like ours. Mr. Scott Monroe volunteered for the roads committee citing construction experience. Mr. Griffiths said we would also have an infrastructure committee that he would sit on.

**WEVD Communications/Presence:** Mr. Griffiths stated that he was working with Ms. Canfield to help improve communication. Action items are to make it clearer as to whom a communication is coming from. He indicated she would have access to Constant Contact. Mr. Tole urged caution expressing concerns about privacy violations. Mr. Griffiths talked about updating the web page and starting to use the village Facebook page without allowing comments. Mr. Tole volunteered to liaise with the association. Mr. Griffiths asserted that he viewed Mr. Tole as the liaison with the association. Mr. Griffiths stated that the association has expressed an interest in dialing down CIF spending while the building was unoccupied. He said the items would be addressed at the next meeting. Discussion occurred about improper use of the pontoon boat and the BOC recommended locking the equipment up.

**Open Floor/Questions:** Mr. Bujarlski expressed concern about use of outdoor amenities during the pandemic and whether that created liability for the WEA BOD. Mr. Tole requested the authority to negotiate RMA changes on behalf of the BOC with the WEA BOD. Mr. Herlihy denied the request. Mr. M. Smith pointed out that the commissioners had to act in majority when making town decisions. Mr. Griffiths indicated that the RMA review was something the commissioners needed to do together.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, August 1<sup>th</sup> at 8:00 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Griffiths seconded and adjournment passed unanimously at 9:58 AM.



**WEVD Treasurer Report 2020**  
**Karen Waters District Treasurer**  
**June 2020**

	Current Month		Prior Month
<b>Northway Bank</b>			
Operating Account	\$37,872.68		\$71,912.48
Waters Dept	\$94,522.63		\$47,368.53
Rec Fund	\$3,730.72		\$5,881.49
Friends of Campton Mtn.	\$37,479.11		\$37,478.80
<b>Meredith Village Savings Bank</b>			
Operating Holding Account	\$563,340.30		\$563,262.71

<b>Total</b>	\$736,945.44	\$725,904.01
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**Foot Notes**

Taxes owed by the town Thornton 2019 \$25,948.47

Taxes owed by the town Campton 2019 \$18,278.43

Recived \$342,417.59 from the town of Campton for 2020. Not reflected in above balance



Non-Lapsing Recreational Projects - \$186,914

Item	12/31/2021	Cost	Updated 7/30/2020	Balance
Computer Equipment		9,459.00	4,738.98	4,720.02
Exercise Equipement - Phase Replacement		15,000.00	17,306.70	0.00
Mahogany Fence		5,000.00	11,300.00	0.00
Mens Lockerroom Showers		8,000.00	35.00	7,965.00
Ladies Lockerroom Floor		16,000.00	11.00	15,989.00
Rec Center Interior Renovations		10,000.00	4,039.23	5,960.77
Septic System Pump Replacement		15,455.00	2,300.00	13,155.00
HVAC		10,000.00	6,763.11	3,236.89
Rec Center Roof		20,000.00	19,311.80	688.20
Security System Rec Center		10,000.00	741.00	9,259.00
Tennis/ Pickel Ball Court		50,000.00	3,568.86	46,431.14
Exterior Painting Rec Center		15,000.00	6,779.65	8,220.35
ADA		3,000.00	43.00	2,957.00
<b>Total</b>		<b>186,914.00</b>	<b>76,938.33</b>	<b>118,582.37</b>



# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223  
Phone: (603) 726-3082; Fax: (603) 726-8611

## Water Rate Collection Policy

### **PURPOSE:**

The main purpose of this policy is to clearly define the Water Rate Ordinance that was passed by the then commissioners during a Waterville Estate Village District meeting on October 26<sup>th</sup> 2017. (Copy of Ordinance Attached).

The purpose of the annual assessment shall include the defraying of expenses associated with the development and maintenance of wells and the water distribution system, increasing water capacity, operations and maintenance.

All assessments shall be deposited into a water fund account and held by the district treasurer. An annual report shall be prepared and made available at the annual district meeting.

### **Rate:**

Beginning July 1, 2018 and annually each year after a fee of Two Hundred Dollars (\$200.00) will be assessed on all living units in the Village District for the calendar year of the date of the assessment.

### **Liens and Collection of Charges:**

Charges that become delinquent 30 days will be charged a 2% finance charge each month until paid.

Charges that become delinquent 90 days will be presented to the Commissioners to begin the process of placing liens against property.

Once charges become 6 months delinquent legal proceedings will commence. A list of accounts will be present to the Commissioners.

We, the undersigned, hereby certify that the Commissioners of Waterville Estate Village District is comprised of 3 members, of whom 3 members constitute a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 1<sup>st</sup> day of August 2020 and that the forgoing policy was duly adopted at said meeting by the affirmative vote of \_ commissioners and opposed by \_ commissioners. Policy has been recorded in the minutes and is in full force and effect.

\_\_\_\_\_  
Andrew Griffiths – Commissioner

\_\_\_\_\_  
Sean Tole – Commissioner

\_\_\_\_\_  
John Herlihy – Commissioner

Approved By:Commissioners

Approval Date: August 1, 2020

Revision Date:

Effective Date: August 1, 2020

Date to be Reviewed August 2023

Administrator Responsible: Treasurer



## WATERVILLE ESTATES VILLAGE DISTRICT

### August 15, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, John Herlihy, Sean Tole, Karen Waters

Guests: Linda Ivers, Scott Ivers, Richard Doore, Maureen Patti, Harry Bertino, Al Zulli, James Murphy, Stan Bujalski, Ned McElroy, Rebecca McElroy, Steve Waters, Jack Letvinchuk, Libby Griffiths, Lauren Bennett, Jacqueline Herlihy, others not on sign-up sheet.

**Call to Order:** Mr. Griffiths called the meeting to order at 8:01 AM.

**Welcome Comments:** Commissioners introduced themselves.

**Approval of Previous meeting minutes:** Mr. Griffiths provided a copy with typos to be corrected. Mr. Tole made a motion to approve the meeting minutes, with typos corrected, from August 1<sup>th</sup>, 2020, Mr. Griffiths seconded, passed.

**WEA BOD Update:** No WEA BOD present no report provided.

#### **WEVD Treasurer Report:**

**Update:** We have started the purchase process for the backhoe and need one commissioner's signature. We have a new plumbing service contractor and need one commissioner's signature on the credit application. Ms. Waters circulated check signing cards and other bank documents to the commissioners. Our budget and cash position are in good shape. The list of delinquencies for the water rate was discussed. There is \$19,196.82 outstanding with the bulk is in the 30-60 day window and about \$3000 past 90 days.

**Water Fee Policy:** The policy needs to be revised as additional information from the original ordinance was discovered. A revised policy will be presented at the next meeting.

**Friends of Campton Mountain Account Update:** We have received a letter from the attorney general's office asserting we are not handling the money correctly. The commissioners will need to respond and Ms. Waters is researching the matter, but the likely outcome is that the money will need to be held by the Town of Campton Town Trustees.

**Other:** Disposition of the assets acquired from the court sale were discussed with a suggestion by Mr. Tole that it be applied to 2019 warrant article 3. Ms. Waters indicated that she did not think that was possible, but she'd check. Ms. Waters presented a Treasurer Delegation of Duty (see attached and note the document was corrected to read 2 commissioners make a quorum). Mr. Tole made a motion to accept the policy with the noted correction, Mr. Griffiths seconded, passed. Ms. Waters stated that bills paid by the treasurer must be reviewed by the commissioners per statute but that we had never done it before. She is reviewing a procedure to allow us to be in compliance with statute. The challenge will be to find a way to take advantage of 2% 10<sup>th</sup> net 30 type payment plans while complying with statute. Ms. Patti thanked the treasurer for her hard work.

#### **Sean's Commissioners Corner:**

**WEVD/WEA Lease Update:** The lease is still being worked on.

**WEA Insurance Update:** The association is getting quotes on communicable disease coverage.

**Community Center / Emergency Shelter Center?:** This has been an informal emergency shelter, but not officially. Mr. Herlihy is working on a disaster recovery plan that will likely clarify the matter officially.

**Advisory Committee Authority:** Working hard to document policy, but the buck stops with the commissioners. Ms. Waters observed that from a planning perspective, the budget committee needs to get started doing their work. She has reviewed the NHMA publication Municipal Budgeting Law and it provides a timetable. Mr. Tole pointed out that the Recreation Management Agreement process affects the budget.

#### **GM Update:**

**Court Repair Update:** We have received a quote for \$142,000 to repair the tennis courts. Mr. Ketchum is working on obtaining alternate quotes. Mr. Griffiths stated that spending that amount of money was not going to happen. We are working on obtaining quotes for lower cost solutions. The basketball court is another matter as it has to be plowed to maintain fire and ADA access which affects surfacing options.

**Final Accounting on Pond Float:** These numbers are not available at this time and will be presented at the next meeting.

**Pool Leak:** We are getting the pipes scoped. The pools are shut down to reduce costs until we can open.

#### **Old Business:**

**Paving:** The quotes are under budget and we have added additional projects since a certain amount of money was allocated. Additional projects worth \$7000 and some small repairs worth \$7200.

**Other:** We have found a brand new 2019 plow truck. The backhoe is a John Deere, on budget. We are getting another quote for the next phase of recreation center re-roofing. There is a lot of development right now that is exposing some issues that will impact what our final water line policy looks like.

#### **New Business:**

**Deputy Clerk-Maureen Patti:** Mr. M. Smith appointed Ms. Patti as Deputy Clerk. Mr. Tole made a motion to approve the appointment, Mr. Griffiths seconded, passed.

**Clerk Posting / Minutes Access:** Mr. Griffiths stated that Mr. M. Smith wanted access to post minutes. Mr. M. Smith clarified that the issue was he had no ability to do so and in three separate instances officials said he would post. Discussion took place around the pros and cons of providing access. Mr. Herlihy made a motion to provide access to the Clerk and Deputy Clerk. Mr. Tole seconded, passed. Mr. C. Smith clarified access to the board by the mailboxes should also be provided.

**Swearing In Deputy Treasurer and Deputy Clerk:** Mr. Tole swore in Ms. Patti and Ms. Ivers (Deputy Treasurer approved last meeting).

**Records Committee:** Mr. Griffiths stated that the records committee was required by, and members dictated by state statute. Members include Commissioners, Clerk, and Treasurer. The commissioners can designate representatives and designated Ms. Patti, Mr. Patti, and Mr. Bertino. Ms. Waters observed there is no consistency in documentation

**RTK Request Update:** Mr. Griffiths reported that he was informed that a lawsuit has been filed, but the village attorney was on vacation.

#### **John's Commissioners Corner:**

**Water System Committee Update:** The committee has reached out to DuBois and King and is meeting with them next week. Mr. Herlihy is working with Mr. C. Smith on issues. He is concerned about continued development in the absence of policies and master plans and is considering recommending a moratorium on development. Mr. Griffiths asked how long the moratorium would be. Mr. Herlihy indicated he would advise. Mr. Tole recommended researching a connection fee. Mr. Griffiths indicated that WEVD is currently responsible

for identifying water lines for construction and in a current case it is going to cost \$1,000 to \$2,000. Mr. Herlihy also stated there should be a fee to turn valves on and off. He indicated that there are 30 lots that, if developed would have long water lines and that we need a process. Mr. Bertino observed that this type of thing is what a planning board does. Ms. Waters observed that a Planning Board does not have permit authority and so there is more to be considered.

**WEA Building Permit Collaboration:** Mr. Griffiths pointed out WEA permits currently issued w/out determining road & water impacts. Mr. Bertino observed that the WEA building committee only has authority on covenants regarding construction & WEA property. Mr. Herlihy said there should be a water and roads sign-off.

**Planning Board Advisory Committee:** Mr. Tole states that only Long-Term Planning is the purview of a village planning board. Ms. Patti recommended all parties get NHMA Planning Committee training. Mr. Bertino stated the appointing the planning board is overdue. Planning board appointments were discussed. At the last meeting Mr. Griffiths committed to solicit applications for the planning board.

**Building Structural Committee:** Mr. Tole observed that they should review the Reserve Advisors report. Mr. Bertino suggested reviewing what other towns have done regarding Planning Boards. Mr. Griffiths stated this committee should be under the purview of the planning board.

**Volunteer Action Committee:** Ms. Canfield has been out of town. She has heard from all planned WEVD committees except those waiting to be finalized. WEA has not provided information on their committees. Mailbox committee has been established. Ms. Patti has attempted to coordinate a meeting with Ms. McDermott and Mr. Tole,

**WEVD Communications/Presence:** Work ongoing. The village needs its own logo to differentiate

**Miscellaneous:** Mr. Herlihy has started dialogs with Thornton and Campton regarding roads. The dip in Goose Hollow near Winosha Trail has been fixed. Mr. Tole observed there is a traffic counter on Hodgeman. Mr. Griffiths stated that the concern raised about whether voters were legitimate was the purview of the Supervisors of the Checklists. Mr. McElroy stated that WEVD is usurping the will of WEA members. Mr. Griffiths asked how. Mr. M. Smith discussed that the "Where the Money Goes" document says dues pays for recreational activities and that the Ski Offset and Rec Fund Contingency budget line items were implemented because WEA members would not increase dues. Therefore, the village passed a de facto dues increase. Mr. McElroy alleged illegal voting in the district. Mr. Tole discussed HB1264 (see attached).

**Open Floor/Questions:** Mr. Bertino re-iterated that the planning board members needed to be appointed ASAP. Mr. Griffiths said he would do it tomorrow. Mr. Tole stated he wanted clarification on that board's authority. Mr. Bertino stated that the warrant creating the planning board did not require that. A resident of Weetamoo Drive raised concerns about storm run-off being directed across his driveway. Mr. Herlihy and Mr. C. Smith committed to visiting the site. Ms. Griffiths asked how long does a build have before it must be complete. It is one year and is enforced by WEA. Discussion took place about the WEA violations committee. Ms. Griffiths volunteered to serve.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, August 29<sup>th</sup> at 8:00 AM.

**Executive Session:** Mr. Griffiths stated that we would enter executive session at 9:29 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 9:45AM.



# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223  
Phone: (603) 726-3082; Fax: (603) 726-8611

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## Treasurer Delegation of Duties

In accordance with RSA 41:29 subsection VI Duties of Elected Treasurer; The treasurer may delegate deposit, investment, recordkeeping or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures actable to the commissioners.

I Karen Waters as the current Treasurer of Waterville Estate Village District delegate the following authorities; bank account deposits, bank statement reconciliation, journal entries and all parts relating to recordkeeping to the individuals named below:

- Judy Kinney
- Sarah Sidor
- Patricia Lindblom

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Karen Waters

We, the undersigned, hereby certify that the Commissioners of Waterville Estate Village District is comprised of 3 members, of whom 3 members constitute a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 15<sup>th</sup> day of August 2020 and that the forgoing policy was duly adopted at said meeting by the affirmative vote of \_ commissioners and opposed by \_ commissioners. Policy has been recorded in the minutes and is in full force and effect.

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Andrew Griffiths – Commissioner

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Sean Tole – Commissioner

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John Herlihy – Commissioner

Approved By: Commissioners

Approval Date: August 15, 2020

Revision Date:

Effective Date: August 15, 2020

Date to be Reviewed:

Administrator Responsible: Treasurer

CHAPTER 370  
HB 1264 - FINAL VERSION

05/02/2018 1890s

2018 SESSION

18-2352  
03/08

HOUSE BILL **1264**

AN ACT relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

SPONSORS: Rep. Packard, Rock. 5; Rep. Hinch, Hills. 21; Rep. J. Graham, Hills. 7; Rep. Hoelzel, Rock. 3

COMMITTEE: Election Law

ANALYSIS

This bill modifies the general statutory definitions of "resident or inhabitant" and "residence or residency."

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

05/02/2018 1890s 18-2352  
03/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eighteen*

AN ACT relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

370:1 Statutory Construction; Resident; Inhabitant. Amend RSA 21:6 and 21:6-a to read as follows:

21:6 Resident; Inhabitant. A resident or inhabitant or both of this state and of any city, town, or other political subdivision of this state shall be a person who is domiciled or has a place of abode or both in this state and in any city, town, or other political subdivision of this state, and who has, through all of his ***or her*** actions, demonstrated a current intent to designate that place of abode as his ***or her*** principal place of physical presence ~~[for the indefinite future]~~ to the exclusion of all others.

21:6-a Residence. Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that designated by a person as his ***or her*** principal place of physical presence ~~[for the indefinite future]~~ to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence or residency as the principal place of physical presence.

370:2 Effective Date. This act shall take effect July 1, 2019.

Approved: July 13, 2018

Effective Date: July 01, 2019



WATERVILLE ESTATES VILLAGE DISTRICT  
COMMISSIONERS MEETING  
AUGUST 15, 2020



**Agenda for Commissioner Meeting**  
**Saturday, August 15, 2020 @ 8:00AM**  
**Pool Upper Deck (Summit Lounge if inclement weather)**

1. Call to Order
2. Welcome Comments
3. Approval of Previous meeting minutes
4. WEA BOD Update
5. Treasurer's Trove
  - a. Update
  - b. Water Fee Policy
  - c. FOCM Account Update
  - d. Other
6. Sean's Commissioners Corner
  - a. Clarification of the commissioners' meeting agenda.
  - b. WEVD/WEA Lease Update
  - c. WEA Insurance Update
  - d. Community Center/Emergency Shelter Center?
  - e. Advisory Committee - Authority?
    - i. Budget Advisory Board/ Committee
    - ii. Planning Board/Committee
      1. Supplant LTTPC?
    - iii. Report to Commissioners/Only Commissioners have Decision Authority
7. GM Update
  - a. Courts Repair Update
  - b. Final accounting on Pond Float
  - c. Pool Leak
8. Old Business/Items
  - a. Paving
9. New Business Items
  - a. Deputy Clerk - Maureen Patti
  - b. Clerk/Posting Minutes Access
  - c. Swearing in Deputy Treasurer and Deputy Clerk
10. Records Committee
  - a. Organization
  - b. Digitalization
11. RTK Request Update
12. John's Commissioners Corner
  - a. Water System Committee Update
  - b. Road Committee Update
  - c. WEA Building Permit Collaboration
13. Planning Board Advisory Committee
14. Buildings/Structural Committee
15. Volunteer Action Committees
  - a. US Mail Committee
  - b. Court Committee
16. WEVD Communications/Presence
  - a. WEVD Logo
17. Miscellaneous items
18. Next Meeting - Saturday, August 29, 2020, Same Bat time, Same Bat Channel!
19. Open Floor/Questions
20. Adjournment



## WATERVILLE ESTATES VILLAGE DISTRICT

### August 1, 2020 MEETING MINUTES

**Attendees:** Judy Kinney, Matt Smith, Andy Griffiths, John Herlihy, Sean Tole, Karen Waters

**Guests:** Ned McElroy, Becky McElroy, Al Zulli, Harry Bertino, Jack Letvinchuk, Libby Griffiths, Denise Bujalski, Stan Bujalski, Richard Doore, Art Marks, James Murphy, Maureen Patti, Anthony Patti, David Ketcham, Terry Bennett, Chris McCormack, Arnold Goodman, Jackie Herlihy, Jaime Oldmixon,

**Welcome Comments:** Commissioners introduced themselves.

**Approval of Previous meeting minutes:** Mr. Tole made a motion to approve the meeting minutes from June 9<sup>th</sup>, 2020 and July 18<sup>th</sup>, 2020, Mr. Herlihy seconded, passed.

### **WEVD Treasurer Report:**

**Report:** No update on numbers. Will begin reporting on budget status for non-lapsing items.

**Covid Costs:** Referenced but no info provided.

**Consulting and Legal Costs:** We are over budget on legal. Budgeted amount \$13,500, at \$18,300. Mr. Tole asked what the cost overrun was associated with. Treasurer stated \$14,900 is associated with right to know requests. Mr. Tole asked if we could charge for legal expenses like we can charge for copies. He was answered no.

**Rec Fund Budget Correction:** There was an error on the reported net ordinary income. It was \$6,916, not \$3,400 as reported.

**Policy for Water Bill:** The treasurer proposed a policy for the water bill. Discussion took place. Mr. M. Smith noted that the item wasn't on the agenda and the policy stated that it was "noticed: for today's meeting. He suggested moving forward that if the commissioners were going to act on approving a policy, the public should be aware of the fact ahead of time even though it is not legally required except for Warrants. Mr. Herlihy motioned to apply a late fee after thirty days effective October 1<sup>st</sup>, 2020, Mr. Tole seconded, approval passed. The treasurer observed that the water ordinance was passed in October 2017 and is available on the web site. See attached water rate collection policy.

**Deputy Treasurer:** The treasurer appointed Linda Ivers as Deputy Treasurer. Mr. Tole motioned to accept the appointment, Mr. Herlihy seconded and the motion passed.

**WEA BOD Update:** Mr. Marks provided an update from the association Board of Directors. Chris McCormack is helping with an analysis of the board's insurance policy to gain clarity as to whether the bacteria exclusion really applies to viruses. The survey to association members indicated that 93% would not support a special assessment to help with legal fees associated with opening during the pandemic. Terry Tole has been appointed to the Board to replace Brent Smith. Candidates are still being evaluated to replace Chris Fagas. CIF funds are up as many homes are selling. Mr. Marks did not have an amount available.

### **GM Update:**

**Work in Progress:** Road work is ongoing. Mr. Herlihy met with Mr. C. Smith on projects. The town has committed to repairing Goose Hollow where the drain pipe was worked on but has not done so yet. Mr. Herlihy

discussed the variability of process when dealing with development and roads and water and that there needs to be consistent policies. He discussed using constant contact to update residents on service issues.

**Work in Planning:** Mr. Herlihy indicated he has spoken to representatives from both towns about roads and will continue to press them for road maintenance.

**Report:** Have found 2020 plow truck. The backhoe quote expired and we are seeking new quotes but expect to stay in budget. We are bringing people back to work since the \$600 unemployment benefit has ended. They will perform cleanup. Typically, the recreation revolving fund covers these costs, but the village will be covering these costs. The village will monitor the roads during the rain expected this week.

**Master Plan for Water System Update:** Mr. Herlihy provided an update on the committee's activities. He made a motion to accept the bid from Dubois and King. Mr., Tole suggested he needed more time to review the proposals. There was heated discussion. Discussion took place about available grants and grant deadlines. The result was that Mr. Tole seconded the motion and the motion passed. Mr. Herlihy then motioned to approve a not to exceed amount of \$51,700 to be taken from the wells and pipe line items. The treasurer advised that the commissioners could not overspend beyond the amount appropriated for the water department. Mr. Griffiths seconded and the motion passed. Mr. Herlihy will contact the applicants and advise them of the results. There are likely cost savings since some leak testing has already been completed. There was a desire expressed to ask Dubois and King to use the geologist that Tata and Howard had intended to use.

#### **Old Business:**

**Court Sale:** The court sale is complete.

**Swim Float:** The dock is in.

#### **New Business:**

**Hammerhead:** A settlement was reached with Mr. M. Smith regarding the charges for the hammerhead on Taylor Dr. See attached. Mr. Griffiths motioned to accept, Mr. Herlihy seconded, and the motion passed with Mr. Tole abstaining.

**Snocat:** A tiller blade is available for the Snocat for \$1500-2000. Mr. Hering is reviewing covering the expense from the CIF.

**Aesthetics Committee:** Mr. Griffiths stated that the association enforcement of the covenants is lackadaisical. He stated that any other association he has been involved in had an active violations committee. He has had realtors come to him expressing concern for appearances and the planning of community development. He stated that there needs to be a more symbiotic permitting process where the association and village work more closely on understanding the knock-on effects of building permit issuance. Discussion took place around improving the process and how as the community has grown to the point where more formal processes are required.

**WEVD/WEA Lease Update:** Mr. Griffiths is still working with the village attorney and will need the association to have their attorney review the lease as well.

**Digitization Update:** Mr. Griffiths stated that we are awaiting quotes.

**RTK Request Update:** Mr. Griffiths stated that there a still a few to respond to and he should get to them this week.

### **Volunteer/Advisory/Action Committees:**

**US Mail Committee:** There are not always mailboxes available for new owners and they have to get a PO Box at the post office. Maureen Patti, Susan McDermott, and Mr. Tole will for this committee. Discussion took place about federal regulations and an alleged settlement between the estates and the post office.

**Planning Board Committee:** Frank Marshall and Matt Smith have put their names forward and Mr. Griffiths stated the village would send a memo out seeking applicants and that they needed to be village citizens. He said it probably needs to work with the long-term planning committee. Mr. Tole indicated he needs clarification on the purpose for the committee. Mr. Griffiths stated the committee would be formalized at the next meeting.

### **WEVD Communications/Presence:**

**Constant Contact:** We have multiple constant contact mail lists and need to get them current.

**Facebook:** Still open.

**Web Update:** Still open.

**Miscellaneous:** Mr. Griffiths stated that he had been asked to go on record that Ms. Bennett had hired Mr. Ketchem to do some work. Mr. Tole has hired Mr. Pelchat to do some work.

**Open Floor/Questions:** Mr. McElroy read a statement about voter registration. See attached. Mr. Bertino asked about the water line policy. The commissioners acknowledged there was no policy. Mr. Bertino asked for an update on the water contract with Hodgeman Hill Condos. There is no update. He stated he found a revised contract from 1996. Mr. Griffiths asked if he would send a copy and stated he would have an answer at the next meeting. Mr. Zulli asked if the recreation center was an emergency shelter. Discussion took place and Mr. Griffiths stated he would have an answer for next meeting. Mr. Marks expressed concern about the settlement of the Taylor Drive hammerhead and the precedent it set. Jaime Oldmixon asked to be kept abreast of road and water committee activities as he had experience in the field. Mr. Herlihy pointed out that they would be posted open meetings. Mr. Tole asked where the \$7,500 for the Taylor Dr. Hammerhead was coming from. Mr. Griffiths stated they'd have to determine that.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, August 15<sup>th</sup> at 8:00 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 9:50 AM.

**WEVD Treasurer Report 2020**  
**Karen Waters District Treasurer**  
**July 2020**

	Current Month		Prior Month
<b>Northway Bank</b>			
Operating Account	\$333,229.23		\$37,872.68
Waters Dept	\$98,427.27		\$94,522.63
Rec Fund	\$148,672.62		\$3,730.72
Friends of Campton Mtn.	\$37,479.45		\$37,479.11
<b>Meredith Village Savings Bank</b>			
Operating Holding Account	\$563,427.16		\$563,340.30

<b>Total</b>	\$1,181,235.73		\$736,945.44
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**Foot Notes**

Additional Taxes

<b>Town of Campton</b>	\$193,519.29
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Town of Thornton	\$146,321.42
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	\$339,840.71
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**Non-Lapsing Recreational Projects - \$186,914**

<b>Item</b>	<b>12/31/2021</b>	<b>Cost</b>	<b>Updated 8/13/2020</b>	<b>Balance</b>
Computer Equipment		9,459.00	4,738.98	4,720.02
Exercise Equipement - Phase Replacement		15,000.00	17,358.70	0.00
Mahogany Fence		5,000.00	11,300.00	0.00
Mens Lockerroom Showers		8,000.00	35.00	7,965.00
Ladies Lockerroom Floor		16,000.00	11.00	15,989.00
Rec Center Interior Renovations		10,000.00	4,039.23	5,960.77
Septic System Pump Replacement		15,455.00	2,300.00	13,155.00
HVAC		10,000.00	6,763.11	3,236.89
Rec Center Roof		20,000.00	19,311.80	688.20
Security System Rec Center		10,000.00	741.00	9,259.00
Tennis/ Pickel Ball Court		50,000.00	3,576.27	46,423.73
Exterior Painting Rec Center		15,000.00	7,175.10	7,824.90
ADA		3,000.00	43.00	2,957.00
<b>Total</b>		<b>186,914.00</b>	<b>77,393.19</b>	<b>118,179.51</b>





# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223  
Phone: (603) 726-3082; Fax: (603) 726-8611

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## Treasurer Delegation of Duties

In accordance with RSA 41:29 subsection VI Duties of Elected Treasurer; The treasurer may delegate deposit, investment, recordkeeping or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures actable to the commissioners.

I Karen Waters as the current Treasurer of Waterville Estate Village District delegate the following authorities; bank account deposits, bank statement reconciliation, journal entries and all parts relating to recordkeeping to the individuals named below:

- Judy Kinney
- Sarah Sidor
- Patricia Lindblom

---

Karen Waters

We, the undersigned, hereby certify that the Commissioners of Waterville Estate Village District is comprised of 3 members, of whom 3 members constitute a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 15<sup>th</sup> day of August 2020 and that the forgoing policy was duly adopted at said meeting by the affirmative vote of \_ commissioners and opposed by \_ commissioners. Policy has been recorded in the minutes and is in full force and effect.

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Andrew Griffiths – Commissioner

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Sean Tole – Commissioner

---

John Herlihy – Commissioner

Approved By: Commissioners

Approval Date: August 15, 2020

Revision Date:

Effective Date: August 15, 2020

Date to be Reviewed:

Administrator Responsible: Treasurer

## WATERVILLE ESTATES VILLAGE DISTRICT

### September 4, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, John Herlihy, Sean Tole, Karen Waters, Corey Smith

Guests: Maureen Patti, Anthony Patti, Linda Ivers, Scott Ivers, Dave Ketchum, Joan Wood, Jaime Oldmixon, Steve Waters, Mary O'Brien, Harry Bertino, Ned McElroy, Rebecca McElroy, Ellen Witt, Jack Letvinchuk, Lauren Bennett, Terry Bennett, Jacqueline Herlihy, Tom Clarke, Gerry Pannozak, Lisa Culver, Ed Culver, Susan McDermott, Rischard Mayo, Stan Bujalski, Denise Bujalski, Gary Garber, Susan Spinney, David Spinney, Art Marks, others not on sign-up sheet.

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

**Approval of Previous meeting minutes:** Mr. Tole made a motion to approve the meeting minutes, from August 1<sup>th</sup>, 2020 with the addition of the meeting handout to the minutes, Mr. Herlihy seconded, passed.

**Commissioner Vacancy:** Mr. Herlihy indicated there was a vacancy on the board of commissioners. Mr. Tole nominated Mr. Ketchum. Mr. Herlihy declined to second and nominated Ms. Patti. He stated her qualifications including her experience as a lawyer and her participation on the records committee indicating both would be important given the historically poor record keeping and the pending Right to Know lawsuit. He Mr. Tole declined to second the nomination stating we'd be better off not having Ms. Patti have to focus on other village business, but rather solely focused on the records committee. Mr. Herlihy declared an impasse moved to the next agenda item.

**WEA BOD Update:** Mr. Marks indicated the WEA Board would be meeting 9/12. He indicated the BOD was continuing with the Ladies Locker Room updating using CIF and that the BOD was still reviewing how we could open. Mr. Herlihy asked if the BOD had any timelines. Mr. Marks did not provide a timeline.

### **WEVD Treasurer Report:**

**Update:** No update needed on the main report as we are between bank statements and the report can only be updated after the statements are audited.. Ms. Waters indicated the Non-Lapsing work report has been updated to correct some formula errors and will be double checked before the next meeting.

**Water Fee Policy:** The policy needs a few more revisions as new information was discovered since the last draft. A new policy will be proposed at the next meeting.

**Friends of Campton Mountain Account Update:** The AG's office has indicated this falls under the rules of the Charitable Trust. Mr. Tole indicated that these monies were unanticipated gifts. It is likely the money will need to be held by the Town of Campton or Thornton Town Trustees.

**Other:** Because of the closure we had to through some beer and liquor away. Mr. C, Smith arranged for some of it to be returned, but one vendor refused to accept anything back. The value of the discarded stock was \$5253.73. The cost of goods line item was reduced as this amount was moved to waste. Ms. Waters reported that Mr. M. Smith had advised that the commissioners had to approve checks. She is still refining the procedure to allow for taking advantage of early payment discount terns. Mr. Tole asked if she had confirmed the direction from the Clerk was correct. She indicated it was correct and she had reviewed the statute and knew it was correct when it was presented. Erica has suggested a ski ticket kiosk so bar service does not have to be disrupted for ticket sales. A proposal will be provided next meeting.



## **GM Update:**

**Backhoe:** We have procured and are waiting for an accessory to arrive before we take delivery.

**Plow Truck:** The one we identified has been sold so we are trying to find another. We still have one working plow truck but may want to get the transmission replaced so we have a backup truck. Discussion took place around our ability and practice of outsourcing some of our plowing

**Paving:** Will take place the second week of October.

**Rec Center Roofing:** Quotes were reviewed. References had been checked so Mr. Herlihy made a motion to select the low bidder Energy Shield at \$12,450. Mr. Tole asked if full snow and ice shield would be advisable and Mr. C. Smith stated that our problem is mostly moisture exiting the building. There is a provision to replace roof substrate which make it a little open ended, but that is the nature of this type of work. Mr. Tole seconded and the motion passed. Mr. Herlihy asked what side was being done and Mr. C. Smith indicated it was the east side and some of the low small roof sections.

**Boiler Issues:** One of our three boilers needs replacing. The heating contractor, Granite State Plumbing and Heating, indicated that the pool equipment must be kept separate from the boiler equipment as chlorine gets in the air and is not good for the boilers. We've been told this by previous contractors. The commissioners authorized Mr. C. Smith to have DuBois and King to do an assessment of the mechanical room. Mr. Herlihy stated we should get two to three quotes for the boiler replacement.

**Ski Lift Maintenance:** With a couple of vendor created hiccups, new wheel liners are installed. It consumed some additional man hours, but the vendor paid to fix the items.

**Pool Leak:** Rowell's Sewer Service cannot find the leak.. The commissioners authorized Mr. C. Smith to see if DuBois and King can offer any advice.

**Mowing of the Ski Hill:** We are bringing the same crew back who did it last year for \$3000. It depends on whether we have them do the dams as well. Some years we can skip the dams. Mr. Tole asked whether it made sense to mow if, ultimately, we can't open the ski area because of Covid. Mr. C. Smith indicated that saplings come in pretty quick so it did not make sense to skip a year. Mr. C. Smith suggested we might use the same team to do some road side vegetation brush back.

**Water System:** We have had 12 months of successful testing for E-coli so we may be able to drop the 4 log recording requirements that NH DES had enforced. We will reach out to them to get a ruling. Ms. Culver expressed that the water seemed like it had a high chlorine level and Mr. C. Smith indicated that it did because of the E-coli. He indicated that we may now be able to lower the chlorine level.

**Other:** Mr. Marks asked if Waterville Valley had contact us about selling ski tickets yet. The answer was they had not.

## **Old Business:**

**Court Sale:** Mr. Herlihy indicated that we only netted \$4288 for the sale of the court material. He stated that we paid about \$19,665 for it making it a \$15,377 loss. He indicated that we should report transaction this way moving forward.

**Raft:** Mr. Herlihy provided a final report on the cost of constructing the raft. It was approved for \$3,000 but we spent \$8,248 and that the cost overrun was a result of planning not happening before budgeting happened. Mr. Tole indicated the cost overruns were the result of being biased for safety as people kept attempting the flip the old raft as well as not being able to re-use components as originally planned as they were waterlogged and rotten.

Discussion took place around where the extra money came from and Mr. C. Smith indicated that he used his discretionary \$10,000 CIF allowance to complete the project without additional tax money. Mr. Bertino asked to see the policy that established Mr. C. Smith's discretionary \$10,000 CIF allowance. The \$3,000 initial estimate was paid from the Recreation Revolving Fund. Mr. C. Smith stated that the long-term practice has been to replace assets in kind with tax dollars and to use CIF when an asset is improved. Mr. C. Smith stated that because kids were attempting to flip the raft it needed to be upgraded "right away". Mr. Bertino asked for a copy of the policy that authorized Mr. C. Smith to spend \$10,000 in CIF and an accounting of the expenditures. Mr. C. Smith stated that "we just did it very openly and transparently". Mr. Bertino reiterated that he was asking for the policy not a verbal explanation. Mr. Herlihy observed it was the behavior that created the safety issue not the size of the raft.

**Right to Know Request Forms:** Mr. Herlihy discussed the right to know requests to date and asked if there were any outstanding that we were working on. Ms. Kinney indicated that there had been a process in place but it was dropped and staff was instructed to respond to verbal requests. She related a recent verbal request that audio difficulties made impossible to address. She asked the individual to put it in writing and to date she has not received a written copy of the request. Mr. Tole stated that the village had received a "flurry of right to know requests, one after another, almost meant to trip them up". Mr. Tole states that there was a form approved in 2016 which would have alleviated all of these issues. He stated "we need to make sure this is followed on a go forward basis, when we get the next flurry of right to know requests". Mr. M. Smith stated that he did not think the village district could dictate the method that a citizen used to make a right to know request. Mr. Herlihy stated the issue was on how to put a policy in place where the village could act promptly and professionally. Mr. M. Smith reiterated that the village couldn't dictate the language a citizen uses. That citizens need not use the form letter provided to make a valid right to know request. There was confusion as the form submitted was two part. One for the citizen and one for the commissioners. Discussion took place about when to adopt and how to approve. The process was referred to as the two pages. The approval passed. Ms. Patti attempted to clarify that the first page of the form was for the person submitting the request. Mr. Herlihy stated that the form could be modified. Ms. Patti stated that if we are going to ask requestors to fill out a form it needs to be posted on the website. Mr. C. Smith confirmed it was the form used in the past, was approved in 2016, and had been reviewed by legal, but maybe legal should review it again. Ms. Kinney indicated the form used to be on the site but got dropped and she didn't want to cause friction by putting it back on website without "you guys discussing it".

## **New Business:**

**Liquor Commission Affidavit:** Mr. Herlihy indicated that an affidavit needed to be signed but he would not sign the document until he better understood our practices and procedures because he was signing that "he had control of the process". Mr. C. Smith stated that most of our processes are overseen by the state.

**Right to Know Lawsuit:** Mr. Herlihy asked if we had heard from the village attorney. Mr. C. Smith indicated that it was a discussion for executive session.

**Budget Advisory Committee:** Mr. Herlihy indicated that the committee would meet in the next week or so.

**Roads and Water Committee:** Mr. Herlihy indicated that the DuBois and King contract is being reviewed by the village attorney. He will follow up. He discussed a water line agreement with a new owner and the need to have a process. Discussion took place about the Hodgeman Hill contract. Mr. Herlihy indicated that the existing water line may be insufficient. It is appropriate for that line to be evaluated as part of the master plan. He stated a betterment assessment might be required if the line to Hodgeman Hill needs to be upgraded. Mr. Bertino questioned whether Hodgeman Hill would be billed. Mr. Herlihy said he did not know, but it would have to be negotiated. Mr. Bertino asked how come roads were not paved using a betterment assessment. Mr. C. Smith said

that often they were. Mr. Bertino asked how it's determined which upgrades are done through taxes and which are betterment assessments.

**Planning Board:** Mr. Tole advised a planning board only has the authority to develop a master plan. And that a village could only establish zoning ordinance by approval from the state legislature. Mr. Bertino, Mr. O'Hara, Mr. M. Smith, and Mr. Leblanc were nominated, seconded, and passed to be the board members with Mr. Herlihy representing the board of commissioners. Mr. Tole provided qualifications for Mr. O'Hara and Mr. LeBlanc.

**Records Committee:** Ms. Patti provided a report (see attached). Ms. Waters asked if she was on the committee. It was reported that she was as required by statute. Ms. Patti recommended that the commissioners make her their delegate on the committee to free them up for other tasks, the commissioners agreed. Ms. Patti provided information about the number of line items of types of records as well as the retention period for those records. Ms. Witt asked to be on the records committee. It was motioned, seconded, and passed.

**Post Office (Cluster Box Unit) Committee:** Ms. Patti provided a report on the status of the committee's work. Our current mailboxes are not in compliance. Cluster box units required consist of 5 mail boxes and 1 parcel box. Mr. Tole reviewed some CBU vendors. She indicated there will be more info next meeting. She relayed that the northeast regional postal manager sent us a letter stating that we are the only association in a three-state area with an insufficient number of mailboxes. There was discussion as to whether this was a WEA or WEVD responsibility. Ms. Patti indicated that the USPS looks at who owns the land but the committee is still evaluating how it might work but needs to know the IRS guidelines that the WEA BOD is using to evaluate whether CIF can be used. It was recommended that Mr. Ken Michaud join the committee. Mr. Tole made the motion to that effect, Mr. Herlihy seconded, and the motion passed.

**Athletic Court Committee:** Mr. Ketchum provided an update on the evaluation process for fixing the athletic courts. Discussion took place around vendors being pursued and short term plans to repair cracks to prevent further damage. Mr. Ketchum indicated that we could hire out crack repair or perform it ourselves and that based on last years outsourced repairs versus the village repairs, our work fared better. Mr. Ketchum proposed assembling a volunteer group to deal with drainage and cutting back trees. Mr. Marks observed that there was \$50,000 in non-lapsing funds for the tennis court. Ms. Waters stated that they lapse if not used by the end of 2021, but that \$50,000 was not going to do the job. Mr. Bujalski observed that the tennis net posts were in need of repair and that the courts surface should not be repaired without addressing the posts.

**Constant Contact:** Mr. Tole indicated that the work on the mail list is ongoing with Ms. Canfield. Mr. Herlihy said we need a committee. Mr. Tole said it should be put on the agenda for the next meeting. Mr. C. Smith stated that constant contact is paid for through the recreation revolving fund and as such any decisions about it's use could have implications for the recreation management agreement that the commissioners should consider. Mr. Herlihy indicated that there was a request to Mr. C. Smith to have our meetings broadcast via Zoom or some other means. Mr. M. Smith pointed out that the audio difficulties from the June Zoom meeting constituted a right to know violation per the NHMA handbook. Ms. Waters indicated she had cancelled the contract the village had with Zoom.

**Commissioner Chair Vacancy:** Mr. Tole indicated that with his business interests, Mr. Herlihy would be a suitable chair. It was motioned, seconded, and passed.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, September 26<sup>th</sup> at 8:00 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 7:25AM.

**Executive Session:** The commissioners entered executive session.

## Report for WEVD Meeting 09/04/20

The Records Committee met on August 26<sup>th</sup>. The meeting minutes are posted on Watervillestates.com under Updates from WEA at bottom of home page as well as Ownership Portal page.

The committee has started work on an action agenda. The first prong is Establishing Consensus on What is a Waterville Estates Village District Record. Toward that end, the Committee has prepared the following description of New Hampshire law.

### 1. The New Hampshire Constitution reads, in part:

All power residing originally in, and being derived from, the people, all the magistrates and officers of government are their substitutes and agents, and at all times accountable to them. Government, therefore, should be open, accessible, accountable and responsive. To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted.

### 2. New Hampshire Statute 91-A reads, in part:

Openness in the conduct of public business is essential to a democratic society. The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people.

### 3. New Hampshire Statutes require the following:

Meetings of public bodies must have proper notice and must create minutes. Public bodies include any legislative body [voters at an Annual or Special Meeting], governing commission of a political subdivision, and any committee or advisory committee (of the Village District).

### 4. New Hampshire Statutes provide definitions which are helpful:

Governmental records consist of any information created, accepted, or obtained by or on behalf of, any public body in furtherance of its official function whether at a meeting or not. Governmental Records include written communication whether in paper, electronic, or other physical form.

Municipal records consist of all records, reports, minutes, tax records, ledgers, journals, checks, bills, receipts, warrants, payrolls, deeds and any other written or computerized material that may be designated by the Records Board.

### 5. The statutes which govern record retention by a municipality (Village District) cover 85 separate categories of records. These include easements, dam inspections, budgets, equipment maintenance, contracts, property inventory, job applications, and complaint logs.

It is a challenge for WEVD to capture existing government records and identify the category or categories into which each belongs. WEVD must also develop a system to ensure records created in the future are properly identified and maintained. Finally, WEVD must contract with a vendor to retain municipal records in accordance with New Hampshire Statutes.

The cost of compliance with New Hampshire Right-to-Know Law (RSA Chapter 91-A) and Disposition of Municipal Records (RSA Chapter 33-A) is considered part of the cost of government operations. The New Hampshire legislature has determined the benefits of open government outweigh any inconveniences and costs imposed by the Right-to-Know Law.



# **WATERVILLE ESTATES**

WATERVILLE ESTATES VILLAGE DISTRICT  
COMMISSIONER'S MEETING

SEPTEMBER 4, 2020

## **Agenda for Commissioner Meeting**

**Friday September 4, 2020 @ 8:00AM**

### **Pool Upper Deck (Summit Lounge if inclement weather)**

1. Call to Order
2. Welcome/Introductions
3. Approval of Previous meeting minutes
4. District commissioner vacancy.
5. WEA BOD Update
6. Treasurer's Trove
  - a. Update
  - b. Water Fee Policy Correction
  - c. FOCM Account Resolution
  - d. Other
7. GM Update
  - a. Backhoe
  - b. Plow Truck
  - c. Old Plow Truck Transmission
  - d. Paving
  - e. Roof Quote
  - f. Boiler Issue
  - g. Ski Lift Maintenance
  - h. Pool Leak
8. Old Business/Items
  - a. Racquet / Basketball Court
  - b. Right to Know request forms
9. New Business Items
  - a. Liquor Commission Affidavit
10. RTK Lawsuit Update
11. WEVD Committees Updates
  - a. Budget Advisory Committee
  - b. Roads and Water Committee
    - i. HH/WEVD Contract
  - c. Planning Board Committee
    - i. Clarify authority
    - ii. Select members
  - d. Records Committee
12. Volunteer/Joint Committees Updates
  - a. US Mail Committee
  - b. Court Committee
  - c. Joint Violations Committee Update
13. WEVD Communications
  - a. WEVD Logo update
  - b. Constant Contact
14. Miscellaneous items
15. Next Meeting - Saturday, September 12, 2020, 08:00 AM
16. Open Floor/Questions
17. Adjournment

## WATERVILLE ESTATES VILLAGE DISTRICT

### August 15, 2020 MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, Andy Griffiths, John Herlihy, Sean Tole, Karen Waters

Guests: Linda Ivers, Scott Ivers, Richard Doore, Maureen Patti, Harry Bertino, Al Zulli, James Murphy, Stan Bujalski, Ned McElroy, Rebecca McElroy, Steve Waters, Jack Letvinchuk, Libby Griffiths, Lauren Bennett, Jacqueline Herlihy, others not on sign-up sheet.

**Call to Order:** Mr. Griffiths called the meeting to order at 8:01 AM.

**Welcome Comments:** Commissioners introduced themselves.

**Approval of Previous meeting minutes:** Mr. Griffiths provided a copy with typos to be corrected. Mr. Tole made a motion to approve the meeting minutes, with typos corrected, from August 11, 2020, Mr. Griffiths seconded, passed.

**WEA BOD Update:** No WEA BOD present no report provided.

#### **WEVD Treasurer Report:**

**Update:** We have started the purchase process for the backhoe and need one commissioner's signature. We have a new plumbing service contractor and need one commissioner's signature on the credit application. Ms. Waters circulated check signing cards and other bank documents to the commissioners. Our budget and cash position are in good shape. The list of delinquencies for the water rate was discussed. There is \$19,196.82 outstanding with the bulk is in the 30-60 day window and about \$3000 past 90 days.

**Water Fee Policy:** The policy needs to be revised as additional information from the original ordinance was discovered. A revised policy will be presented at the next meeting.

**Friends of Campton Mountain Account Update:** We have received a letter from the attorney general's office asserting we are not handling the money correctly. The commissioners will need to respond and Ms. Waters is researching the matter, but the likely outcome is that the money will need to be held by the Town of Campton Town Trustees.

**Other:** Disposition of the assets acquired from the court sale were discussed with a suggestion by Mr. Tole that it be applied to 2019 warrant article 3. Ms. Waters indicated that she did not think that was possible, but she'd check. Ms. Waters presented a Treasurer Delegation of Duty (see attached and note the document was corrected to read 2 commissioners make a quorum). Mr. Tole made a motion to accept the policy with the noted correction, Mr. Griffiths seconded, passed. Ms. Waters stated that bills paid by the treasurer must be reviewed by the commissioners **per** statute but that we had never done it before. She is reviewing a procedure to allow us to be in compliance with statute. The challenge will be to find a way to take advantage of 2% 10<sup>th</sup> net 30 type payment plans while complying with statute. Ms. Patti thanked the treasurer for her hard work.

#### **Sean's Commissioners Corner:**

**WEVD/WEA Lease Update:** The lease is still being worked on.

**WEA Insurance Update:** The association is getting quotes on communicable disease coverage.

**Community Center/ Emergency Shelter Center?:** This has been an informal emergency shelter, but not officially. Mr. Herlihy is working on a disaster recovery plan that will likely clarify the matter officially.



**Advisory Committee Authority:** Working hard to document policy, but the buck stops with the commissioners. Ms. Waters observed that from a planning perspective, the budget committee needs to get started doing their work. She has reviewed the NHMA publication Municipal Budgeting Law and it provides a timetable. Mr. Tole pointed out that the Recreation Management Agreement process affects the budget.

#### **GM Update:**

**Court Repair Update:** We have received a quote for \$142,000 to repair the tennis courts. Mr. Ketchum is working on obtaining alternate quotes. Mr. Griffiths stated that spending that amount of money was not going to happen. We are working on obtaining quotes for lower cost solutions. The basketball court is another matter as it has to be plowed to maintain fire and ADA access which affects surfacing options.

**Final Accounting on Pond Float:** These numbers are not available at this time and will be presented at the next meeting.

**Pool Leak:** We are getting the pipes scoped. The pools are shut down to reduce costs until we can open.

#### **Old Business:**

**Paving:** The quotes are under budget and we have added additional projects since a certain amount of money was allocated. Additional projects worth \$7000 and some small repairs worth \$7200.

**Other:** We have found a brand new 2019 plow truck. The backhoe is a John Deere, on budget. We are getting another quote for the next phase of recreation center re-roofing. There is a lot of development right now that is exposing some issues that will impact what our final water line policy looks like.

#### **New Business:**

**Deputy Clerk-Maureen Patti:** Mr. M. Smith appointed Ms. Patti as Deputy Clerk. Mr. Tole made a motion to approve the appointment, Mr. Griffiths seconded, passed.

**Clerk Posting/ Minutes Access:** Mr. Griffiths stated that Mr. M. Smith wanted access to post minutes. Mr. M. Smith clarified that the issue was he had no ability to do so and in three separate instances officials said he would post. Discussion took place around the pros and cons of providing access. Mr. Herlihy made a motion to provide access to the Clerk and Deputy Clerk. Mr. Tole seconded, passed. Mr. C. Smith clarified access to the board by the mailboxes should also be provided.

**Swearing In Deputy Treasurer and Deputy Clerk:** Mr. Tole swore in Ms. Patti and Ms. Ivers (Deputy Treasurer approved last meeting).

**Records Committee:** Mr. Griffiths stated that the records committee was required by, and members dictated by state statute. Members include Commissioners, Clerk, and Treasurer. The commissioners can designate representatives and designated Ms. Patti, Mr. Patti, and Mr. Bertino. Ms. Waters observed there is no consistency in documentation

**RTK Request Update:** Mr. Griffiths reported that he was informed that a lawsuit has been filed, but the village attorney was on vacation.

#### **John's Commissioners Corner:**

**Water System Committee Update:** The committee has reached out to DuBois and King and is meeting with them next week. Mr. Herlihy is working with Mr. C. Smith on issues. He is concerned about continued development in the absence of policies and master plans and is considering recommending a moratorium on development. Mr. Griffiths asked how long the moratorium would be. Mr. Herlihy indicated he would advise.

Mr. Tole recommended researching a connection fee. Mr. Griffiths indicated that WEVD is currently responsible for identifying water lines for construction and in a current case it is going to cost \$1,000 to \$2,000. Mr. Herlihy also stated there should be a fee to turn valves on and off. He indicated that there are 30 lots that, if developed would have long water lines and that we need a process. Mr. Bertino observed that this type of thing is what a planning board does. Ms. Waters observed that a Planning Board does not have permit authority and so there is more to be considered.

**WEA Building Permit Collaboration:** Mr. Griffiths pointed out WEA permits currently issued w/out determining road & water impacts. Mr. Bertino observed that the WEA building committee only has authority on covenants regarding construction & WEA property. Mr. Herlihy said there should be a water and roads sign-off.

**Planning Board Advisory Committee:** Mr. Tole states that only Long-Term Planning is the purview of a village planning board. Ms. Patti recommended all parties get NHMA Planning Committee training. Mr. Bertino stated the appointing the planning board is overdue. Planning board appointments were discussed. At the last meeting Mr. Griffiths committed to solicit applications for the planning board.

**Building Structural Committee:** Mr. Tole observed that they should review the Reserve Advisors report. Mr. Bertino suggested reviewing what other towns have done regarding Planning Boards. Mr. Griffiths stated this committee should be under the purview of the planning board.

**Volunteer Action Committee:** Ms. Canfield has been out of town. She has heard from all planned WEVD committees except those waiting to be finalized. WEA has not provided information on their committees. Mailbox committee has been established. Ms. Patti has attempted to coordinate a meeting with Ms. McDermott and Mr. Tole,

**WEVD Communications/Presence:** Work ongoing. The village needs its own logo to differentiate

**Miscellaneous:** Mr. Herlihy has started dialogs with Thornton and Campton regarding roads. The dip in Goose Hollow near Winoosa Trail has been fixed. Mr. Tole observed there is a traffic counter on Hodgeman. Mr. Griffiths stated that the concern raised about whether voters were legitimate was the purview of the Supervisors of the Checklists. Mr. McElroy stated that WEVD is usurping the will of WEA members. Mr. Griffiths asked how. Mr. M. Smith discussed that the "Where the Money Goes" document says dues pays for recreational activities and that the Ski Offset and Rec Fund Contingency budget line items were implemented because WEA members would not increase dues. Therefore, the village passed a de facto dues increase. Mr. McElroy alleged illegal voting in the district. Mr. Tole discussed HB1264 (see attached).

**Open Floor/Questions:** Mr. Bertino re-iterated that the planning board members needed to be appointed ASAP. Mr. Griffiths said he would do it tomorrow. Mr. Tole stated he wanted clarification on that board's authority. Mr. Bertino stated that the warrant creating the planning board did not require that. A resident of Weetamoo Drive raised concerns about storm run-off being directed across his driveway. Mr. Herlihy and Mr. C. Smith committed to visiting the site. Ms. Griffiths asked how long does a build have before it must be complete. It is one year and is enforced by WEA. Discussion took place about the WEA violations committee. Ms. Griffiths volunteered to serve.

**Next Meeting:** Mr. Griffith indicated the next meeting would be Saturday, August 29<sup>th</sup> at 8:00 AM.

**Executive Session:** Mr. Griffiths stated that we would enter executive session at 9:29 AM.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 9:45AM.



# Waterville Estates Village District

562 Wmterbrook Road Campton, NH 03223  
Phone: (603) 726-3082; f ax: (603) 726-861 1

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## Treasurer Delegation of Duties

In accordance with RSA 41:29 subsection VI Duties of Elected Treasurer; The treasurer may delegate deposit, investment, recordkeeping or reconciliation functions to other town officials or employees provided such delegation is in writing and includes written procedures actable to the commissioners.

I Karen Waters as the current Treasurer of Waterville Estate Village District delegate the following authorities; bank account deposits, bank statement reconciliation, journal entries and all parts relating to recordkeeping to the individuals named below:

- Judy Kinney
- Sarah Sidor
- Patricia Lindblom

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Karen Waters

We, the undersigned, hereby certify that the Commissioners of Waterville Estate Village District is comprised of 3 members, of whom 3 members constitute a quorum, were present at a meeting duly and regularly called, noticed, convened and held this 15<sup>st</sup> day of August 2020 and that the forgoing policy was duly adopted at said meeting by the affirmative vote of \_ commissioners and opposed by \_ commissioners. Policy has been recorded in the minutes and is in full force and effect.

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Andrew Griffiths - Commissioner

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Sean Tole - Commissioner

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John Herlihy - Commissioner

Approved By: Commissioners

Approval Date: August 15, 2020

Revision Date:

Effective Date: August 15, 2020

Date to be Reviewed:

Administrator Responsible: Treasurer

CHAPTER 370  
HB 1264 - FINAL VERSION

05/02/2018 1890s

2018 SESSION

18-2352  
03/08

HOUSE BILL **1264**

AN ACT relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

SPONSORS: Rep. Packard, Rock. 5; Rep. Hinch, Hills. 21; Rep. J. Graham, Hills. 7; Rep. Hoelzel, Rock. 3

COMMITTEE: Election Law

ANALYSIS

This bill modifies the general statutory definitions of "resident or inhabitant" and "residence or residency."

Explanation: Matter added to current law appears in ***bold italic***.  
Matter removed from current law appears ~~in regular type~~.  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.  
05/02/2018 1890s 18-2352  
03/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eighteen*

AN ACT relative to construction of the terms "resident," "inhabitant," "residence," and "residency."

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

370:1 Statutory Construction; Resident; Inhabitant. Amend RSA 21:6 and 21:6-a to read as follows:

21:6 Resident; Inhabitant. A resident or inhabitant or both of this state and of any city, town, or other political subdivision of this state shall be a person who *is* domiciled or has a place of abode or both in this state and in any city, town, or other political subdivision of this state, and who has, through all of his ***or her*** actions, demonstrated a current intent to designate that place of abode as his ***or her*** principal place of physical presence ~~for the indefinite future~~ to the exclusion of all others.

21:6-a Residence. Residence or residency shall mean a person's place of abode or domicile. The place of abode or domicile is that designated by a person as his ***or her*** principal place of physical presence ~~for the indefinite future~~ to the exclusion of all others. Such residence or residency shall not be interrupted or lost by a temporary absence from it, if there is an intent to return to such residence or residency as the principal place of physical presence.

370:2 Effective Date. This act shall take effect July 1, 2019.

Approved: July 13, 2018

Effective Date: July 01, 2019

**WEVD Treasurer Report 2020**  
**Karen Waters District Treasuer**  
**July 2020**

	Current Month		Prior Month
<b>Northway Bank</b>			
Operating Account	\$333,229.23		\$37,872.68
Waters Dept	\$98,427.27		\$94,522.63
Rec Fund	\$148,672.62		\$3,730.72
Friends of Campton Mtn .	\$37,479 .45		\$37,479 .11
<b>Meredith Village Savings Bank</b>			
Operating Holding Account	\$563,427.16		\$563,340.30

<b>Total</b>	\$1,181,235.73	\$736,945.44
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**Foot Notes**

Additional Taxes

<b>Town of Campton</b>	\$193,519.29
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Town of Thornton	\$146,321.42
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	\$339,840.71
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Non-Lapsing Recreational Projects - \$186,914

Item	12/31/2021	Cost	Updated 8/27/2020	Balance
Computer Equipment		9,459.00	4,738.98	4,720.02
Exercise Equipement - Phase Replacement		15,000.00	16,069.41	-1,069.41
Mahogany Fence		5,000.00	10,772.21	-5,772.21
Mens Lockerroom Showers		8,000.00	35.00	7,965.00
Ladies Lockerroom Floor		16,000.00	11.25	15,988.75
Rec Center Interior Renovations		10,000.00	6,009.20	3,990.80
Septic System Pump Replacement		15,455.00	2,300.00	13,155.00
HVAC		10,000.00	6,919.40	3,080.60
Rec Center Roof		20,000.00	19,311.80	688.20
Security System Rec Center		10,000.00	741.00	9,259.00
Tennis/ Pickel Ball Court		50,000.00	3,568.86	46,431.14
Exterior Painting Rec Center		15,000.00	7,571.58	7,428.42
ADA		3,000.00	43.00	2,957.00
<b>Total</b>		<b>186,914.00</b>	<b>78,091.69</b>	<b>108,822.31</b>

ENERGY SHIELD  
OF THE LAKES REGION

ESTIMATE #888  
TOTAL \$12,450.00

Energy Shield of the Lakes Region

Waterville Estates Community Center  
562 Winterbrook Rd  
Campton, NH 03223

(603) 254-7745  
shawnp@waterville-estates.com

CONTACT US  
484 Province Road  
Laconia, NH 03246

(603) 524-1275  
Josh@energyshieldnh.com

ESTIMATE

Shingle Roof - Strip and Re-shingle	1.0	\$12,450.00	\$12,450.00
<div><ul style="list-style-type: none"><li>• The roof renovation process:</li><li>• Remove and dispose of existing shingles. This will include prepping and ensuring the security of any plants, windows, siding, AC units, and any other investments that may need protection.</li><li>• Inspection for rot and other defects. Plywood replacement is free up to one 4'x8' sheet and \$ 60 per sheet after that.</li><li>• Install all new 10" drip edge around perimeter of roof.</li><li>• Install six feet of ice and water shield at the edge of the roof and 3 feet in the valleys with the remainder of the roof covered in a synthetic underlayment.</li><li>• Installation of Owens Corning Duration shingles with a limited lifetime manufacturer warranty to the house.</li><li>• Flashing boots around all ventilation pipes.</li><li>• Replacing any step flashing as needed at no cost.</li><li>• Replacing all existing ridge ventilation with new ridge vent.</li><li>• Install omni vents.</li></ul></div>			
Subtotal			\$12,450.00
Tax (Credit Card Tax 3%)			\$0.00
Total			\$12,450.00



# Estimate

113

2020-08-08



United Contracting and Remodeling, Inc.  
 43 South Ave Apt A  
 Derry NH 03038  
 unitedcontractingremodeling@gmail.com  
 1603-931-8083

Shawn Pelchat  
 562 Winterbrook Rd  
 Campton NH 03223  
 shawnp@waterville-estates.com  
 (603) 254-7745

Pelchat  
 562 Winterbrook Rd, Campton, NH, 03223

<u>Description</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total</u>
<b><u>Roof Replacement</u></b>	\$400.00	78.00	\$31,200.00
Landmark Base Series Shingle Any Deck Replacement over 2 Sheets - \$70.00 per Sheet Installed. Remove Everthing from the Perimeter of the Home & Protect Landscaping Tarp all Areas where Debris will be Removed Completely Strip Roof to Decking Remove and Replace all Compromised Decking Remove Old Drip Edge and Flashing from Chimneys Apply 3 Feet of Ice & Water Shield to all Eaves & Valleys Apply Synthetic Underlayment on Entire Roof Apply New Drip Edge on Perimeter Apply Starter Shingles on Entire Perimeter Apply Lifetime Shingles Apply New Flashing to Chmineys & Additions Apply Ridge Vent Sytem and Caps Do Complete Clean of the Property & Magnetic Sweep Leaf Blow Gutters, Driveways, Sidewalks, Stairs, and Entryways Provide Customer with Complete Walk Around and 2 Year Warranty			

we need the back side of our community center stripped and roofed.

**Total** \$31,200.00

**Compensation.** Client shall pay as set forth above. Price is subject to change, with customer's approval.

**Invoicing & Payment.** 50% of the job is due up front. Client shall pay final invoice when job is completed. Client shall also pay a late charge of 1-1/2% per month on all balances unpaid 30 days after the invoice date.



## Activity

### 2019

June - WEVD filled cracks with hot tar on existing pickleball court on #2. B & D repainted, removed footing, painted a second pickleball court on #2. (~\$150 in paint, cold patch, tape, plus tar & WEVD labor)

Sept - VT Tennis crack fill, shim, touch-up paint lower courts #3 & #4 (\$2981)

Nov - WEVD removed tiles from upper tennis court #1

### 2020

#### **Vermont Tennis, St Johnsbury VT - Jeff Zangla**

Initial walkthrough onsite 06/18/2020: Jeff Z, Corey S, Dave K

Discussed upper, lower and basketball courts. Recommends complete rebuild of all courts.

Conf call 08/13/20: Jeff Z, Corey S, Andy G, Dave K

Discussed particulars. WvE will provide listing of items we can do in-house to reduce costs. Jeff provided estimate of \$142k for upper court rebuild at end of day. A list of tasks we could do in-house was provided 08/18/20, response pending.

#### **Maine Tennis & Track, Grey ME - Brian Cornish**

Initial walkthrough onsite 08/21/20: Brian C, Corey S, Dave K

Discussed upper, lower and basketball courts. Recommends complete rebuild of all courts. Initial ballpark estimate, \$150k for upper court. Will provide written estimate, pending.

#### **SealMaster Coatings, Londonderry NH - Chad Park**

Provided contractor contact info 08/14/20

#### **Lineberry Tennis, Henniker NH - John Lineberry**

Called 08/17/20 left message. Called 08/24/20 discussed repair and resurface needs. Sent summary with pictures via email. Response pending.

#### **Site Improvements, Andover MA**

Called 08//20, discussed repair and resurface needs. Sent summary via text, will forward to owner for follow-up. Response pending.

**Observations:**

Cracks filled with hot tar by WEVD 06/2020 were not ideal playing surface (squishy), but they did hold up to winter. Cracks did not reappear. Repairs did firm up which improved playing experience.

Cracks filled by VT Tennis 09/2020 were a good playing surface, but have reappeared as hairline cracks.

Drainage needs rework, dredging. Lower court is flooded with runoff.  
Trees need to be cut back. Fence line needs brush cut.

**Summary**

Both sets of courts are ~25 years old and "don't owe us anything" according to consulted contractors. Any repairs done will last a year or two and need touch-up annually. But, to rebuild one court (~140k) only addresses a third of the problem as the basketball court is the worst of all three.

**Recommendation**

Crack fill upper and lower courts in the next month, either in-house or contracted (ie VT Tennis), to protect the courts from winter freeze. Repair drainage around upper courts. Brushwack fence line. Organize volunteers to assist WEVD staff and/or tree service contractor with cutback of encroaching trees.

Organize a formal committee to assess the importance of each court within the community. Identify options and propose a long term plan for outside courts.



# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223

Phone: (603) 726-3082; Fax: (603) 726-8611

[www.waterville-estates.com](http://www.waterville-estates.com)

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## WATERVILLE ESTATES VILLAGE DISTRICT REQUEST FOR INFORMATION

[Your Name] \_ \_ \_ \_ \_

[Street Address] \_ \_ \_ \_ \_

[City, ST ZIP Code] \_ \_ \_ \_ \_

[Date] \_ \_ \_ \_

Waterville Estates Village District  
562 Winterbrook Road  
Campton, NH 03223

To Whom It May Concern

Under the New Hampshire Right to Know Law RS.A. Ch. 91-A et seq., I am requesting an opportunity to inspect or obtain copies of public records that [Describe the records or information sought with enough detail for the public agency to respond. Be as specific as your knowledge of the available records will allow. But it is more important to describe the information you are seeking.]

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Please note the cost of requested documents is a \$1.00 (one dollar) per page.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$\_\_\_\_. This information is not being sought for commercial purposes.

The New Hampshire Right to Know Law requires a response time of five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

Thank you for considering my request.

Date: .....

\_\_\_\_ We have received your request for information and will attempt to respond within  
\_\_\_\_ days of receipt of your request.

\_\_\_\_ Attached is/are the document(s) we believe addresses your request

\_\_\_\_ Said document(s) is/are available for your viewing, please make an appointment with WEVD  
administrative services

Your request has been denied because

\_\_\_\_ A.) The document contains sensitive information about an employee's reputation

\_\_\_\_ B.) The document contains sensitive information about the reputation of another  
member or person

\_\_\_\_ C.) The document contains information that if revealed may adversely affect a  
business dealing of the district

\_\_ \_ D.) The document you request is protected under attorney client privilege

\_\_ \_ E.) The document your request is a matter of non-public session and is sealed at this  
time

\_\_\_\_ F.) Other:

\_\_\_\_ G.) We do not have a document that addresses this matter

WATERVILLE ESTATES VILLAGE DISTRICT MEETING MINUTES  
September 26, 2020

**Attendees:** John Herlihy, Chairman; Sean Tole, Commissioner; Judy Kinney, Assistant General Manager; Karen Waters, Treasurer; Corey Smith, General Manager.

**Guests:** Stan Bujalski, Jackie Herlihy, Tom Clarke, Mike Herring, Harry Bertino, Loren Bennett, Terry Bennett, Gerry Panuczak, Dave Ketcham, Jaime Oldmixon, Scott Ivers, Linda Ivers, Ryan Timms, Rebecca McElroy, Ned McElroy, Veronica Guerrero-Macias (?), Arnold Goodman, Mark O'Hara, and another person on sign-in sheet but illegible to this writer.

**Call to Order:** Chairman John Herlihy called the meeting to order at 8:02 a.m.

**Approval of Previous Meeting Minutes:** Mr. Herlihy moved to approve the minutes from the September 4, 2020 WEVD meeting. Mr. Sean Tole conditioned approval upon a correction. To the section entitled, Friends of Campton Mountain Account Update, Mr. Tole corrected the minutes as follows: the original sentence -- Mr. Tole indicated that these monies were unanticipated gifts.

the corrected sentence -- Mr. Tole indicated that these monies *may be considered unanticipated gifts by the Department of Justice.*

[Please refer to **Old Business – Commissioner Chair Vacancy** on page 5, for additional comments made at this time by Mr. Tole.]

Motion to accept as amended made by Mr. Herlihy, seconded by Mr. Tole, and passed.

**Commissioner Vacancy:** Mr. Herlihy inquired of the audience if there was any interest in filling the position. The interested parties each spoke of their qualifications.

Mr. Jerry Panuczak spoke, identifying himself as recently retired. He described his qualifications as follows: after working half his career in corporate America, Mr. Panuczak worked in municipal management and human resources for the Town of Chatham (Mass.) and both Chatham and Duxbury Public Schools. He is familiar with municipal finances and how hired leadership/employees are provided direction by the (governing) board. From his human resources experience he determined that the best, most simple formula is the following: You hire the right people that have the right skills, you give them proper position descriptions so they know what they are accountable for and let them do their jobs with the direction you give them. You appraise them and hold them accountable for whether they did or did not do the job they were given. From what he has seen here we have tremendous assets – a community center and a fully functioning ski hill – and there is room for improvement in the way we manage it and account for it.

Mr. Dave Ketcham told the commissioners he has been a Waterville Estates owner with his wife since 2017, retiring in 2018. His qualifications include serving as a trustee on a homeowner's association board for 12 years as well as acting as treasurer for the HOA. He has a long history of community service and was asked by Sean Tole to consider seeking appointment to fill this vacancy. While Mr. Ketcham wasn't so interested initially, he thought about it and now he has a great deal to offer. Mr. Ketcham described himself as (financially) conservative and believes in paying our bills and not getting too far out ahead of ourselves (with spending).

**General Manager Status:** Mr. Corey Smith reported the following:

**Plow Truck:** A plow truck has been purchased but has not yet been obtained due to Covid related delays. An older, 2008, plow truck which has transmission issues should be repaired. The other plow truck, a 2012, is in better shape and the GM recommends turning the 2012 into a water truck.

**Road Surfacing:** Still on schedule for October.

**Rec Center Roof Progress:** Slight delay but will begin next week.

**Boiler Issues:** One of the three boilers is “defunct.” GM received a quote for replacement of the bad boiler for \$31,661 and making necessary upgrades to the entire 3 boiler system for \$10,000 more. Mr. Smith said we are seeking quotes for a solution for protecting the boilers from gasses that are present in the space shared with the pool filtration system. We are waiting to hear from one other contractor who is preparing a quote.

**PFAS Testing:** We are now mandated to do PFAS sampling. The cost will be in the hundreds.

**COVID Relief and Governor’s Office For Emergency Relief and Recovery:** WEVD is not eligible to receive COVID Relief funding through the New Hampshire Governor’s GOFERR program as village districts were not included in the list of municipalities eligible for funding. GM prepared and the commissioners signed a letter asking representatives from GOFERR to expand the eligibility for reimbursement of funds spent on COVID supplies/upgrades to include village districts. However, the District may request a share of the relief provided to Campton and Thornton. Thornton has no more funds left. GM sought permission to attend the Campton Selectmen meeting on Monday, September 28, 2020, to request qualifying reimbursements to the District be included with the reimbursements sought by Campton. Mr. Tole said he would attend the meeting. A citizen, Mr. H. Bertino, alerted the Commissioners that in the last Campton Selectmen meeting there was confusion as to whether the Community Center is WEVD or Waterville Estates Association property. Mr. Bertino was thanked for providing that insight by both the General Manager and Mr. Herlihy.

**Draft Water Policy (not on agenda):** According to GM, for discussion at next meeting, we do have a policy on undeveloped lots. The policy is this: when a new home comes in, the water is available to them but they must pay for the upgrade.

Mr. C. Smith suggested the commissioners consider taking the \$270,000 of water system funding derived from taxation and converting it into a fee. The General Manager explained that we do not meter water for people and the vast majority of the expense for water is not in the variable of how much you use but in the cost to have that water available. We have a policy that states you are effectively entitled to water when you pay your taxes but you must pay for upgrades to get it to you. Mr. C. Smith described an alternative. A logically consistent and possibly fairer policy would be to take the \$270,000 coming into the water system right now through taxation and make it a fee – take it off the taxes. Then you would have the money from the water fund (\$102,000 from \$200/year fee) and the \$270,000 as fees.

**Role of GM with WEA (not on agenda):** There has been some friction for Mr. C. Smith with some Association people and Association Board members now that he has taken, as directed, a more passive role with WEA. GM would like them to know that he has been told to step back. Mr. Herlihy



Ms. Maureen Patti described her employment history as a criminal defense attorney in the Public Defender's office. Having retired and moved here two and a half years ago, she feels she can serve the community. Ms. Patti stated her focus is helping this municipality gain compliance with New Hampshire laws – specifically statutes regarding record creation, availability, and retention. Ms. Patti reported that she is reading up on New Hampshire budget laws and sees there is area for improvement of the District practices. Her focus is having the District operate more as a municipality.

A member of the audience, Ned McElroy, suggested that Mr. Ed Culver should also be considered for the vacancy. He was not present at the meeting.

Mr. Herlihy suggested that the commissioners re-visit the question of filling the vacancy later in the meeting. Mr. Tole agreed. [Please see page 7.]

#### **Treasurer Report:**

**Update:** Ms. Waters began her report with the “manifest” of normal bills. One bill required immediate attention – the roofers are to start on the Community Center on Monday the 28<sup>th</sup> and need a check before they start. With the roofer's check on the top, she left the folder with the commissioners saying, these are for you (both) to review and sign off on. She encouraged the commissioners to leave the folder with Ms. Kinney at the end of the day. Ms. Waters reported the current balances (\$1,400,483.34) and described the budget information included in the handout.

**Water Fee Policy:** Treasurer Waters recently created a proposed Water Fee Policy. The policy incorporated the original ordinance from 2017, the previously adopted lien procedures from 2018, and the late fee process for delinquent accounts introduced several meetings hence. Ms. Waters recommended the commissioners delay a vote on the Water Fee Policy today. Ms. Waters suggested the policy be posted instead. She will present the policy for the commissioners to consider accepting at the next meeting after everyone has a chance to consider it. Mr. Herlihy said he wanted to review, prior to the next meeting, whether the imposition of the water fee needed to be voted on by the residents acting as legislators.

**Friends of Campton Mountain:** From her research, Treasurer Waters determined that the FOCM monies cannot be simply moved to the town trustees. Instead, this will have to be addressed in a Warrant Article at the Annual Meeting. The community must vote to accept the FOCM money and vote to send it to the Town of Campton or Thornton Town Trustees.

For background, the FOCM started with the Association. In 2010, the accountant recommended the FOCM monies be placed in an account in the name of the Village District. As Ms. Waters stated, “This was not the right thing to do but it happened.” Ms. Waters must now provide the Attorney General an accounting of these funds for the past 10+ years. The money cannot be turned back over to WEA -- the Attorney General is not going to let that happen according to the Treasurer.

Ms. Waters understands the New Hampshire Statute provides you can take in unanticipated monies for specific purpose(s), but you must have to spend it in the year you take it in. Per Ms. Waters, any monies not spent during the year they were received must now be turned over to the Town Trustees to ensure it is managed in a manner consistent with the identified, specific purposes.

responded stating that the discussion was about Association people asking Corey to take a stand and set policy for the Association. Mr. Herlihy continued stating the General Manager's responsibility is to enable recreation and not create policy for the Association. Mr. Herlihy expressed a desire for the Association to ask the GM to perform the services he is contracted to provide and not ask him to set policy. GM stated he has never created Association policy and still feels some confusion about what he is being asked to do. Mr. Tole stated Mr. C. Smith is a very good liaison between the VD and the Association; this is part of the GM's job description. Mr. Bertino asked for a copy of the GM's job description.

**Readiness of Recreation Center and Mountain Lodge:**

Mr. C. Smith described Ski Lodge and Community Center readiness for re-opening. Air quality is the number one concern of GM. We have spent some money on air filtration, bringing UV lights for ducts and standing UV filters. Per GM, we do not yet have an opinion from a qualified engineer if these steps are sufficient.

The second issue is staffing. Per Mr. C. Smith, we have some uncertainty as to the amount of income from food and beverage. We rely rather heavily on that income. When operating, our biggest expense is staffing said GM. We need a staffing plan that is reduced to a certain extent and try to be conservative of our expenses considering our income.

Mr. Panuczak asked if anyone has anyone reached out to local or state health officials for guidance on air filtration standards that are COVID compliant, calling information from other government agencies a "free start" for determining what is required for re-opening (without paying for a consulting engineer). GM agreed to check if the town or state has any information about COVID air filtration standards.

The lower, outdoor pool has not been completely drained because GM has been advised to watch for evidence of a leak at the visible crack. The Community Center has been sitting idle but no other known problems with the building.

**Old Business – Facility Use & Rentals:** Mr. Tole inquired of Mr. Herlihy whether he was responsible for a public meeting scheduled for October 17, 2020, at the Mountain Lodge. Mr. Herlihy said yes, he made arrangements via email with then Commissioner Chairman Mr. Griffith. Ms. Waters questioned whether communicating by email with another commissioner was proper. Mr. Tole said it is not allowed. Mr. Tole stated it is not the District's purview to grant you access to use the Lodge. The Rec Management agreement gives the Association the control over use of the facility. Mr. Tole requested that Mr. Herlihy seek permission from the Association to utilize the facility. Mr. Bertino said the Rec Management Agreement does not rent the ski area to the Association. Mr. Tole replied he said nothing about renting; deciding when the Lodge opens and closes is up to the Association. When Mr. Bertino asked for any documents which supported this interpretation, Mr. Tole told him to look at the documents already in his possession. Mr. Herlihy explained the precedent had been established for use of the Community Center by the Chamber of Commerce and Campton Mountain Lodge by public organizations including the Ski Patrol meetings. Mr. Tole told Mr. Herlihy that permission was secured through the Association and said, "I'm asking that you ask the Association to rent the facilities."

Ms. Waters then read from the June 9, 2020 Rec Management Agreement (the section entitled, "The Association's [r]oles and [r]esponsibilities.") as follows: "The Association's roles and responsibilities

include the following [E]stablish[ing] and maintain[ing] an admission policy to all recreational facilities falling within the scope of this agreement.” A slightly heated discussion ensued. Mike Herring encouraged the District to work with the Association. Mr. Herring reported the cancellation of a private party rental of the Lodge after audience members at the last WEA Board of Directors meeting raised issues about WEA not having authority to enter into such a rental agreement. Mr. Herlihy stressed the need for VD committees to develop (formal, legal) agreements and policies regarding issues such as the use of the Lodge or Community Center. Conversation ensued regarding the COVID related decision by WEA not to conduct recreational programming as well as the decision of the District not to open and operate the Community Center.

**Old Business – Commissioner Chair Vacancy:** After reviewing the Minutes of the September 4, 2020 WEVD meeting, Mr. Tole shared the following comment: The Commissioners both agreed that Mr. Herlihy’s responsibilities as Chairman would be to develop the agenda, liaise with the committees and run the meetings.

**Right-To-Know Preparation:** Mr. Herlihy inquired about preparations of Right-To-Know (RTK) responses that have been discussed with the attorneys, given issues in years past with delivering requested materials. Judy Kinney briefly described the RTK procedure she implemented and followed at the District. Ms. Kinney explained that when a citizen sent RTK requests to former Chairman Mr. A. Griffith, she was not informed. This created issues. She could not follow her procedure because she was not aware of the requests.

With respect to the lawsuit, Ms. Kinney reported she and GM have 90% or more of the responses completed. GM said problem still occurring in terms of timely compliance -- reporting receipt of an email from Matt Smith saying Commissioner Herlihy did not give him some documents, creating an issue of when the timeline for RTK compliance was triggered. Mildly heated discussion ensued. GM cites R.S.A. 98-E.

**New Business:**

**Review, accept, and appoint members of various WEVD committees:** Ms. Kinney created a master list of VD committee members with their email addresses. The commissioners were asked to appoint and/or re-appoint the committee members at this meeting to ensure that all have, in fact, been appointed.

Motion to approve WEVD Records Committee members Matt Smith, Chairman; Maureen Patti; Anthony Patti; Karen Waters; Ellen Witt; and Terry Bennett made by Mr. Herlihy. Seconded by Mr. Tole. Passed.

Motion to approve WEVD Cluster Box Committee members Sean Tole; Susan McDermott; Maureen Patti; and Ken Michaud made by Mr. Tole. Seconded by Mr. Herlihy. Passed.

Motion by John Herlihy to approve WEVD Water Master Plan Committee members John Herlihy, Chairman; Terry Bennett; Stan Bujalski; Matt Smith; and Jaime Oldmixon. Motion passed. By agreement of the commissioners, the WEVD Water Master Committee title and subject matter expanded to become the WEVD Water & Roads Committee with same members.

Mr. Herlihy made a motion to approve WEVD Planning Board Committee members John Herlihy; Matt Smith; Mark O'Hara; Harry Bertino; and Rick LeBlanc. Motion passed.

Ms. Patti alerted the commissioners that the amended Warrant Article #12 from the 2020 Annual Meeting specified that 3 residents were to be on the committee. Following a discussion about the language of Amended 2020 Warrant Article #12, Mr. Tole reviewed the Warrant Article. Because the statute requires a commissioner on the committee, Mr. Tole moved to approve WEVD Budget Advisory Committee members John Herlihy, Chairman; Karen Waters; Mark Canfield; Linda Ivers; and Ed Culver & to have Chris Bernardi appointed to serve, if he should so desire, as an adjunct member. Seconded by Mr. Herlihy. Passed.

Motion by Mr. Herlihy to appoint Dave Ketcham and Stan Bujalski to the Court (tennis and basketball) Committee. Motion seconded and passed. Mr. Tole addressed Mr. Herring about using CIF expenditures to repair/resurface the courts.

**Groomer\*\*:** Both Commissioners discuss suggestion to purchase a used Tiller\*\* for \$1500 as a back-up plan and/or parts for the current Tiller. Mr. Tole supported this expenditure. Mr. Herlihy did not support the expenditure, finding there is not a clear indication of the need for the purchase. He offered to table the matter. Mr. Herring addressed the commissioners and offered to present the request for the used tiller to the WEA Board of Directors for consideration as a Capital Improvement expenditure. Mr. Herlihy thanked Mr. Herring for his offer to seek CIF funding for the purchase. Mr. Herlihy encouraged continuing this type of process of seeking CIF funds before VD takes action. A brief discussion ensued regarding compliance with the New Hampshire statutory scheme for the VD receiving CIF funds as unanticipated money.

**Constant Contact:** Mr. Tole moved that the District grant to Andrea Canfield a concurrent six-month access to act as a manager of the Constant Contact account. This follows action taken by WEA to enable Ms. Canfield to work on the platform. Passed.

#### **Lease for Properties:**

Mr. Herlihy wanted to make sure that we have a lease for the property. GM reported the lease has been looked over by the District attorney and the Association. Mr. Herring stated that there have been discussions regarding the lease with the WEA attorney, but the document appears to be a draft of a lease and it may be from 2004 or 2005. Mr. Herring expressed a desire to work together – Association and District -- to come to a mutual lease agreement. Mr. Herlihy asked for a copy of the lease.

#### **Committees:**

**Budget:** Mr. Herlihy announced the WEVD Budget Advisory Committee met on September 25, 2020. A highly informative meeting, agenda tasks were allocated for the next meeting. Committee discussed how to keep an eye on overspending.

**Planning:** Mr. Herlihy reported the WEVD Planning Board Committee met on September 24, 2020. He said the committee is going to try and establish some standards for services and fees.

**WEVD Water & Roads Committee:** Mr. Herlihy recounted that they met two or three weeks ago. Mr. Tole asked about upcoming grant submissions. Mr. Herlihy explained the first submission will

be in early December. Terry Bennett further explained the first grant requires an asset management plan, no construction is involved or required for that submission preparation.

**Mail (Cluster Box) Committee:** Mr. Tole and Ms. Patti described the information gathered by the committee. Discussion ensued and questions were answered. The Postal Service requires a mailbox for each residence. The delivery will remain centralized – delivered to one location. Mr. Tole explained the guidance received from the New Hampshire Municipal Association (NHMA) – it is not for the municipality to provide a mailbox to each citizen. Mr. Herring advised the overflow parking lot (diagonal from Community Center front entrance) is not VD property. Ms. Patti thanked Mr. Herring for sharing that information.

**Records Committee:** Ms. Patti recommended to the Commissioners that WEVD Meeting Handouts from ordinary as well as Annual meetings prior to September 4, 2020 be included as part of the minutes. Mr. Tole made a motion to have the Records Committee prepare all available WEVD meeting handouts from meetings prior to September 4, 2020 to be included with the meeting minutes. Seconded by Mr. Herlihy and passed.

**Commissioner Vacancy, CONTINUED:**

Mr. Tole asked Mr. Herlihy if further action on filling the vacancy should wait to allow Ed Culver an opportunity to state his qualifications. Mr. McElroy withdrew his nomination of Mr. Culver. Mr. Herring described the duration and termination of Mr. Culver's participation as a member of the WEA Board of Directors, encouraging the commissioners to act today as there are three willing candidates. Brief discussion ensued and Mr. Tole nominated Jerry Panuczak to fill the vacancy. Mr. Herlihy seconded the motion and both voted "yay."

Mr. Tole led Mr. Panuczak in taking the oath to serve as a WEVD Commissioner later in the meeting (following the re-opening discussion).

**Next Meeting:** Mr. Herlihy announced the next WEVD meeting will be October 24, 2020.

**Re-Opening (not on agenda):** GM asked to discuss re-opening. According to Mr. C. Smith, the Association has a surplus but is having a difficult time determining what to do with it. Are they going to have to pay according to the Rec Management Agreement mused Mr. C. Smith. Theoretically, all the WEA surplus from COVID/not running recreation activities is going to end up in the Rec Revolving Fund. GM would advise both the board and the Commissioners that you are going to have increased costs and decreased revenues. Per the GM, you cannot exceed the surplus revenues and maybe need to have a reduced opening. The Association cannot make those decisions without a clear indication from the Commissioners. Mr. Tole stated we need a plan (from WEA). Mr. Herlihy suggested to Mr. Herring that the Association concentrate on the days of the week (for re-opening).

**Adjournment:** Mr. Tole made a motion to adjourn at 10:20 a.m. The motion is seconded by Mr. Herlihy and passed.

Prepared by  on September 29, 2020.  
Maureen Patti, WEVD Deputy Clerk

## WATERVILLE ESTATES VILLAGE DISTRICT

### October 12, 2020 EMERGENCY MEETING MINUTES

Attendees: Judy Kinney, Matt Smith, John Herlihy, Sean Tole, Gerry Panuczak

Guests: Stan Bujalski, Denise Bujalski, Bob McLeod, Mike Hering, Terry Bennett, Loren Bennett, Bob Miller, Melinda Miller, Henry Szalajka, Lev Zarakovich, Bob Waters, Tricia Waters, Jaime Oldmixon, John Cox, Nicole Cox, Judy Ryan, Ryan Timms, Pam Murphy, Clair Denton, Anthony Patti

**Call to Order:** Mr. Herlihy called the meeting to order at 4:03 PM.

**Incident Review:** Mr. Herlihy provided an update on the recent water outage. The main tank and two other tanks emptied and a majority of lines in the community were isolated except Richardson Trail. The tanks did not replenish so Richardson Trail was isolated and then the tanks could fill. The valve on Richardson Trail was damaged which slowed the process. There is a leak on Richardson that we still have not been able to find, but the rest of community has water restored. The incident began on Friday morning. Discussion took place about the challenges of troubleshooting the issue with the telemetry system and user login limitations.

**Communication and Emergency Plan:** Mr. Herlihy indicated that we had been communicating to the community but needed to do so with a common message. Mr. Panuczak indicated we had a Public Water System Emergency Plan Guide to follow and that we needed to decide what forum(s) to communicate via and who the point person should be. He suggested that commissioners should not be engaging on social media. There was general discussion about other communication media options like texts. Mr. Herlihy suggested that the Chair should be the point person and it was moved, seconded and passed unanimously. Mr. Panuczak indicated he would work with Ms. Kinney on adding a communication section to the emergency plan. Mr. Hering indicated there were reports on a very green spot of grass in a sunken area that might indicate where the leak was.

**Hospitality Measures:** Mr. Herlihy suggested opening the rec center for emergency use of showers. Discussion took place about hours of operation and limiting the number of people in a room at the same time. Mr. Panuczak had contacted the Red Cross, but they only assist in a true emergency and a water outage does not qualify. They could help distribute water, but WEVD would have to supply the water. He will talk to the Town of Campton to find out if they have any plans or arrangements for water supply. Use of the tap on the back of the rec center was discussed, but it was emphasized that the water should be considered non-potable. There is a boil order in effect until further notice.

**Outcome:** The state of the telemetry system was discussed. Mr. Smith recommended against upgrading the system and instead seeking three quotes for a new system. Mr. Bertino asked for clarification on the chain of events. Mr. Herlihy provided detail including that the Richardson Trail valve damage was the result of being struck by the plow truck. Mr. Panuczak said the emergency plan needs improvement as Commissioner Herlihy only had one accountability, the water system operator had 14 accountabilities, and with the system operator out of town, the plan had no provisions for someone else to assume those accountabilities. Further, we need to follow the plan as it calls for notification of local and state officials/entities. The plan indicates that the plan should be kept in several locations and on the web site, but it is unclear whether that is followed. Ms. Kinney said she something prepared for the state but needed a commissioners signature. There was discussion with a resident about where the water lines run, how homes, are connected, and who had responsibility for what valves. Mr. Herlihy asked if anyone thought anything more needed to be done but there was no additional feedback.

**Adjournment:** Mr. Herlihy motioned to adjourn, Mr. Tole seconded and adjournment passed unanimously at 4:45AM.

## WATERVILLE ESTATES VILLAGE DISTRICT

October 24, 2020 MEETING MINUTES

**Attendees:** Judy Kinney, Matt Smith (left at 10am) , John Herlihy, Sean Tole, Linda Ivers, Corey Smith, Gerry Panuczak

**Guests:** Maureen Patti, Scott Ivers, Dave Ketchum, Bobbi Ketchum, Jaime Oldmixon, Harry Bertino, Ellen Witt, Jacqueline Herlihy, Tom Clarke, Rischard Mayo, Stan Bujalski, Denise Bujalski, Mike Hering, Sue Hering, Brian Sylvia, Jim Murhpy, Ryam Timms, Rick LeBlanc, Terry Tole.

**Call to Order:** Mr. Herlihy called the meeting to order at 8:02 AM.

**Introduction of Newly Appointed Commissioner:** Mr. Herlihy introduced Mr. Panuczak.

**Approval of Previous meeting minutes:** Mr. Herlihy addressed the claim made in previous session that when he contacted the previous Chair of Board of Commissioners, during that Chair's tenure to inquire if a citizen could use the Ski Lodge for a political event. He had contacted Natch Greyes in Right to Know instructor at NHMA and was advised the discussion did not violate RSA 91-A Right to Know. Mr. Tole asserted that he too had contacted Mr. Greyes and was advised that it was a Right to Know violation. Heated discussion took place. Mr. C Smith accused Mr. Herlihy of making false statements regarding the past performance of complying with right to know and lodged a second claim against Mr. Herlihy regarding Right to Know. He cited RSA98-e and it's requirement that claims be substantiated. Mr. M. Smith asked for clarification and Mr. C. Smith revised his statement to say that RSA 98-e allows an employee to criticize his boss. Heated discussion took place. Mr. Tole asked for the meeting minutes to be modified to his interpretation of the Ski Lodge issue. Heated discussion took place. Mr. C. Smith again requested that the minutes be modified per his earlier statements. Ms. Kinney asserted that every single Right to Know request, that came to this office, had been responded to. Mr. Herlihy made a motion to accept the minutes as written, Mr. Panuczak seconded, and the motion passed with Mr. Tole voting nay.

### **WEVD Treasurer Report:**

**Karen Water's Resignation:** Mr. Herlihy indicated Ms. Waters had resigned as treasurer and deputy treasurer Linda Ivers would be assuming her duties as deputy treasurer. Ms. Tole asked for her resignation letter to be read. Mr. Herlihy declined stating it would be included in the minutes, but Mr. Tole read it anyway.

**Update:** Ms. Ivers read various account balances. She indicated there was a bill for the Richardson Trail leak repair for around \$14k. Mr. Herlihy motioned to accept the treasurers' report as read, Mr. Panuczak seconded and motion passed unanimously.

### **GM Update:**

**Plow Truck:** We still do not have a new plow truck and may need to invest in the old 2008 truck to ensure that we have a backup. Needs transmission work, engine work, and possibly brake work. Mr. C. Smith estimates the work at \$9500. Discussion took place about resale, qualified staff to do brake job in house, the budget line item. This will put that line over budget, but that is allowed as long as the total budget does not go over. Mr. Herlihy made a motion to fix the truck not to exceed \$10k, Mr. Panuczak seconded, and the motion passed with Mr. Tole voting nay stating that the General Manager should have the discretion to spend this line item based on his own judgement.

**Road Re-surfacing:** The crew is delayed. Should be here this coming week, but can't be guaranteed.

**Rec Center Roofing:** The roof is done with the exception of some shed roof vent work.

**Boiler Issues:** We have a quote for around \$42k to replace the boiler. DuBois and King has been asked to provide a review of this issue and ventilation at the Recreation Center and Ski Lodge. Mr. Herlihy asked about



his request that Mr. C. Smith get an estimate to repair the existing boiler. Because the assessment was done by Laconia Refrigeration before they dropped our account we do not have information on the problem to facilitate this. We've talked to five other contractors and can't get anyone in. Mr. Herlihy inquired about the cost of the boiler alone. Mr. C. Smith indicated that we could not get that information from suppliers because we are not a contractor. Mr. M. Smith asked about boiler sizing and offered to assist in obtaining the boiler only value. He suggested that replacing a chlorine eaten boiler with a new boiler in a chlorine environment that eats boilers may not make sense. He also suggested that we should evaluate sizing and ensure that with three boilers, two can meet the design load so if one goes down, we still have 100% capacity. Mr. Herlihy motioned to have Mr. M. Smith assist, Mr. Panuczak seconded and the motion passed with no indication of a vote from Mr. Tole. Mr. Panuczak inquired about Mr. M. Smith's bona fides. Mr. M. Smith detailed experience with boilers, pumps, and instrumentation for boiler control.

**Recreation Center Readiness:** Mr. C. Smith indicated that we have a good plan, but the ventilation system needs to be reviewed. He thanked Mr. Bujalski for helping review the proposal for the work by DuBois and King and asked that since Mr. Bujalski was involved if the commissioners would allow him to sign the proposal. Mr. Herlihy indicated that we should wait until the water committee meeting on November 4<sup>th</sup>. Discussion took place about whether the Recreation Center was public or private. Mr. Oldmixon observed the code distinction is residential or commercial and we are definitely not residential. Discussion took place around Covid guidelines as it relates to HVAC system operation. Discussion took place around staffing levels. Mr. Herlihy asked what the cost was and Mr. C. Smith stated it was an hourly rate and was open ended.

**Water System:** Mr. Herlihy provided a report on the Columbus Day weekend outage and an update on a meeting with our water professionals. He indicated that we need a higher sense of vigilance on maintenance and we need to have valve markers so plow trucks can see the valves. He indicated that if new meters were required, perhaps the CIF could be used. Mr. Hering clarified that CIF was controlled by the association Board of Directors. Mr. Herlihy stated he understood that, but that we needed a written process on how to do it. Mr. C. Smith said the root cause was a lack of metering. He indicated that we need more metering and that we have a quote from our instrumentation contractor of around \$37k, but he expects that when Lake Region Water adds their work, the final total will be in the \$60-90k range. Mr. Tole asked if the meters would be compatible with the new instrumentation software we need. Mr. C. Smith indicated that the \$37k quoted to date included \$13k for a computer that will handle the new software. Mr. M. Smith asked for clarification as meters might have mitigated the length of the repair timeline, their absence did not cause the leak. Mr. C. Smith stated that looked like bad backfill and a rock had impinged on the pipe causing the leak. Mr. Herlihy asked when we would have the LRW quote. Mr. C. Smith stated he hoped it would be this coming week. He has asked EEI for a quote on annual maintenance and calibration of our meters. Mr. Herlihy stated we need a price before the 4<sup>th</sup> and asked if Mr. C. Smith minded if Mr. Herlihy made a phone call to LRW. Discussion took place around Mr. Panuczak's conversations with the Town of Campton for emergency water supply. They do not have a specific water vendor. He then provided a status on the update of the Emergency Water Guide. Ms. Kinney advised that she has been working on group texting for water emergencies. Discussion took place around the challenges of using the pond as an emergency water source in the winter when it's frozen. The revised plan will be presented at the next meeting.

**GOFFR:** Mr. C. Smith stated that the Town of Campton had used all their funds and recommended that we contact the Governor and ask for help since village districts were left out. He also discussed a legal action but stated that it might cost too much relative to the \$12k of assistance we are looking for.

**Village Debris:** Mr. Panuczak discussed two piles of debris at the well site and discussion took place about removing them. One pile has already been removed. He stated that we should be a world class village with world class facilities and detailed an array of housekeeping issues. He asked if we could use the part time college students we hired for that purpose. Discussion took place around staffing levels and using community volunteers

to get some of it done. Mr. C. Smith cited a need for better facilities for maintenance and other things observing that most municipalities have a shed for their road salt and we do not. Ms. Canfield noted that some of the appearance issues have been known for years and there is no reason they should not have been addressed by now. She said jobs are started and not finished and nobody is watching. Discussion took place about the condition of the village yard. There was general discussion about solutions. Mr. Hering stated that if we didn't have staff running around responding to Right to Know requests, we could get more done. Mr. Herlihy stated that we have to comply with the law. Heated discussion took place about open maintenance items and solutions. Mr. Herlihy asked Mr. C. Smith to provide an update, via constant contact, on the status of a list of maintenance items created by Lloyd Wiley and Mr. Hering during Mr. Wiley's tenure.

**Appointment Letters:** Mr. Panuczak asked for an update on the status of appointment letters to committee members. Mr. C. Smith referred to the last meeting and whether these letters were required. Mr. Panuczak read some guidance from NHMA asserting that records of appointments including start and end dates should be kept for commission, board, and committee members. Discussion took place around who that might apply to in our village with Mr. Tole stating it only applied to official committees. Mr. Herlihy motioned that Ms. Kinney should send out such a notice to each committee member, Mr. Panuczak seconded, and the motion passed with Mr. Tole not voting. Ms. Tole stated we needed a policy for how committees interacted with staff including what records could be requested. Heated discussion took place. Ms. Patti provided details about the Records Committee and CBU Committee's interaction with staff and stated that it was collaborative. She stated that a lot of the requests of staff go to the Commissioners first. Mr. Bertino asked what the policy was for the Board of Directors of the homeowners association's interaction with staff.

## **Old Business:**

**Right to Know Request:** Mr. Tole asked how many right to know requests there have been. Ms. Kinney indicated that she had provided logs in the meeting handout. Mr. Tole asked "How many of those have been from Matthew Smith." Mr. M. Smith stated an objection to the Chair. The Chair admonished Mr. Tole that the question was inappropriate. Mr. Tole persisted. Mr. Panuczak stated that the question was not appropriate. Mr. Tole persisted. Mr. Herlihy made a motion to censure Mr. Tole. Mr. Tole then asked how much we have spent on right to know requests. Ms. Kinney stated \$7k. An attendee asked for the figure to be restated and Mr. Tole said "\$7000 because of Matt Smith". Mr. M. Smith stated an objection to the Chair. Mr. Bertino asked for a point of order stating it should be discussed in Executive session that a Commissioner was singling out a resident. Heated discussion took place. Mr. Panuczak observed that it does not matter who is making a right to know request, we cannot ask someone why they are making a right to know request, and it does not matter how many they make. He stated again that it is inappropriate to identify a specific individual.

**Lease:** Mr. Herlihy provided a draft lease that has been prepared will be sent to the village attorney for review. He made a motion, seconded by Mr. Panuczak, to send the lease to the attorney for review and such changes as the attorney might deem necessary. Mr. Panuczak seconded and the motion carried with Mr. Tole not indicating a vote. Mr. Hering stated that the association was working on a lease and would have it to the commissioners, along with the Recreation Management Agreement proposal, by November 1st. Mr. Herlihy stated that as the Lessor, it is the village's responsibility to draft the lease. He stated the importance of the lease as it is a requirement for our liquor license and he will not sign the affidavit without a valid lease.

**Friends of Campton Mountain:** Mr. Herlihy made a motion that the commissioners become trustees and transfer FOCM monies into a fund managed by the Town of Campton. He indicated that the issue has been open for too long. Mr. Panuczak seconded. Mr. Tole stated it was premature and the claims made to the Attorney General had yet to be substantiated. He stated in discussion with attorneys, where the money sits is actually fine. Mr. C. Smith stated our attorney had spoken with the AG Friday during a meeting that was to involve Ms. Waters before she resigned and that the discussions they had may in fact support Mr. Tole's claim. Heated discussion

took place. Mr. Herlihy asserted he contributed for 8 of the 12 years that FOCM existed so he understands the monies intent. Mr. M. Smith pointed out that the AG's office weighed in and asks to read the direction from that office into the record. Mr. Herlihy allowed this request. Heated discussion took place. Mr. Panuczak concurred with the AG and Mr. M. Smith's assessment based on his own research. Heated discussion took place. Mr. Tole claimed the money came in from the sale of goods and services. Mr. C. Smith said he was waiting for guidance from counsel that is not subject to right to know and the commissioners should consider it before rendering a decision. Mr. M. Smith stated that he was ok waiting until the next meeting to see the issue resolved. Mr. Herlihy made a motion to postpone the decision until the next meeting, Mr. Panuczak seconded and the motion carried unanimously. Mr. C. Smith stated the FOCM was an enterprise fund created by the village district.

## **New Business:**

**New Meeting Format:** Mr. Herlihy indicated that there would be a new format next meeting to ensure meetings run smoothly. The Commissioners will be seated at the main table, other officers will be seated in an area, staff another area, and written reports will be provided. All questions will be directed to the Chair. Ms. Kinney stated that with all her other duties, more set up requirements would not be possible. Mr. Herlihy indicated that he would see that the room was set up. Discussion took place around the timing requirements for submitting reports.

**Horizon Drive Winter Maintenance:** Mr. Herlihy read a letter about winter maintenance from the developer of Horizon Drive. Discussion took place around the request and the unfinished nature of the road. He opined that we should not take on this responsibility. Mr. Panuczak and Mr. Tole agreed. Mr. Herlihy made a motion to decline providing winter maintenance of Horizon Drive, Mr. Panuczak seconded, and the motion passed unanimously. Discussion took place.

**Moratorium on Water Connections:** Mr. Herlihy indicated he was considering a moratorium on water connections, particularly in light of the water outage and ongoing master plan, and sought feedback. Discussion took place primarily around the legal liability that might create. Mr. Tole observed that we need to have a good reason for it and be able to articulate that we have problem A and a moratorium addresses it in way B. Mr. Bujalski indicated our current water connection policy is in question. Mr. Herlihy indicated that Mr. Oldmixon had prepared a draft that has not yet been approved. Mr. Panuczak said the master water plan may dictate the need for a moratorium.

**CIF:** Mr. M. Smith stated that CIF money had to be held by the town trustees and that the funds had to be accepted by the village commissioners and reported in public session pursuant to RSA 31. Further, he stated that CIF contributions of \$10k or more required a public hearing. He pointed out that if CIF was used to buy personal property which was then given to the district, the same rule applied but the public hearing threshold was \$5k or more. Lastly, he said accepting real estate also required village action, reporting, and in some cases a public hearing. He asked the commissioners to write policies and procedures to ensure that these rules were followed. He pointed out that CIF money has flowed into the village, outside the public eye, and in some cases accepted and spent by individuals who were not commissioners and therefore not authorized for either act.

Mr. Herlihy stated he would support that process. Mr. Tole requested to enter public session citing RSA 91-A:3 (e). Mr. Herlihy stated that a non-public session would be held.

**Thornton Transfer Station:** Mr. C. Smith indicated he had been contacted by the Thornton Transfer Station supervisor about getting too much trash. The supervisor expressed a concern about the amount of trash coming in from second homes and short term rentals. They discussed the village adding a dumpster for short term rentals and taking care of it themselves. Mr. C. Smith countered that even if the village is overutilizing transfer services, we are underutilizing other services like schools so it balances out. Mr. C. Smith feels the Commissioners should get involved politically to get in front of the issue. Discussion took place around how they could know what

impact was from renters and how much came from the village. He told the supervisor that the towns get room and meal tax money from the state that the village does not get and that should cover any increased load as well. Mr. Herlihy indicated that short term rental trash removal was a business issue for these renting their dwellings. Mr. Panuczak discussed a retreat where the Commissioners, Board of Directors, and senior staff could have a meeting, possibly with a facilitator, where we could discuss where we want to be in ten years. He suggested we could survey association members in advance to see what they want. We could use it as a visioning session to see what we look like in 10 years and then break it down to see what we need to do each year to get there. Mr. Hering said the Board would be amenable. Discussion took place around that concept. Mr. Bertino asked that Condo Associations be involved in that meeting. A meeting in January was informally proposed. Mr. Tole clarified when and how non-public session may be entered by reading from an NHMA article. Mr. Bertino brought up an earlier suggestion that we write a petition to the state to ask for our share of the room and meals tax.

### **Committee Reports:**

**Transition of Commissioners Role on Budget and Planning Committees:** Mr. Herlihy stated he would be stepping down as ex officio on the two committees and asked Mr. Panuczak to take his place. Discussion took place around process. Mr. Herlihy discussed having a transition meeting.

**Water Committee:** Mr. Herlihy indicated that there was a water meeting scheduled for the 4<sup>th</sup>.

**Records Committee:** Ms. Patti provided an update on activities. These include weekly meetings, mostly work sessions, cataloging records, drafting a Right to Know Policy, and creating a consent agenda to allow the Commissioners to add past meeting handouts to the public record.

**CBU Committee:** Ms. Patti stated that the committee had not met since the last Commissioners meeting and the CBU Committee meeting minutes reflected the state of play.

**Court Committee:** Mr. Ketchum advised that there is not a lot to report, but that he is looking for volunteers to help with labor for in house activities. He has not heard back from court vendors. Discussion took place around sealing cracks in the courts.

**Executive Session:** The moved to enter public session citing RSA 91-A:3 II(a), (b), and (c). Mr. Bertino asked to attend to address Mr. Toles behavior. His request was not granted. The Commissioners voted unanimously to enter public session by roll call. Mr. Herlihy, aye, Mr. Panuczak, aye, Mr. Tole, aye.



# **WATERVILLE ESTATES**

WATERVILLE ESTATES VILLAGE DISTRICT  
COMMISSIONER'S MEETING

OCTOBER 24, 2020

## **Waterville Estates Village District**

### **Commissioner Meeting Agenda**

**Saturday October 24th, 2020 @ 8:00am**

#### **Summit Lounge**

- 1) Call to order
- 2) Introductions
- 3) Accept Minutes of last meeting  
RTK Practice Notation
- 4) Treasurer Report
- 5) General Manager Status
  - Plow Truck
  - Road Resurfacing
  - Roof Progress
  - Boiler Status
  - Readiness
    - Recreation Center
    - Mountain Lodge
  - Water System Outage
  - GOFERR
- 6) Old Business
  - Right to know preparation
- 7) New Business
  - Lease for Properties
  - Budget from Association
  - Meeting Format Changes
  - Horizon Drive winter maintenance
  - Moratorium New Water Service Connections
  - CIF & Friends of Campton Mt. – Matt Smith
- 8) Committees;
  - Budget
  - Planning
  - Water Master Plan
  - Records
  - Mail
  - Courts
- 9) Next Meeting
  - November 14<sup>th</sup> 8:00am
- 10) Non-Public Session
  - Personnel Discussion
- 11) Adjournment



WATERVILLE ESTATES VILLAGE DISTRICT MEETING MINUTES  
September 26, 2020

Attendees: John Herlihy, Chairman; Sean Tole, Commissioner; Judy Kinney, Assistant General Manager; Karen Waters, Treasurer; Corey Smith, General Manager.

Guests: Stan Bujalski, Jackie Herlihy, Tom Clarke, Mike Herring, Harry Bertino, Loren Bennett, Terry Bennett, Gerry Panuczak, Dave Ketcham, Jaime Oldmixon, Scott Ivers, Linda Ivers, Ryan Timms, Rebecca McElroy, Ned McElroy, Veronica Guerrero-Macias (?), Arnold Goodman, Mark O'Hara, and another person on sign-in sheet but illegible to this writer.

**Call to Order:** Chairman John Herlihy called the meeting to order at 8:02 a.m.

**Approval of Previous Meeting Minutes:** Mr. Herlihy moved to approve the minutes from the September 4, 2020 WEVD meeting. Mr. Sean Tole conditioned approval upon a correction. To the section entitled, Friends of Campton Mountain Account Update, Mr. Tole corrected the minutes as follows: the original sentence -- Mr. Tole indicated that these monies were unanticipated gifts.

the corrected sentence -- Mr. Tole indicated that these monies *may be considered unanticipated gifts by the Department of Justice.*

[Please refer to **Old Business – Commissioner Chair Vacancy** on page 5, for additional comments made at this time by Mr. Tole.]

Motion to accept as amended made by Mr. Herlihy, seconded by Mr. Tole, and passed.

**Commissioner Vacancy:** Mr. Herlihy inquired of the audience if there was any interest in filling the position. The interested parties each spoke of their qualifications.

Mr. Jerry Panuczak spoke, identifying himself as recently retired. He described his qualifications as follows: after working half his career in corporate America, Mr. Panuczak worked in municipal management and human resources for the Town of Chatham (Mass.) and both Chatham and Duxbury Public Schools. He is familiar with municipal finances and how hired leadership/employees are provided direction by the (governing) board. From his human resources experience he determined that the best, most simple formula is the following: You hire the right people that have the right skills, you give them proper position descriptions so they know what they are accountable for and let them do their jobs with the direction you give them. You appraise them and hold them accountable for whether they did or did not do the job they were given. From what he has seen here we have tremendous assets – a community center and a fully functioning ski hill – and there is room for improvement in the way we manage it and account for it.

Mr. Dave Ketcham told the commissioners he has been a Waterville Estates owner with his wife since 2017, retiring in 2018. His qualifications include serving as a trustee on a homeowner's association board for 12 years as well as acting as treasurer for the HOA. He has a long history of community service and was asked by Sean Tole to consider seeking appointment to fill this vacancy. While Mr. Ketcham wasn't so interested initially, he thought about it and know he has a great deal to offer. Mr. Ketcham described himself as (financially) conservative and believes in paying our bills and not getting too far out ahead of ourselves (with spending).



Ms. Maureen Patti described her employment history as a criminal defense attorney in the Public Defender's office. Having retired and moved here two and a half years ago, she feels she can serve the community. Ms. Patti stated her focus is helping this municipality gain compliance with New Hampshire laws – specifically statutes regarding record creation, availability, and retention. Ms. Patti reported that she is reading up on New Hampshire budget laws and sees there is area for improvement of the District practices. Her focus is having the District operate more as a municipality.

A member of the audience, Ned McElroy, suggested that Mr. Ed Culver should also be considered for the vacancy. He was not present at the meeting.

Mr. Herlihy suggested that the commissioners re-visit the question of filling the vacancy later in the meeting. Mr. Tole agreed. [Please see page 7.]

#### **Treasurer Report:**

**Update:** Ms. Waters began her report with the "manifest" of normal bills. One bill required immediate attention – the roofers are to start on the Community Center on Monday the 28<sup>th</sup> and need a check before they start. With the roofer's check on the top, she left the folder with the commissioners saying, these are for you (both) to review and sign off on. She encouraged the commissioners to leave the folder with Ms. Kinney at the end of the day. Ms. Waters reported the current balances (\$1,400,483.34) and described the budget information included in the handout.

**Water Fee Policy:** Treasurer Waters recently created a proposed Water Fee Policy. The policy incorporated the original ordinance from 2017, the previously adopted lien procedures from 2018, and the late fee process for delinquent accounts introduced several meetings hence. Ms. Waters recommended the commissioners delay a vote on the Water Fee Policy today. Ms. Waters suggested the policy be posted instead. She will present the policy for the commissioners to consider accepting at the next meeting after everyone has a chance to consider it. Mr. Herlihy said he wanted to review, prior to the next meeting, whether the imposition of the water fee needed to be voted on by the residents acting as legislators.

**Friends of Campton Mountain:** From her research, Treasurer Waters determined that the FOCM monies cannot be simply moved to the town trustees. Instead, this will have to be addressed in a Warrant Article at the Annual Meeting. The community must vote to accept the FOCM money and vote to send it to the Town of Campton or Thornton Town Trustees.

For background, the FOCM started with the Association. In 2010, the accountant recommended the FOCM monies be placed in an account in the name of the Village District. As Ms. Waters stated, "This was not the right thing to do but it happened." Ms. Waters must now provide the Attorney General an accounting of these funds for the past 10+ years. The money cannot be turned back over to WEA -- the Attorney General is not going to let that happen according to the Treasurer.

Ms. Waters understands the New Hampshire Statute provides you can take in unanticipated monies for specific purpose(s), but you must have to spend it in the year you take it in. Per Ms. Waters, any monies not spent during the year they were received must now be turned over to the Town Trustees to ensure it is managed in a manner consistent with the identified, specific purposes.



**General Manager Status:** Mr. Corey Smith reported the following:

**Plow Truck:** A plow truck has been purchased but has not yet been obtained due to Covid related delays. An older, 2008, plow truck which has transmission issues should be repaired. The other plow truck, a 2012, is in better shape and the GM recommends turning the 2012 into a water truck.

**Road Surfacing:** Still on schedule for October.

**Rec Center Roof Progress:** Slight delay but will begin next week.

**Boiler Issues:** One of the three boilers is "defunct." GM received a quote for replacement of the bad boiler for \$31,661 and making necessary upgrades to the entire 3 boiler system for \$10,000 more. Mr. Smith said we are seeking quotes for a solution for protecting the boilers from gasses that are present in the space shared with the pool filtration system. We are waiting to hear from one other contractor who is preparing a quote.

**PFAS Testing:** We are now mandated to do PFAS sampling. The cost will be in the hundreds.

**COVID Relief and Governor's Office For Emergency Relief and Recovery:** WEVD is not eligible to receive COVID Relief funding through the New Hampshire Governor's GOFERR program as village districts were not included in the list of municipalities eligible for funding. GM prepared and the commissioners signed a letter asking representatives from GOFERR to expand the eligibility for reimbursement of funds spent on COVID supplies/upgrades to include village districts. However, the District may request a share of the relief provided to Campton and Thornton. Thornton has no more funds left. GM sought permission to attend the Campton Selectmen meeting on Monday, September 28, 2020, to request qualifying reimbursements to the District be included with the reimbursements sought by Campton. Mr. Tole said he would attend the meeting. A citizen, Mr. H. Bertino, alerted the Commissioners that in the last Campton Selectmen meeting there was confusion as to whether the Community Center is WEVD or Waterville Estates Association property. Mr. Bertino was thanked for providing that insight by both the General Manager and Mr. Herlihy.

**Draft Water Policy (not on agenda):** According to GM, for discussion at next meeting, we do have a policy on undeveloped lots. The policy is this: when a new home comes in, the water is available to them but they must pay for the upgrade.

Mr. C. Smith suggested the commissioners consider taking the \$270,000 of water system funding derived from taxation and converting it into a fee. The General Manager explained that we do not meter water for people and the vast majority of the expense for water is not in the variable of how much you use but in the cost to have that water available. We have a policy that states you are effectively entitled to water when you pay your taxes but you must pay for upgrades to get it to you. Mr. C. Smith described an alternative. A logically consistent and possibly fairer policy would be to take the \$270,000 coming into the water system right now through taxation and make it a fee – take it off the taxes. Then you would have the money from the water fund (\$102,000 from \$200/year fee) and the \$270,000 as fees.

**Role of GM with WEA (not on agenda):** There has been some friction for Mr. C. Smith with some Association people and Association Board members now that he has taken, as directed, a more passive role with WEA. GM would like them to know that he has been told to step back. Mr. Herlihy



responded stating that the discussion was about Association people asking Corey to take a stand and set policy for the Association. Mr. Herlihy continued stating the General Manager's responsibility is to enable recreation and not create policy for the Association. Mr. Herlihy expressed a desire for the Association to ask the GM to perform the services he is contracted to provide and not ask him to set policy. GM stated he has never created Association policy and still feels some confusion about what he is being asked to do. Mr. Tole stated Mr. C. Smith is a very good liaison between the VD and the Association; this is part of the GM's job description. Mr. Bertino asked for a copy of the GM's job description.

**Readiness of Recreation Center and Mountain Lodge:**

Mr. C. Smith described Ski Lodge and Community Center readiness for re-opening. Air quality is the number one concern of GM. We have spent some money on air filtration, bringing UV lights for ducts and standing UV filters. Per GM, we do not yet have an opinion from a qualified engineer if these steps are sufficient.

The second issue is staffing. Per Mr. C. Smith, we have some uncertainty as to the amount of income from food and beverage. We rely rather heavily on that income. When operating, our biggest expense is staffing said GM. We need a staffing plan that is reduced to a certain extent and try to be conservative of our expenses considering our income.

Mr. Panuczak asked if anyone has anyone reached out to local or state health officials for guidance on air filtration standards that are COVID compliant, calling information from other government agencies a "free start" for determining what is required for re-opening (without paying for a consulting engineer). GM agreed to check if the town or state has any information about COVID air filtration standards.

The lower, outdoor pool has not been completely drained because GM has been advised to watch for evidence of a leak at the visible crack. The Community Center has been sitting idle but no other known problems with the building.

**Old Business – Facility Use & Rentals:** Mr. Tole inquired of Mr. Herlihy whether he was responsible for a public meeting scheduled for October 17, 2020, at the Mountain Lodge. Mr. Herlihy said yes, he made arrangements via email with then Commissioner Chairman Mr. Griffith. Ms. Waters questioned whether communicating by email with another commissioner was proper. Mr. Tole said it is not allowed. Mr. Tole stated it is not the District's purview to grant you access to use the Lodge. The Rec Management agreement gives the Association the control over use of the facility. Mr. Tole requested that Mr. Herlihy seek permission from the Association to utilize the facility. Mr. Bertino said the Rec Management Agreement does not rent the ski area to the Association. Mr. Tole replied he said nothing about renting; deciding when the Lodge opens and closes is up to the Association. When Mr. Bertino asked for any documents which supported this interpretation, Mr. Tole told him to look at the documents already in his possession. Mr. Herlihy explained the precedent had been established for use of the Community Center by the Chamber of Commerce and Campton Mountain Lodge by public organizations including the Ski Patrol meetings. Mr. Tole told Mr. Herlihy that permission was secured through the Association and said, "I'm asking that you ask the Association to rent the facilities."

Ms. Waters then read from the June 9, 2020 Rec Management Agreement (the section entitled, "The Association's [r]oles and [r]esponsibilities.") as follows: "The Association's roles and responsibilities



include the following [E]stablish[ing] and maintain[ing] an admission policy to all recreational facilities falling within the scope of this agreement." A slightly heated discussion ensued. Mike Herring encouraged the District to work with the Association. Mr. Herring reported the cancellation of a private party rental of the Lodge after audience members at the last WEA Board of Directors meeting raised issues about WEA not having authority to enter into such a rental agreement. Mr. Herlihy stressed the need for VD committees to develop (formal, legal) agreements and policies regarding issues such as the use of the Lodge or Community Center. Conversation ensued regarding the COVID related decision by WEA not to conduct recreational programming as well as the decision of the District not to open and operate the Community Center.

**Old Business – Commissioner Chair Vacancy:** After reviewing the Minutes of the September 4, 2020 WEVD meeting, Mr. Tole shared the following comment: The Commissioners both agreed that Mr. Herlihy's responsibilities as Chairman would be to develop the agenda, liaise with the committees and run the meetings.

**Right-To-Know Preparation:** Mr. Herlihy inquired about preparations of Right-To-Know (RTK) responses that have been discussed with the attorneys, given issues in years past with delivering requested materials. Judy Kinney briefly described the RTK procedure she implemented and followed at the District. Ms. Kinney explained that when a citizen sent RTK requests to former Chairman Mr. A. Griffith, she was not informed. This created issues. She could not follow her procedure because she was not aware of the requests.

With respect to the lawsuit, Ms. Kinney reported she and GM have 90% or more of the responses completed. GM said problem still occurring in terms of timely compliance -- reporting receipt of an email from Matt Smith saying Commissioner Herlihy did not give him some documents, creating an issue of when the timeline for RTK compliance was triggered. Mildly heated discussion ensued. GM cites R.S.A. 98-E.

**New Business:**

**Review, accept, and appoint members of various WEVD committees:** Ms. Kinney created a master list of VD committee members with their email addresses. The commissioners were asked to appoint and/or re-appoint the committee members at this meeting to ensure that all have, in fact, been appointed.

Motion to approve WEVD Records Committee members Matt Smith, Chairman; Maureen Patti; Anthony Patti; Karen Waters; Ellen Witt; and Terry Bennett made by Mr. Herlihy. Seconded by Mr. Tole. Passed.

Motion to approve WEVD Cluster Box Committee members Sean Tole; Susan McDermott; Maureen Patti; and Ken Michaud made by Mr. Tole. Seconded by Mr. Herlihy. Passed.

Motion by John Herlihy to approve WEVD Water Master Plan Committee members John Herlihy, Chairman; Terry Bennett; Stan Bujalski; Matt Smith; and Jaime Oldmixon. Motion passed. By agreement of the commissioners, the WEVD Water Master Committee title and subject matter expanded to become the WEVD Water & Roads Committee with same members.



Mr. Herlihy made a motion to approve WEVD Planning Board Committee members John Herlihy; Matt Smith; Mark O'Hara; Harry Bertino; and Rick LeBlanc. Motion passed.

Ms. Patti alerted the commissioners that the amended Warrant Article #12 from the 2020 Annual Meeting specified that 3 residents were to be on the committee. Following a discussion about the language of Amended 2020 Warrant Article #12, Mr. Tole reviewed the Warrant Article. Because the statute requires a commissioner on the committee, Mr. Tole moved to approve WEVD Budget Advisory Committee members John Herlihy, Chairman; Karen Waters; Mark Canfield; Linda Ivers; and Ed Culver & to have Chris Bernardi appointed to serve, if he should so desire, as an adjunct member. Seconded by Mr. Herlihy. Passed.

Motion by Mr. Herlihy to appoint Dave Ketcham and Stan Bujalski to the Court (tennis and basketball) Committee. Motion seconded and passed. Mr. Tole addressed Mr. Herring about using CIF expenditures to repair/resurface the courts.

**Groomer\*\*:** Both Commissioners discuss suggestion to purchase a used Tiller\*\* for \$1500 as a back-up plan and/or parts for the current Tiller. Mr. Tole supported this expenditure. Mr. Herlihy did not support the expenditure, finding there is not a clear indication of the need for the purchase. He offered to table the matter. Mr. Herring addressed the commissioners and offered to present the request for the used tiller to the WEA Board of Directors for consideration as a Capital Improvement expenditure. Mr. Herlihy thanked Mr. Herring for his offer to seek CIF funding for the purchase. Mr. Herlihy encouraged continuing this type of process of seeking CIF funds before VD takes action. A brief discussion ensued regarding compliance with the New Hampshire statutory scheme for the VD receiving CIF funds as unanticipated money.

**Constant Contact:** Mr. Tole moved that the District grant to Andrea Canfield a concurrent six-month access to act as a manager of the Constant Contact account. This follows action taken by WEA to enable Ms. Canfield to work on the platform. Passed.

#### **Lease for Properties:**

Mr. Herlihy wanted to make sure that we have a lease for the property. GM reported the lease has been looked over by the District attorney and the Association. Mr. Herring stated that there have been discussions regarding the lease with the WEA attorney, but the document appears to be a draft of a lease and it may be from 2004 or 2005. Mr. Herring expressed a desire to work together – Association and District -- to come to a mutual lease agreement. Mr. Herlihy asked for a copy of the lease.

#### **Committees:**

**Budget:** Mr. Herlihy announced the WEVD Budget Advisory Committee met on September 25, 2020. A highly informative meeting, agenda tasks were allocated for the next meeting. Committee discussed how to keep an eye on overspending.

**Planning:** Mr. Herlihy reported the WEVD Planning Board Committee met on September 24, 2020. He said the committee is going to try and establish some standards for services and fees.

**WEVD Water & Roads Committee:** Mr. Herlihy recounted that they met two or three weeks ago. Mr. Tole asked about upcoming grant submissions. Mr. Herlihy explained the first submission will



be in early December. Terry Bennett further explained the first grant requires an asset management plan, no construction is involved or required for that submission preparation.

**Mail (Cluster Box) Committee:** Mr. Tole and Ms. Patti described the information gathered by the committee. Discussion ensued and questions were answered. The Postal Service requires a mailbox for each residence. The delivery will remain centralized – delivered to one location. Mr. Tole explained the guidance received from the New Hampshire Municipal Association (NHMA) – it is not for the municipality to provide a mailbox to each citizen. Mr. Herring advised the overflow parking lot (diagonal from Community Center front entrance) is not VD property. Ms. Patti thanked Mr. Herring for sharing that information.

**Records Committee:** Ms. Patti recommended to the Commissioners that WEVD Meeting Handouts from ordinary as well as Annual meetings prior to September 4, 2020 be included as part of the minutes. Mr. Tole made a motion to have the Records Committee prepare all available WEVD meeting handouts from meetings prior to September 4, 2020 to be included with the meeting minutes. Seconded by Mr. Herlihy and passed.

**Commissioner Vacancy, CONTINUED:**

Mr. Tole asked Mr. Herlihy if further action on filling the vacancy should wait to allow Ed Culver an opportunity to state his qualifications. Mr. McElroy withdrew his nomination of Mr. Culver. Mr. Herring described the duration and termination of Mr. Culver's participation as a member of the WEA Board of Directors, encouraging the commissioners to act today as there are three willing candidates. Brief discussion ensued and Mr. Tole nominated Jerry Panuczak to fill the vacancy. Mr. Herlihy seconded the motion and both voted "yay."

Mr. Tole led Mr. Panuczak in taking the oath to serve as a WEVD Commissioner later in the meeting (following the re-opening discussion).

**Next Meeting:** Mr. Herlihy announced the next WEVD meeting will be October 24, 2020.

**Re-Opening (not on agenda):** GM asked to discuss re-opening. According to Mr. C. Smith, the Association has a surplus but is having a difficult time determining what to do with it. Are they going to have to pay according to the Rec Management Agreement mused Mr. C. Smith. Theoretically, all the WEA surplus from COVID/not running recreation activities is going to end up in the Rec Revolving Fund. GM would advise both the board and the Commissioners that you are going to have increased costs and decreased revenues. Per the GM, you cannot exceed the surplus revenues and maybe need to have a reduced opening. The Association cannot make those decisions without a clear indication from the Commissioners. Mr. Tole stated we need a plan (from WEA). Mr. Herlihy suggested to Mr. Herring that the Association concentrate on the days of the week (for re-opening).

**Adjournment:** Mr. Tole made a motion to adjourn at 10:20 a.m. The motion is seconded by Mr. Herlihy and passed.

Prepared by  on September 29, 2020.  
Maureen Patti, WEVD Deputy Clerk

Treasurer Report  
Karen Waters District Treasurer  
September 2020

	Current Month		Prior Month
<b>Northway Bank</b>			
Operating Account	\$187,793.20		\$232,129.46
Waters Dept	\$73,068.53		\$91,957.81
Rec Fund	\$134,889.42		\$135,536.64
Friends of Campton Mtn.	\$37,480.05		\$37,479.74
<b>Meredith Village Savings Bank</b>			
Operating Holding Account	\$903,513.19		\$903,379.69

<b>Total</b>	\$1,336,744.39		\$1,400,483.34
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**Foot Notes**

Transfer from WEA



# Non-Lapsing Recreational Projects - \$186,914

Item	12/31/2021	Cost	Updated 10/22//2020	Balance
Computer Equipment		9,459.00	8,137.97	1,321.03
Exercise Equipement - Phase Replacement		15,000.00	17,358.70	-2,358.70
Mahogany Fence		5,000.00	11,300.37	-6,300.37
Mens Lockerroom Showers		8,000.00	35.00	7,965.00
Ladies Lockerroom Floor		16,000.00	11.25	15,988.75
Rec Center Interior Renovations		10,000.00	3,962.29	6,037.71
Septic System Pump Replacement		15,455.00	2,300.00	13,155.00
HVAC		10,000.00	6,919.40	3,080.60
Rec Center Roof		20,000.00	12,758.80	7,241.20
Security System Rec Center		10,000.00	740.99	9,259.01
Tennis/ Pickel Ball Court		50,000.00	3,576.27	46,423.73
Exterior Painting Rec Center		15,000.00	8,793.13	6,206.87
ADA		3,000.00	43.00	2,957.00
<b>Total</b>		<b>186,914.00</b>	<b>75,937.17</b>	<b>110,976.83</b>

**RIGHT TO KNOW REQUEST FOR THE MONTH OF OCTOBER 2020**

[illegible]

# WATERVILLE ESTATES VILLAGE DISTRICT

## RIGHT TO KNOW REQUEST FOR THE MONTH OF SEPTEMBER 2020

Date Received	Name of requester	Items requested	Date of response	What was provided	Status
9/11/2020	Mark Melanson	Settlement agreement - Diana Mosso case	9/15/2020	Copies provided	Complete
9/16/2020	Brian Sylvia	Settlement agreement - Diana Mosso case	9/21/2020	Copies waiting pick up. Brian came 10/2/2020 @ 12:27pm & picked up the information	Complete
9/22/2020	Matt Smith	Raft - invoices, vouchers, bank rec., deposit slip, all correspondences	9/22/2020	10/8/2020 Notified Matt via email documents ready for his review. Matt reviewed the document on 10/14/20	Complete
9/26/2020	Ned McElroy	looking for referenced WEA role & responsibilities in the management agreement	9/27/2020	Commissioner Sean Tole sent Ned the link to the website & where he can find the WEA role & responsibilities	Complete
Unknown	Harry Bertino	looking for referenced WEA role & responsibilities in the management agreement	9/28/2020	Commissioner Sean Tole sent Harry the link to the website & where he can find the WEA role & responsibilities	Complete
9/28/2020	Harry Bertino	Identify common land that management agreement does not include, Corey's job description and lease agreement	9/1/2820	Corey emailed his job description to Harry, copy of lease was emailed	Complete

# WATERVILLE ESTATES VILLAGE DISTRICT

[illegible]

## **WATER SYSTEM ORDINANCE**

### **1. AUTHORITY**

- 1.2 This regulation is adopted by the Waterville Estates Village District Board of Commissioners pursuant to RSA 52:1 and RSA 38.

### **2. PURPOSE**

- 2.1 Provide a continuous supply of drinking water to the residents of the Waterville Estates Village District (WEVD) in accordance with the Safe Water Drinking Act and New Hampshire RSA's 38 and 485 and the Administrative rules of the NH Department of Environmental Services.
- 2.2 Regulate connections to and expansion of the WEVD water system to ensure adequate supply of water to existing and future customers.
- 2.3 Follow the recommendations of the Water System Master Plan developed in 2020.
- 2.4 Prevent physical and environmental damage to the water system.
- 2.5 Provide an ordinance that can be enforced by local officials.

### **3. REGULATION**

#### **3.1 WATER CONNECTION**

3.1.1 An Application for hook up or connection to the WEVD Water System shall be made on a form approved by the Board of Commissioners. The Application must be signed by the property owner(s).

3.1.2 Applications must include a copy of the septic design approved by the NH Department of Environmental Services, an approved WEA building permit (construction), and a certified plot plan.

3.1.3 The Water Connection Fee will be \$ \_\_\_\_\_ as adopted at the 2021 WEVD annual meeting. In addition to the \$ \_\_\_\_\_ base fee, applicants applying to connect to the system will also be responsible for extra costs above a standard connection. A standard connection will be

defined as having a water main passing in front of the subject property and a curb stop installed at the property line. These extra costs will include (but not limited to:)

- a. Extension of water mains and/or installation of service lines to the subject property line. All main extensions and service taps must be performed by a WEVD approved contractor and paid for by the applicant. Sizing of water mains must comply the WEVD Water Master Plan. These extensions of the water system become the property and responsibility of WEVD up to the curb stop. The service line from the curb stop to the building is the sole responsibility of the homeowner.
- b. Replacement of paving on paved roads.
- c. Restoring unpaved roads to their original condition before construction began.

3.1.4 Each Water System Connection application will be individually considered for its effect on the existing water delivery system. The following considerations will apply:

- a. Connections will not be approved if the WEVD water system cannot deliver 35psig to the upper floor shower under projected system peak flow conditions. This will be determined by engineering calculations and or residual pressure tests made and recorded in the field at the affected portions of the system. The applicant will provide the WEVD with a site plan and architectural drawings of their proposed building, so a determination of the elevation of the upper floor shower can be determined.



- b. Connections will not be approved in areas where such connections will cause degradation of service to existing customers. Degradation of service as applied to this ordinance is: Loss of water pressure to existing connections that reduces pressure to less than 40 psi. The particular proposed connection will be evaluated by the WEVD's consulting engineer. The engineer may call for specific tests on the system to ensure conditions for connection are satisfactory. The engineer may utilize any existing hydraulic modeling to determine suitability for connection. The engineer will make recommendations to the WEVD Board of Commissioners.
- c. The evaluation of the connection application and determination of approval or denial will be made by the WEVD Board of Commissioners.
- d. Water connections will not be made during the period October 15 to April 15, except at the discretion of the WEVD Board of Commissioners. Applications for water system connections must be submitted by August 15 if the connection is to be made in that year.
- e. The water service to the house will comply with the requirements of Section 3.4.

## **3.2 WATER SERVICE CHARGES**

- 3.2.1 The annual water service fee must be paid yearly for each residence, dwelling unit or property with a curb stop valve serviced by the water system or those vacant lots or residences which have requested a curb stop valve which has been installed but not yet turned on the water service and those to which water service has been shut off for non-payment, will be considered a user. The owner of the property will be responsible for payment of the fee(s).

- 3.2.2 This fee will be an annual fee and not pro-rated.

3.2.3 Turn off or turn on of water service at the request of the user will be charged \$50 or the actual costs incurred by the WEVD whichever is greater.

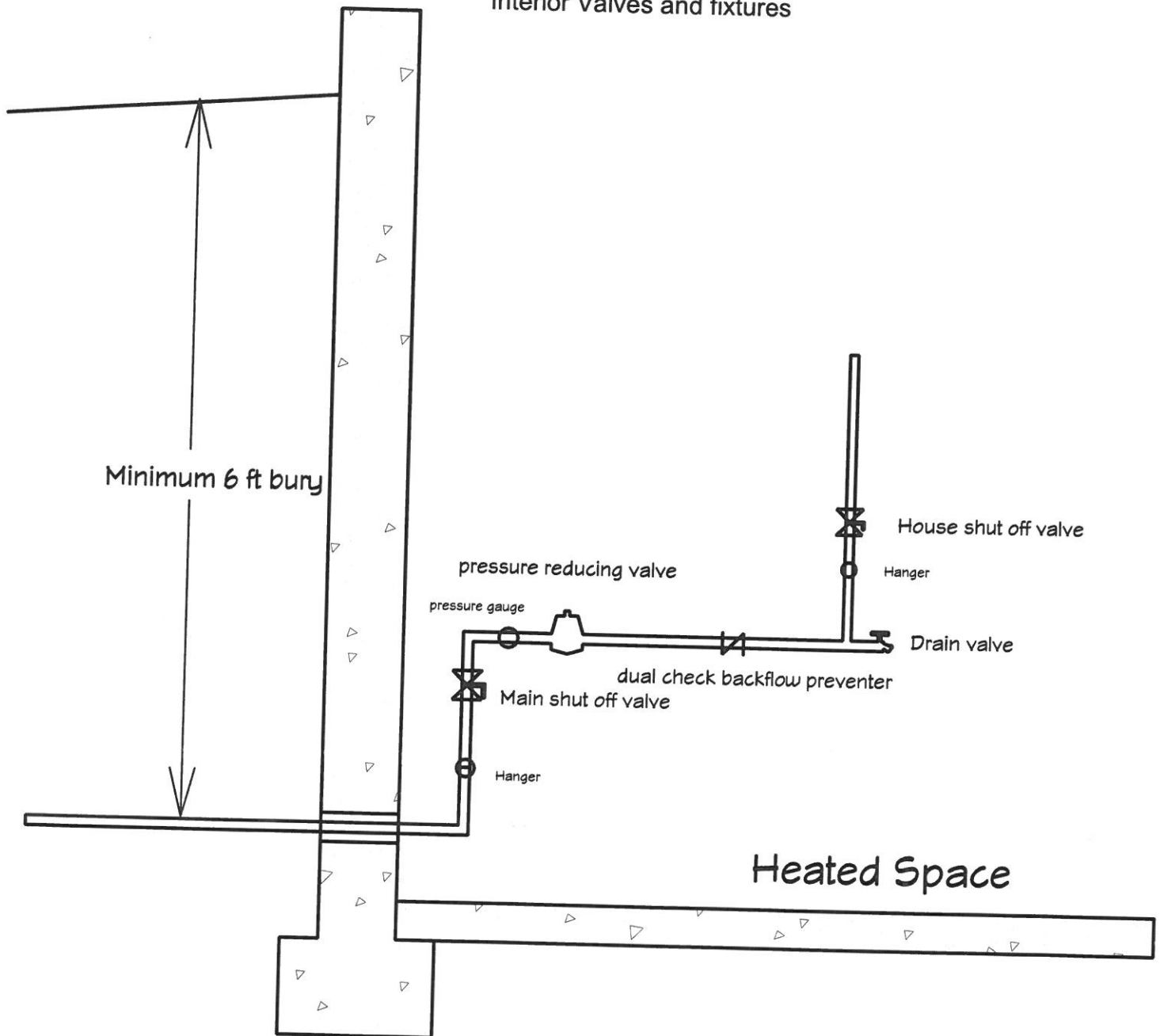
### **3.3 SERVICE LINE CONNECTION**

- 3.3.1. The property owner shall install and be responsible for maintaining the house service waterline from the curb stop to the house shut off in accordance with District, State and Federal regulations.
- 3.3.2 The location of the service line shall be approved by the Water System Operator or other person designated by the Board of Commissioners.
- 3.3.3. Service line shall be a one inch I.D 200 psi NSF poly pipe or equivalent. All valves and fittings shall be 200 psi rated.
- 3.3.4. Laying of pipe and fittings shall be in accordance with the requirements of AWWA specifications and as specified herein.
- 3.3.5. Minimum depth of bury for waterlines shall be 6 feet.
- 3.3.6. Pipe shall be laid in the dry and at no time shall water in the trench be permitted to flow into the pipe.
- 3.3.7. Marking tape shall be installed the length of the pipe and at a maximum depth of 24 inches.
- 3.3.8 Pipe shall be laid with 6" screened sand under pipe and 18" over pipe and compacted every 12 inches of depth. No debris, rubble organic matter, muck or rock materials shall be used.
- 3.3.9 A continuous 12 gauge trace wire shall be run along the house service pipe from the curb stop to the house shut off valve.
- 3.3.10 Before backfilling, the installation of the service line shall be inspected and approved by the Water System Operator or other person designated by the Board of Commissioners.

### 3.4 HOUSE CONNECTION

3.4.1 The service line shall be terminated inside the house as shown in Figure 1.

FIGURE #1  
Interior Valves and fixtures



3.4.2 The interior service connection must have a brass ball valve, followed by a minimum 0-160 psig pressure gauge, then a pressure reducing valve, followed by a dual check backflow preventer, then a second ball valve. All fittings should be rated to minimum 200psi. This pipe configuration shall be inspected and approved by the Water System Operator or other WEVD designee prior to turning on the water.

# LEASE

WITNESSETH, this Lease, made and entered into this \_\_\_\_ day of \_\_\_\_, 2020, between the LESSOR and LESSEE identified in Paragraph One below;

WHEREFORE, in consideration of sums paid, the receipt of which is hereby acknowledged, and sums to be paid, as hereinafter set forth, as well as the mutual promises contained herein, the LESSOR wishing to let and the LESSEE wishing to take the real property described in Paragraph Two below, the parties agree to the following terms, conditions, and undertakings:

1. **PARTIES:** The parties described as LESSOR and LESSEE shall be referred to in the singular tense throughout this Lease solely for the sake of convenience.
  - a. **LESSOR:** WATERVILLE ESTATES VILLAGE DISTRICT  
562 Winterbrook Road  
Campton, NH 03223-9705
  - b. **LESSEE:** WATERVILLE ESTATES ASSOCIATION  
562 Winterbrook Road  
Campton, NH 03223-9705
2. **DESCRIPTION OF LEASED PROPERTY:** The real property which is the subject of this Lease consists of three parcels of land located within LESSOR'S political and legal boundaries and owned by LESSOR, in the Town of Campton, County of Graf ton and State of New Hampshire. The properties are informally known (and for convenience shall be referred to herein) as the "ski area", the "shop", and the "community center", and are described by the Town of Campton as Town Tax Map / Lot 5-3-36 (the ski area); Town Tax Map / Lot 5-6-11 (the shop); and Town Tax Map \_\_\_\_, Lot \_\_\_\_ (the community center), respectively, being more particularly described as follows:

SEE ATTACHED SCHEDULE A (*exact legal description probably not needed if tax map and lot #'s are confirmed to be accurate*)
3. **TERM:** This Lease shall run for a period of one (1) year, beginning on July 1, 2020 and ending on June 30, 2021. However, both parties agree to present this Lease to their legal voters (in the case of LESSOR) or to their members (in the case of LESSEE) at the next regular annual meeting for both entities, in order to approve a fifty (50) year term, to begin on July 1, 2020, and end on June 30, 2070, assuming both parties' voters/members so approve. Notwithstanding the foregoing, either party may terminate this Lease prior to that date only upon one hundred and eighty (180) days' prior written notice to the other party.
4. **RENT:** Monthly rent shall be payable on the 1<sup>st</sup> of every month for the duration of this Agreement. LESSEE shall pay to LESSOR, without demand, the sum of \$ \_\_\_\_\_ per month.

5. **REAL PROPERTY TAXES:** Any and all taxes assessed on the real estate which is the subject of this Lease, from any governmental entity, shall be the sole responsibility of LESSEE.
6. **UTILITIES:** The following shall be the sole responsibility of LESSEE, if applicable: electricity, heat, telephone, cable television, internet access, water and sewer, and any and all other utilities necessary for the property.
7. **PRESENT CONDITION OF PREMISES:** The parties agree that the leased premises are presently in good condition.
8. **MAINTENANCE AND REPAIRS:** LESSEE shall be responsible for the general maintenance of the premises, and shall leave the premises in the same condition as when it takes occupancy, reasonable wear and use excepted. LESSEE shall commit no waste on or to the premises. LESSEE'S general maintenance of the premises shall include, but not be limited to, the following: snow removal from all walks, driveways, parking areas; rubbish removal connected to LESSEE'S use of the premises; landscaping and lawn mowing; and other repairs that arise from LESSEE'S use of the premises.
9. **FIXTURES AND IMPROVEMENTS:** Any improvements made or fixtures installed by LESSEE to the leased premises shall be done only with the prior agreement of LESSOR, and upon the termination of this Lease, the improvements and fixtures shall become the property of LESSOR. Further, LESSEE shall not place any signs, of either a temporary or permanent nature, on the leased premises, without the prior agreement of LESSOR.
10. **LESSEE'S PERSONAL PROPERTY:** All personal property of any kind or description whatsoever kept by LESSEE on the leased premises shall be at LESSEE'S sole risk, and LESSOR shall not be liable for any damage done to or loss of such personal property, or damage or loss suffered by the business or occupation of LESSEE (if any), arising from any act or neglect of LESSOR or its agents, or caused in any other manner.
11. **INSURANCE:** LESSOR shall maintain adequate hazard insurance, including fire insurance, on the leased premises. LESSEE shall maintain adequate liability and property damage insurance upon the premises and shall provide LESSOR with proof of such insurance upon LESSOR'S request. LESSEE shall be responsible for a separate commercial tenant's policy covering personal property that LESSEE brings into or onto the leased premises. With respect to all insurance policies procured by LESSEE, the LESSEE shall cause LESSOR'S name to be added to all such insurance policies as an additional "named insured", at no cost to LESSOR.
12. **USE OF PREMISES:** LESSEE agrees that it shall not permit any activity to occur in or on the premises that is contrary to the terms and provisions of insurance policies maintained with respect to the premises or that shall cause an increase in the premiums for such insurance, or that is contrary to the laws or regulations of any local, state, or federal governing authority. To the extent that permits or approvals are required by any local, state, or federal authority with jurisdiction over LESSEE'S use of the premises, LESSEE represents and warrants to LESSOR that it will have obtained such permits or

approvals prior to the operation of any commercial enterprise on the leased premises, and that it will maintain strict compliance with the terms, conditions, or provisions of any such permits or approvals. LESSOR agrees to cooperate with LESSEE in the application for any such permits or approvals, to the extent reasonably necessary.

LESSEE further acknowledges and agrees that its use of the premises shall be, at least in part, intended to carry out certain of its responsibilities under a certain Maintenance & Management Agreement entered into between the parties. LESSEE agrees to provide LESSOR with any information that LESSOR deems necessary in order for LESSOR to investigate any issue that may arise with regard to LESSEE'S use of the premises, either under the terms of this Lease or under the terms of the Maintenance & Management Agreement.

LESSEE further agrees that a portion of the "community center" will be set aside, at no cost to LESSOR, for the use of LESSOR in carrying out its municipal functions. The area set aside for LESSOR'S use and benefit is more particularly described as follows:

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LESSOR agrees to be solely responsible for any and all utilities, repairs, maintenance, and security occasioned by its use of this area, as well as any and all personal property kept and/or stored by LESSOR within this area.

13. **INDEMNIFICATION:** LESSEE, during the term of this Lease, agrees to indemnify and hold LESSOR harmless from and against any and all claims and demands of all kinds whatsoever, including but not limited to injuries to persons or damage to property, arising out of the use of the leased premises by LESSEE, its agents, licensees, and invitees. LESSEE'S agreement to indemnify LESSOR in this manner shall survive the term of this Lease, in the event that a claim or demand is made of or against LESSOR after the expiration or termination of this Lease, and the event causing the claim or demand occurred during the term of this Lease.
14. **RISK OF LOSS:** If the leased premises, or any part of them, are damaged by fire, flood, or other Act of God, during the term of this Lease, LESSEE may, at its option, continue to occupy the premises after repairs are made, with adjustments made for the payment of rent during the period when the premises are not capable of use, or, if the damage is so great that LESSOR chooses not to rebuild the premises, LESSEE may void this Lease without further payment or consideration to LESSOR, provided that LESSEE has paid rent in full up to the date of the casualty.
15. **COVENANT OF QUIET ENJOYMENT:** LESSOR covenants that LESSEE, upon paying the rentals and performing the covenants that it has agreed to in this Lease, shall and may peaceably and quietly have, hold and enjoy the leased premises during the term of this Lease to the extent permitted by this Lease and applicable law.
16. **RIGHT TO INSPECT AND ENTER:** LESSOR shall have the right to enter upon the premises at all reasonable hours for the purpose of inspecting the premises, for necessary maintenance, and for any other lawful purpose, and LESSOR shall use its best efforts to provide LESSEE with prior notice of its intended entry.



17. **ASSIGNMENT AND SUBLEASE:** LESSEE agrees to neither assign, sublet, or otherwise encumber the leased premises, or any part thereof, to or for the benefit of any third party without the prior written consent of LESSOR. LESSOR may assign this Lease if the property is sold to a third party.
18. **SUBORDINATION:** LESSOR reserves the right to subject and subordinate this Lease at any and all times to the lien of any mortgages now or hereafter placed upon the LESSOR'S interest in the leased premises. LESSEE agrees to execute and deliver upon demand such further instruments in connection with such subordination as may be necessary in order to accomplish same.
19. **DEFAULT OR BREACH:** If LESSEE fails to make timely payment of rent, or if LESSEE fails to comply or perform in accordance with any of the terms and conditions of this Lease, LESSOR may, at its option, declare this Lease to be terminated. LESSEE shall be given written notice of any default or breach, and termination of this Lease shall not be final if within thirty (30) days after receipt of such notice, LESSEE has corrected the default or breach. If this Lease is declared terminated under the provisions of this paragraph, all sums paid under this Lease and which are not otherwise considered as rent shall be considered LESSOR'S liquidated damages and shall inure to LESSOR'S benefit, and LESSOR may re-enter and re-take the premises without further notice to LESSEE. In the event that LESSEE has committed or is committing an act of waste or nuisance on or to the premises, LESSOR need not wait thirty (30) days to allow LESSEE to cure its breach, and LESSOR may re-enter and re-take the premises by any method allowed by law.
20. **WAIVER:** No assent, express or implied, by LESSOR, to any breach of any of LESSEE'S covenants or agreements, shall be deemed or taken to be a waiver of any succeeding breach of the same or any other covenant or agreement. Each of the rights, remedies and benefits provided by this Lease shall be cumulative and shall not be exclusive of any other right, remedy or benefit allowed by law.
21. **INTERPRETATION:** All words used herein in the singular number shall include the plural; the present tense shall include the future; and the masculine gender shall include the feminine and neuter.
22. **CAPTION HEADINGS:** Each paragraph of this Lease contains a "caption heading" in bold print, which heading is solely for the sake of convenience and is not to be used in interpreting this Lease to contradict in any way the language of the paragraph itself.
23. **BINDING EFFECT:** The covenants and conditions contained in this Lease shall apply to and bind the parties, their heirs, successors, legal representatives, and, if applicable, their assigns. All covenants are to be construed as conditions of this Lease.
24. **FINAL AGREEMENT:** This Lease represents the entire agreement between the parties, superseding any prior statements, representations, understandings or agreements between them.

25. **NO ORAL MODIFICATION:** This Lease may not be changed orally, and may only be changed by an agreement in writing, signed by the party against whom the enforcement of any change, modification, waiver or discharge is sought.
26. **NOTICES:** Any notice required pursuant to this Lease shall be provided to the other party by certified mail, sent to the address listed in this Lease. Proof of mailing, rather than proof of receipt, shall constitute sufficient notice. If either party desires to change its mailing address from the one listed in this Lease, that party must send notice of such change to the other party in accordance with this paragraph.
27. **LEGAL EXPENSE:** In the event that LESSOR takes any legal action against LESSEE in order to enforce the provisions of this Lease, LESSEE agrees to pay LESSOR'S costs and reasonable attorney's fees arising out of such legal action.

IN WITNESS WHEREOF, the parties hereunto set their hands to duplicate instruments, each agreed to be an original, the day and year first hereinabove written.

WATERVILLE ESTATES  
VILLAGE DISTRICT  
Lessor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By:

Duly authorized

WATERVILLE ESTATES ASSOCIATION  
Lessee

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: \_\_\_\_\_, President,  
Duly authorized



Matt Smith &lt;mattsmith847@gmail.com&gt;

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(no subject)

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Matt Smith &lt;mattsmith847@gmail.com&gt;

Wed, Oct 21, 2020 at 12:10 PM

To: Matt Smith &lt;mattsmith847@gmail.com&gt;

Bcc: Sean Tole &lt;sean.t@waterville-estates.com&gt;, Gerry Panuczak &lt;gerry@waterville-estates.com&gt;, John Herlihy &lt;john.h@waterville-estates.com&gt;

Hi John,

I have bcc'd you and the other commissioners to remain in compliance with RSA 91-A.

I am requesting to be on the agenda for the Saturday October 24 WEVD Commissioners meeting for two topics.

First, Friends of Campton Mountain.

1) At the WEVD Commissioners meeting on September 24th the meeting minutes reflect the following statement by the treasurer. "Ms. Waters understands the New Hampshire Statute provides you can take in unanticipated monies for specific purpose(s), but you must have to spend it in the year you take it in. Per Ms. Waters, any monies not spent during the year they were received must now be turned over to the Town Trustees to ensure it is managed in a manner consistent with the identified, specific purposes.

2) Per the New Hampshire Department of Justice Charitable trusts division, see email attached, the money must be held by the town trustees regardless of whether it is spent in the same year or not. Further, once held for a year, it must be appropriated through the budget process to be spent. " See, RSA 31:31. **The funds must be held by the trustees of trust funds of one of the towns in the district until expended for that purpose.** I am not an expert in village district budgeting, but if it is like town budgeting, there should be budgeting in gross, i.e. **the budget should include amounts for the expenditure of funds from donations as well as from taxation.** The one exception is for unanticipated revenue. If the district meeting has adopted an article permitting an article permitting this, unanticipated funds that come in during the year(i.e. donations) can be spent during that same year without requiring an annual meeting budget vote. RSA 31:95-b. **The money should stay with the TTFs until it is spent, even during that year.**

3) I am requesting that the Board of Commissioners acknowledge the full requirements of accepting gifts and establish a procedure to ensure that we remain compliant moving forward. While not stated in the DOJ email, I believe the donors' purpose must be honored whether the monies are spent in the same year or not. The procedure should include compliance with the statutory obligation to accept all monies in public session and to hold a public hearing to accept gifts of \$10,000 or more. A separate procedure should be developed for accepting property (like a mower) or real property (land and/or buildings).

Second, Village acceptance of Association CIF money.

1) CIF money from the association needs to be handled the same way as any other gift or grant.

2) The attached list of CIF activity by the Association does not have a record of being properly handled per RSA 31. No monies were ever formally accepted in public session, no CIF contributions approved by the Association Board of Directors, as required by the Recreation Management Agreement, are evident as revenue in the budgeting process, and no hearings were held for the donations of \$10,000 or more. Even more troubling is the indication in 2016 that \$30,000 was paid to the Association from the Recreation Revolving Fund. This was not legal and there is no evidence that the Board of Commissioners approved the transfer.

3) I am requesting that the Board of Commissioners acknowledge that CIF money contributed from the Association must be handled, per statute, as described above for FOCM. Having the Association "pay" invoices from the CIF before the invoices hit the village books will not be compliant with the statute. Having the Association buy materials and then donate the "property" to the village will negate the need for Town Trustee involvement, but will still require the gifts to be accepted in public session and gifts of \$5000 (in value) or more to have a public hearing.

For reference, please check the following links and the attached.

<https://www.nhmunicipal.org/town-city-article/private-money-public-use-administration-trust-funds-restricted-gifts-and-private>

<https://www.nhmunipal.org/town-city-article/spending-without-appropriation-%E2%80%93-gifts-grants-budget-expenditures>

I contacted the DOJ about Friends of Campton Mountain when no action was taken by commissioners in January and again in March of 2020.

I contacted the DOJ about the CIF when it was not addressed at the WEVD Board of Commissioners meeting on 9/24.

I only want the district to utilize practices which are compliant with New Hampshire Statutes. I felt I had no choice but to contact DOJ after my attempts to clarify the situation with village officials failed. I remain hopeful, the current make-up of the Board of Commissioners can see our practices brought into compliance and avoid the involvement of outside agencies and parties.

Thank you,

Matt

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**4 attachments**

 **31\_95b explained.pdf**  
701K

 **2020 FOCM.pdf**  
365K

 **CIF.pdf**  
615K

 **CIF 2012 to 2019.pdf**  
615K



Matt Smith &lt;mattsmith847@gmail.com&gt;

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**FW: Municipal fundraising**

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**Donovan, Thomas** <Thomas.Donovan@doj.nh.gov>  
To: "mattsmith847@gmail.com" <mattsmith847@gmail.com>

Tue, Jan 7, 2020 at 2:07 PM

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**From:** Donovan, Thomas  
**Sent:** Wednesday, December 18, 2019 12:20 PM  
**To:** 'Sean Tole' <sptole@gmail.com>  
**Subject:** RE: Municipal fundraising

Mr. Tole,

Thanks for your note. This is an interesting question.

You are correct that village districts can receive donations. See, RSA 31:31. The funds must be held by the trustees of trust funds of one of the towns in the district until expended for that purpose. I am not an expert in village district budgeting, but if it is like town budgeting, there should be budgeting in gross, i.e. the budget should include mounts for the expenditure of funds from donations as well as from taxation. The one exception is for unanticipated revenue. If the district meeting has adopted an article permitting this, unanticipated funds that come in during the year(i.e. donations) can be spent during that same year without requiring an annual meeting budget vote. RSA 31:95-b. The money should stay with the TTFs until it is spent, even during that year.

Municipalities do not need to register or report to us with respect to their charitable activities. Town trustees of trust funds do, so that is how we would pick up on that money.

I hope this helps. I am not the district's lawyer, so you should consult with your legal counsel.

**From:** Sean Tole <sptole@gmail.com>  
**Sent:** Tuesday, December 17, 2019 3:53 PM  
**To:** Donovan, Thomas <Thomas.Donovan@doj.nh.gov>  
**Subject:** Municipal fundraising

**EXTERNAL:** Do not open attachments or click on links unless you recognize and trust the sender.

Dear Mr. Donovan,

By way of introduction, my name is Sean Tole and I am a village district commissioner for the Waterville Estates Village District (WEVD), located within the towns of Campton and Thornton, NH. I am seeking guidance and clarification on the municipality's ability to fund-raise. I realize that your focus is on charitable trusts, but I will explain how my situation relates below.

WEVD owns several assets, one of which is a small ski area in the community (Campton Mountain). For the last several years, WEVD and resident volunteers have conducted a golf tournament to raise funds for the ski area. In order to accommodate these funds, WEVD created a segregated account at our bank, named "Friends of Campton Mountain". All of the proceeds raised through the fundraiser are deposited directly in to this segregated account and are earmarked specifically for Campton Mountain. All checks written by golf tournament participants are made out to "Friends of Campton Mountain". We include prizes in our tournament that are donated by local business. If a donor asks, we will provide them with the WEVD TID as verification of WEVD's tax exempt status.

WEVD has consulted with our counsel and the NH Municipal Association and both have advised that there is nothing wrong with WEVD raising funds in this manner. Our fundraising efforts are comparable to a town running a fundraiser to support the construction of a new playground, for instance. Similarly a town (Henniker, for example), soliciting donations for specific assets and services on its webpage is conducting a comparable exercise.

Now, my question.. In your opinion, does WEVD need to establish a formal charity and register with the DOJ to raise funds for the exclusive benefit of Campton Mountain in the manner I have described?

Thank you for your consideration.

Sean P Tole

sptole@gmail.com

603-785-5261





**Matt Smith** <mattsmith847@gmail.com>

## FW: Municipal fundraising

**Matt Smith** <mattsmith847@gmail.com>

Fri, Mar 13, 2020 at 2:48 PM

To: ANDREW GRIFFITHS <andrewg@waterville-estates.com>

Hey Andrew,

The village district has passed a 31:95-b warrant article authorizing the village district to accept unanticipated money from gifts, grants, etc.

Bart suggested that WEA could use this vehicle to convey money to the village district for recreation. 31:95-b has also been cited as the vehicle by which the village district could accept money from Friends of Campton Mountain.

The NH DOJ covered this topic in the email below.

It has been stated that we have consulted with our association and village attorneys and we are handling the FOIA funds properly, but I do not understand that in the context of the DOJ's response.

So my question to the village attorney is....

- 1) How are we able to hold 31:31 or 31:95-b money in the recreation revolving fund when the statute and the DOJ say it needs to be held by the Trustees of Trust Funds of Campton or Thorton?
- 2) From an accounting perspective wouldn't it flow through the general fund since the recreation revolving fund is financed by fees and charges?
- 3) If it's 31:31 money (or 31:95-b money held longer than one year) how can it be spent without an appropriation and indication, as stated by the DOJ below, what donations are being used?
- 4) Don't all money's collected have to be detailed in public session and why haven't we accounted publicly for it by acknowledging the amount in public session?

My question for the commissioners is how come Sean's narrative of the history of Friends of Campton Mountain does not match the public record? There are a bunch of documents supporting what has been said many times, that the WEA BOD's Mike Mahoney created it and the village got involved to provide Paul Axelrod a tax exempt letter. If Sean's narrative were somehow the actual history, it wouldn't be 31:95-b money would it? How can it be unanticipated when the WEVD is the one doing the fundraising? How did the WEA BOD think they could by a snowgun with it or vote to have snowgun operation pad for by it if it was never theirs?

My observation about using 31:95-b to resolve the handling of the recreation revolving fund is that it probably doesn't work as the money is held by the town trustees and there would be no way to move it to the rec fund unless we passed the provision of 35-B:2-I. Also hard to call it "unanticipated" when you have a contract that exists until cancelled and is renewed every two or three years. Also is it reasonable to think the HOA would keep their money and give up use of the rec center?

Stretching is one of the things that created so much distrust in the community. I hope we won't get too creative with interpreting and applying statutes and stick with using them asintended. I think there'll be less problems that way.

Matt

[Quoted text hidden]



Matt Smith &lt;mattsmith847@gmail.com&gt;

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**FW: Municipal fundraising**

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**Matt Smith** <mattsmith847@gmail.com>

To: Karen Waters &lt;karens@waterville-estates.com&gt;

Cc: Maureen Patti &lt;maureentpatti@gmail.com&gt;

Thu, Sep 10, 2020 at 1:49 PM

Hey Karen,

My interpretation of FOCM is more involved than what's been described to date. You had indicated that the money is held by the town trustees and I agree. But it is more involved than just requesting the funds when we need them. As you can see in the email below, any money's held beyond our fiscal year must be appropriated. Only money received and spent in the same year can be authorized without appropriation. All monies can only be spent per the express purpose indicated by the donor. For example, Mark O'Hara recently pondered whether FOCM could provide fishing derby cash prizes and the answer is they cannot. However, someone could donate money for that purpose and it could be spent that way.

Beyond that, the village has an obligation to disclose receipt of all gifts in public session. I believe gifts of \$10k or over require a public hearing.

On the same topic, I believe CIF money must be handled this way as well. If it is offered during the year it is an unanticipated gift or grant and can be spent without appropriation and as directed by the donor/grantor. If it is a negotiated part of the RMA process (there is no evidence any CIF money has ever changed hands properly) it must be appropriated. In fact, while I haven't finished reviewing NH Budget Law, I believe our budgeting process is supposed to identify both expected revenue and proposed expense and is how CIF should come over. All CIF contributions must go to the town trustees before it can be spent by the village.

I wouldn't want people feeling sandbagged if these provisions were enforced.

I have raised the CIF issue with the DOJ.

Regards,

Matt

----- Forwarded message -----

From: **Donovan, Thomas** <Thomas.Donovan@doj.nh.gov>

Date: Tue, Jan 7, 2020 at 2:07 PM

Subject: FW: Municipal fundraising

To: mattsmith847@gmail.com &lt;mattsmith847@gmail.com&gt;

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**From:** Donovan, Thomas

[Quoted text hidden]

[Quoted text hidden]

## **C. What About Spending Prior to Town Meeting?**

The governing body may spend money during the period between January 1 and the annual meeting when no amount has yet been appropriated. RSA 32:13, II says that expenditures during that period shall be "reasonable in light of prior year's appropriations and expenditures for the same purposes during the same time period." This means that the governing body can approve expenditures during that time that are generally the same as those that were approved and expended during the same period in the previous year. Under the official ballot referendum system (SB 2), RSA 32:13, II allows such "reasonable" expenditures until the "date a budget is adopted." Thus, if a budget is not adopted at the annual meeting, government does not come to a halt. Even if the budget fails on the ballot, the default budget has thereby been adopted (as discussed in Chapter 8).

## **D. Other Statutory Exceptions to No-Spending-Without-Appropriation Rule**

### ***1. Unanticipated Revenue***

RSA 31:95-b, if the town has voted to adopt it (See, RSA 198:20-b for school districts), allows the governing body to apply for, accept and spend unanticipated money received from a federal, state or private source, so long as the money is spent in a way that does not require other unappropriated town funds to be spent. This can be problematic if the grant has a "matching fund" requirement under which the town must provide a certain amount of its own money toward the project in order to receive the grant. In those cases, the governing body may only accept the grant if the matching funds have been properly appropriated.

Other requirements include:

- If the amount of unanticipated revenue is \$10,000 or more, the governing body must hold a public hearing on the action to be taken and publish notice in the newspaper at least seven days prior to the hearing. Acceptance of the funds must occur in a public session of the governing body.
- If the amount of unanticipated revenue is less than \$10,000, the governing body must post notice of the funds in its meeting agenda and include notice in the minutes of the board's meeting at which the funds are discussed. Acceptance of the funds must occur in a public session of the governing body. The statute seems to indicate that the governing body may establish an amount of less than \$10,000 at which it will hold a public hearing on acceptance of the funds, in addition to the required notice in the board's meeting minutes.

In addition, RSA 202-A:4-c allows a town to adopt an article authorizing the library trustees to apply for, accept and expend unanticipated money from a federal, state or private source without any further action by town meeting. Just as with authorization for the select board under RSA 31:95-b, the authorization for library trustees continues until town meeting

## Association Board Meeting Votes - Expenditures

DATE	PROJECTS/EXPENDITURES	AMOUNT	VOTES	
<u>2012</u>			In Favor	Not In Favor
3/24/2012	Small Fund Project	\$10,000.00	All	
9/29/2012	Micros Upgrade - CIF Funded	\$3,602.00	All	
9/29/2012	Small Fund Project	\$10,000.00	8	1
9/29/2012	Beautification	\$3,000.00	All	
<u>2013</u>				
6/29/2013	Bose Sound System - Pool Area	\$3,500.00	All	
6/29/2013	Outdoor Furniture	\$6,800.00	All	
<u>2014</u>				
	None			
<u>2015</u>				
1/10/2015	COLA	5% yrly cap	all	
9/26/2015	Season Pass Increased	\$100.00	All	
9/26/2015	Ski are Web Site	\$3,450.00	All	
<u>2016</u>				
4/16/2016	Day Pass Increased	\$12.00	All	
10/29/2016	Move money from CIF to go to capital improvements for wedding expenses	\$14,106.00	All	
11/19/2016	Transfer funds up to \$7,500.00 (Hilltop power, Ski Area building bathroom with ADA) incl. \$14,106.00 CIF to Village District. \$30,000.00 will be transferred from Rec. to BOD for operating reserve fund	\$75,000.00	All	
12/18/2016	Small Item Budget	\$10,000.00	All	
12/18/2016	Lighting at Ski Area (outside)	\$5,000.00	All	
<u>2017</u>				
7/8/2017	Transfer \$70,000.00 from CIF to Rec. Fund to fund new kitchen equipment purchases for ski area	\$50,000.00	All	
9/23/2017	Transfer \$50,000.00 from CIF to Rec. Fund to fund new kitchen equipment purchases for ski area	\$70,000.00	All	
11/13/2017	Additional security cameras	\$10,000.00	All	
11/13/2017	New playground	\$45,000.00		All
11/13/2017	New road paving for 2018	\$30,000.00	All	
<u>2018</u>				
6/9/2018	Increase line of credit	\$50k to \$100k \$2k to \$4k (homes) \$1k to \$2k (lots	All	
6/9/2018	Revote of CIF increase		All	
<u>2019</u>				
2/23/2019	Land Purchase-Marden Drive 05.009.20	\$29,000.00	5	2 Sustained
5/4/2019	ADA pool lift	\$3,500.00	All	

6/22/2019	Trail improvements	\$2,000.00	All	
6/22/2019	Paving	\$83,000.00	All	
7/5/2019	Teen Room Renovations-Email vote	\$10,000.00	All	
9/14/2019	Gym Renovations	\$35,000.00	All	
9/14/2019	Reserve Advisor	\$4,000.00	All	
10/13/2019	New snowmobile	\$11,000.00	All	
11/29/2019	Snow Generator	\$34,021.93	7	1 Sustained

Updated 12/5/19





Large System  
Plan Added to  
Database: \_\_\_\_\_

## Public Water System Emergency Plan Guide

for community systems serving 501 or more people

New Hampshire Administrative Rule Env-Ws 360.14 requires community public water systems to have a formal emergency plan. Emergency plans are action steps to follow should a primary source of drinking water become contaminated or the flow of water disrupted. Emergency plans for community systems serving 500 or more people must be reviewed annually by the water system and an updated plan submitted to the DES at least every 6 years.

The purpose of this emergency plan guide is to help you understand and meet the basic standards for an emergency plan as set forth in Env-Ws 360.14. The purpose of an emergency plan is twofold: (1) establish a protocol for the management and staff of a water system to follow in case of an emergency, and (2) help a water system reduce its vulnerability to emergencies. Be sure to complete and return your emergency plan by **March 15, 2003**. Fill in all boxes or circle "yes" or "no" where required. A sample completed plan is available for your further reference and assistance.

### Section 1. System Identification

System EPA Identification Number	0341030		
System Name	WATERVILLE ESTATES VILLAGE DISTRICT		
Town	CAMPTON		
Source ID/Type/Description/Well Yield from DES records	001 / GPW / 375 feet Northwest of Liberty Lane Pumphouse	85 gpm	
Source ID/Type/Description/Well Yield from DES records	002 / GPW / 430 feet Northwest of Liberty Lane Pumphouse	85 gpm	
Population Served/# Service Connections from DES records.	1230 people	410 connections	
Date of most recent emergency plan in DES records.			
Name, Title, and Phone Number of person responsible for maintaining this emergency plan.	Corey Smith - Operator - Waterville Estates Village District name and title		603-726-3082 phone

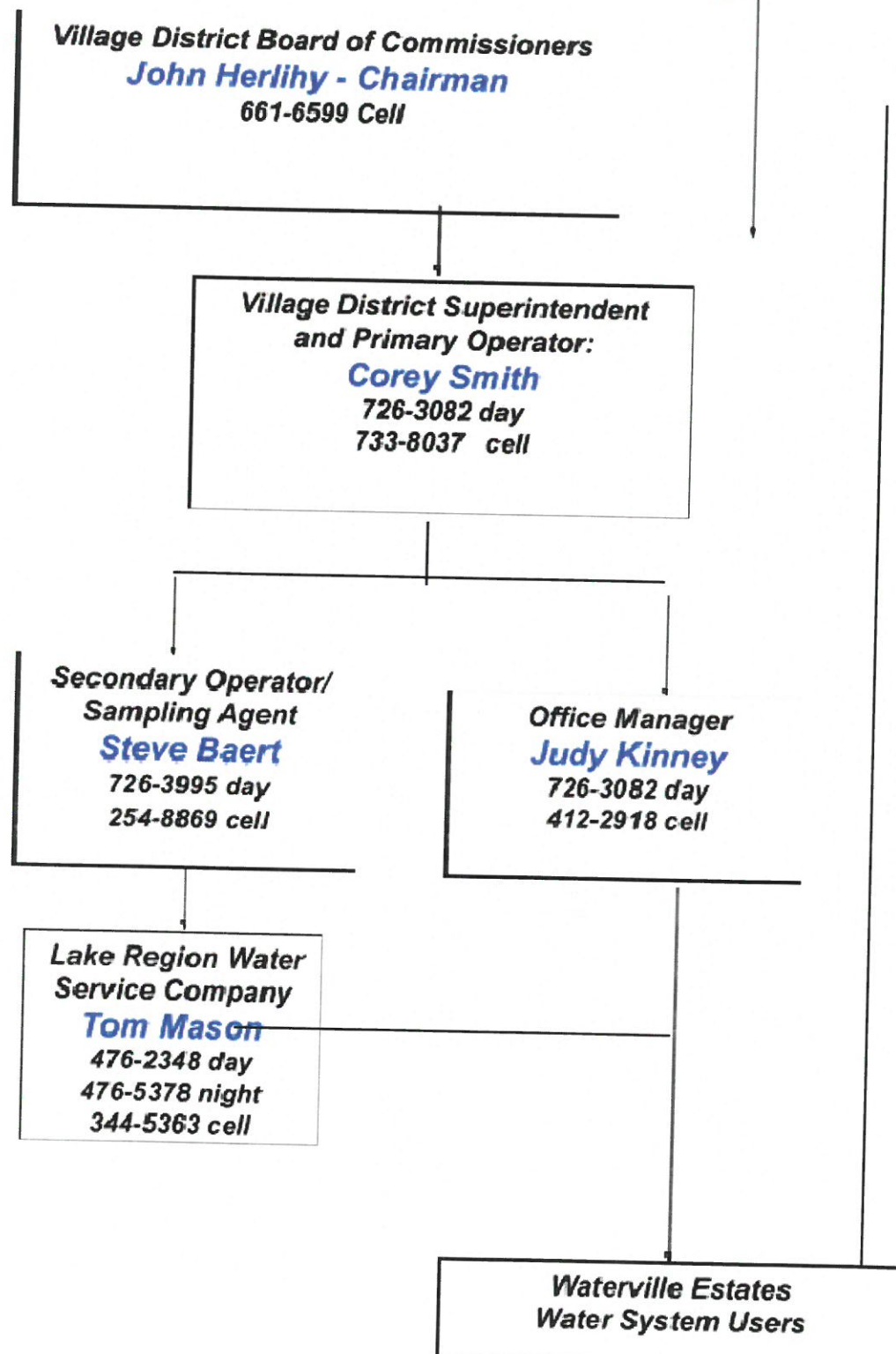
### Section 2. Chain-of-Command

A water system must have and maintain an up-to-date organizational "chain-of-command" that identifies who is responsible for making decisions during an emergency. **The first response step** in an emergency is to inform the person at the top of your chain-of-command. This will reduce confusion and optimize response speed and effectiveness. Your emergency plan must include a chain-of-command flow chart listing names, titles, and day/night phone numbers of the key people who will be responsible for managing an emergency at your system. Additionally, the system must determine the role of each key person during an emergency. Please attach your chain-of-command flow chart and a brief description of each person's responsibilities during an emergency.

The Chain of Command (section 2) and Notification Procedures (section 3) are an important part of your plan.



## Chain-of-Command Flow Chart for Waterville Estates Village District



## **Chain of Command Responsibilities**

### ***Waterville Estates Village District – Chairman - Board of Commissioners***

1. *If necessary, instruct the Superintendent to implement water conservation measures, including rationing.*

### ***Waterville Estates Village District Superintendent/ Primary Operator***

1. *Overall responsibility for managing a water emergency at Waterville Estates Village District.*
2. *Immediately notify all personnel on the chain-of-command of the existence of a water emergency.*
3. *If necessary, immediately notify local and state emergency agencies, such as police, fire, ambulance, health, and DES Water Supply Engineering Bureau of the existence of a water emergency.*
4. *Be available as contact person for local and state emergency agencies.*
5. *If necessary, represent the system as spokesperson to all outside parties including the media and private citizens.*
6. *If necessary, instruct the Office Manager to implement the system user and unique system user notification procedures.*
7. *If necessary, instruct the Operator to implement the service/repair notification procedure.*
8. *If necessary, instruct the Office Manager to implement the boil order procedure and alternate water procedures.*
9. *If necessary, implement and oversee water conservation measures.*
10. *Be available as necessary to provide hands-on knowledge of system components.*
11. *Be available as necessary to provide or obtain specialized repair of system components such as pumps, water treatment devices and valves.*
12. *Implement and oversee service/repair notification procedures.*
13. *Oversee service/repair efforts by system personnel and outside contractors.*
14. *Oversee and coordinate the return to normal operation.*

### ***Waterville Estates Village District Office Manager***

1. *Be responsible for and maintain up-to-date notification lists.*
2. *Implement and oversee system user and unique user notification procedures.*
3. *If necessary, implement and oversee boil order processes.*
4. *Assist Superintendent as necessary with emergency management issues.*

### ***Waterville Estates Secondary Operator / Sampling Agent***

1. *Take all necessary water samples and transport them to a certified laboratory for analyses.*
2. *Provide specialized repair of distribution and treatment components.*
3. *Make available and coordinate use of system equipment such as keys, tools, spare parts, and vehicles*
4. *Assist Primary Operator as necessary with service/repair notification and efforts.*
5. *Assist Primary Operator as necessary with return to normal operation.*
6. *If necessary, assist Office Manager and Primary System Operator with boil order, alternate water efforts, and/or water conservation measures.*

### ***Lake Region Water Service Company***

1. *Provide specialized repair of distribution and treatment components*
2. *Make available and coordinate use of system equipment such as keys, maps, tools, spare parts, vehicles, and backhoe during an emergency.*



3. *If necessary, assist Office Manager and System Operator with boil order, alternate water efforts, and/or water conservation measures.*

### **Section 3. Notification**

It may be necessary to quickly notify other parties during an emergency situation. Other parties might include your water system users, health officials, safety officials, regulatory personnel, and service/repair providers. Please fill out the lists on the next page. The following lists are not intended to be inclusive – they may be adapted to your specific needs, but they must be thorough. Attach any additional listings that you consider appropriate. The level of effort needed for notification will vary greatly depending on the size of the system and the nature of the emergency. All systems should plan ahead how you will accomplish notification. Also attach your notification procedure, i.e., how you will accomplish notification.

#### **Water System Users**

*The Waterville Estates Office Manager and Secondary System Operator are responsible for implementing notification to the 1,230 water system users. Waterville Estates Village District has 410 service connections, or one connection per household. Customer notification will be accomplished primarily through announcements placed in a local daily newspaper, posted at the recreation building, and through distribution of notices to households. Utilization of a "telephone" and "email" tree will be considered for future use. The Waterville Estates Office Manager is responsible for updating and maintaining a list of all Waterville Estates water customers.*

#### **Waterville Estates Village District Water System (Special Needs Customer)**

*At the present time the Waterville Estates Village District does not have a water system user who requires potable water for medical reasons. During emergencies causing interruption of service, the Waterville Estates Village District is responsible for providing priority notification to this person. Priority notification will also be given to this person for boil orders and alternate water will be supplied on a priority basis. If the Waterville Estates Office Manager cannot reach this person by telephone, then a visit to the home will be made. This person will also be included on the local notification list.*

#### **Service/Repair**

*The Waterville Estates Office Manager with the assistance of the Secondary System Operator is responsible for implementing notification to service/repair contractors. A list of service/repair contractors and phone numbers is part of this emergency plan. The Waterville Estates Office Manager with the assistance of the Secondary System Operator will use this list to telephone appropriate contractors. Lake Region Water Service Company will assist the Waterville Estates Office Manager in maintaining an up-to-date service/repair contractor list.*

#### **Local and State Agencies**

*The Waterville Estates Superintendent is responsible for implementing notification to local and state agencies. A list of local and state agencies and phone numbers is part of this emergency plan. The Waterville Estates Superintendent will use this list to telephone appropriate agencies. The Waterville Estates Office Manager is responsible for maintaining an up-to-date local and state notification list.*

#### **Abutting Public Water Systems**

*The Town of Campton Water System is the closest abutting public water system. If necessary, the Waterville Estates Office Manager or Secondary System Operator will notify these systems using telephone*



or email. The telephone numbers of the systems are part of this emergency plan. This notification will be done after the water system user notification is completed.

### Section 3. Notification

It may be necessary to quickly notify other parties during an emergency situation. Other parties might include your water system users, health officials, safety officials, regulatory personnel, the media, and service/repair providers. Please list names plus day and night telephone numbers for the following groups. The following lists are not intended to be inclusive – they may be adapted to your local needs, but they must be thorough. Attach any additional listings that you consider appropriate.

#### Local Notification List

Fire Dept day <b>911</b> 726-3300	Fire Dept night <b>911</b> 726-3300
Police Dept day <b>911</b> 726-8874 (Campton)	Police Dept day <b>911</b> 536-3511 (after 4PM)
Police Dept day <b>911</b> 726-4222 (Thornton)	Police Dept day <b>911</b> 536-3511 (after 4PM)
Ambulance service day <b>911</b>	Ambulance service night <b>911</b>
Emergency Management Office day	Emergency Management Office night
Local Newspaper day	Local Newspaper night
<b>Campton Water</b>	
Other <b>Lewis Companies</b> 603-886-4985	Other <b>Lewis Companies</b> 603-886-4985
Other <b>Smith Pump Company</b> 603-669-9119	Other <b>Smith Pump Company</b> 603-669-9119
Other <b>Lake Region Water Service Company</b> 603-476-2348	Other <b>Lake Region Water Service Company</b> 603-476-2348

#### State Notification List

State Police day 1-800-525-5555	State Police night 1-800-525-5555
Water Supply Engineering Bureau day 271-3139 or 271-3503	Water Supply Engineering Bureau night 271-3139 or 271-3503
Office of Emergency Management day 271-2231 or 1-800-852-3792	Office of Emergency Management night 271-2231 or 1-800-852-3792
Public Health Services day 271-4496	Public Health Services night 271-4496

#### Service/Repair Notification List

Electrician day <b>David Costa 774-328-1535</b>	Electrician night <b>David Costa 774-328-1535</b>
Electric Utility day <b>New Hampshire Electric COOP for Liberty Lane Pump Station, (800) 343-6432</b> <b>PSNH for the rest of the water system, (800) 662-7764</b>	Electric Utility night <b>New Hampshire Electric COOP for Liberty Lane pump station, (800) 343-6432</b> <b>PSNH for the rest of the water system, (800) 662-7764</b>
Plumber day <b>Tom Mason 344-5363</b>	Plumber night <b>Tom Mason 476-5378</b>
Pump Specialist day <b>R.E. PRESCOTT COMPANY</b> (800) 479-4320	Pump Specialist night <b>R.E. PRESCOTT COMPANY</b> (800) 479-4320
Soil Excavator #1 day <b>WEVD Staff (see Chain of Command)</b>	Soil Excavator #1 night <b>WEVD Staff (see Chain of Command)</b>



Soil Excavator #2 day <i>Tom Mason 344-5363</i>	Soil Excavator #2 night <i>Tom Mason 344-5363</i>
Hydrogeological Consultant day <i>Lewis Companies 603-886-4985</i>	Hydrogeologic Consultant night <i>Lewis Companies 603-886-4985</i>
Equipment Rental day <i>Southworth Milton 603-746-4671</i>	Equipment Rental night <i>Southworth Milton 603-746-4671</i>

### Unique Water System Users

In an emergency your water system may have to provide priority notification to users with unique or special water needs. Unique or special users would include nursing homes, elderly housing facilities, and hospitals. Water systems must identify and maintain an up-to-date list of service customers with unique water needs and make provisions for safe and adequate water supply to them.

Does this system have service customers with unique water needs?	Yes      No
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If you circled "Yes" above, please attach your list of unique service customers and a brief description of how you will notify them and provide for their water needs.

## Section 4. System Components

It is essential that a water system have accurate up-to-date information about its facilities, equipment, and design. This information will help facilitate repair in case of an emergency and will also be valuable in assessing system vulnerability to an emergency.

### System Plan

Please attach an up-to-date, accurate, plan of your system that shows at least the locations of all individual wells (active and inactive), water treatment facilities, storage tanks, major distribution lines, and key shutoff points for isolating sections of your distribution system. The plan must be easily legible and drawn in a manageable scale. DES has well and distribution system locations in its geographic information system database and could provide you with maps or electronic data. Some systems may be concerned with providing this information to DES since it becomes available to the public once it has been submitted. If you have this concern, please do not submit your plan. Instead provide an explanation regarding the status of your plan and DES will review the plan during sanitary surveys. If you do decide to submit a plan for our review, DES will review the plan and return it to the system.

### System Equipment

Please attach an up-to-date list of your facilities and major equipment. List at least each active well, each operable inactive well, total production capacity of each active and operable inactive well, each storage tank, capacity of each storage tank, each treatment facility, each pump house, and important repair equipment. Few water systems serving 501 or more people have atmospheric storage tanks. However, if you do, indicate whether or not it is equipped with a capped and lockable fill pipe to accommodate tank truck water delivery. Please note that Env-Ws 372.23 requires that all atmospheric storage tanks be equipped with a capped and lockable fill pipe by January 01, 2007.

### System Equipment

1. Gravel Packed Well #001 – 375 feet Northwest of Liberty Lane Pumphouse – 122,400 gallons per day maximum 24-hour production.
2. Gravel Packed Well #001 – 430 feet Northwest of Liberty Lane Pumphouse – 155,520 gallons per day maximum 24-hour production.
3. Liberty Lane Pumphouse at the end of Liberty Lane at the Northwest corner of the water system.
4. Corrosion Control treatment system located inside the at the Liberty Lane Pumphouse.
5. One 22,000-gallon atmospheric storage tank equipped with a capped and locked fill pipe located in the Ski Bowl Area.
6. Ski Bowl Water Booster Station.
7. One 22,000-gallon atmospheric storage tank equipped with a capped and locked fill pipe located at the top of the Pegwood Area.
8. Great Brook Booster Pump House



9. *One 22,000-gallon atmospheric storage tank equipped with a capped and locked fill pipe located at the top of the Sunset Area.*
10. *Telemetry equipment between Liberty Lane Pumphouse and the Ski Bowl Booster Station.*
11. *Telemetry equipment between the Ski Bowl Booster Station and the Pegwood Tank.*

Does this system have an atmospheric storage tank? If yes, how many?	<i>Yes</i>	No	<u>  3  </u> # tanks
Are your atmospheric storage tank(s) equipped with a fill pipe for supplied water?	<i>Yes</i>	No	n/a

If you answered "No" above, please indicate in the box below when your atmospheric storage tanks will be equipped with fill pipes for tank truck water delivery.

### Hydraulic Connection Between Sources

A contamination event may not impact all your production wells. However, contamination in one well could impact another well if they are hydraulically connected, i.e., contaminated water is drawn into an uncontaminated well when it is pumped. Knowing the hydraulic connection between your production wells (if any) enables you to assess the extent that contamination in any single well will impact total production capacity. If pumping a single well results in drawdown in other wells, hydraulic connection exists between those wells. Pumping rates can also influence hydraulic connection. Attach a description of the hydraulic connection between your producing wells. A detailed hydrogeologic evaluation is not necessary; you may base your description on existing information.

*A hydraulic Connection exists between the two (2) Liberty Lane Gravel Packed Wells.*

### System Demand

During an emergency, a water system may need to reduce its demand or utilize its excess capacity to continue to provide safe water to its users. Please attach a discussion of how this system could utilize demand reduction and excess capacity during an emergency. Please answer the following questions.

What is the total production capacity of this system?	<i>200,000 gallons per day</i>
What is the total storage capacity of this system?	<i>220,000 gallons</i>
What is the average daily demand of this system?	<i>55,000 gallons per day</i>
What is the maximum daily demand of this system?	<i>180,000 gallons per day</i>
Divide total storage capacity by average daily demand.	<i>1.2 days</i>

## Section 5. Vulnerability Assessment (Optional)

Env-Ws 360.14 does not require you to submit a vulnerability assessment as discussed in this section. However, we encourage you to consider such an assessment as a valuable management/planning tool for your system. Consequently, we ask that you voluntarily submit the information requested in this section with your completed emergency plan. We also ask that you update this information in conjunction with your entire emergency plan.

### Unpreventable Emergencies

Some emergencies are caused by reasons beyond the control of the water system. Floods, sabotage, ice storms, earthquakes, droughts, power outages, truck accidents, train derailments, and labor problems are examples. Each system should assess its potential susceptibility to unpreventable emergencies. To do this, first think about unpreventable scenarios that could impact your system. For example, if a major highway, an active railroad track,



and a geologic fault zone are located within your wellhead or surface water protection area, then accidents, derailments and earthquakes should be included in your vulnerability assessment. Next consider the possible impact of each scenario to the supply, storage, and distribution components of your system. Extensive detail is not necessary. Instead, our recommendation is to rate the likelihood of occurrence (most likely to least likely), briefly discuss the estimated impacts of each scenario to the supply, storage, and distribution components of your system, and then set forth the generic response actions of the system staff.

Has this system received its Source Water Assessment Report from the DES? You should refer to this report when compiling your vulnerability assessment.	<b>Yes</b>	No
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### Preventable Emergencies

Other emergencies may be preventable. Age and obsolescence of equipment, lack of equipment, poor maintenance, poor system design, lack of spare parts, high risk or ill-advised land usage near your source(s) of water, and lack of source protection efforts are all preventable factors that can cause water system emergencies. By identifying and managing preventable causes of emergencies, you can reduce the likelihood of an occurrence. Please list and briefly describe any vulnerable areas of your system that need correction or improvement. Include a discussion of source protection efforts undertaken by this system.

Does this system have a formal equipment maintenance schedule?	<b>Yes</b>	<b>No</b>
Does this system participate in the sampling waiver program?	<b>Yes</b>	No
Would this system benefit from improved knowledge of available grant programs?	<b>Yes</b>	No

## Section 6. Alternate Water Source

An emergency may necessitate obtaining water from an outside source, or modifying your current treatment capabilities, to meet your basic water needs. Please attach discussions of how this system could utilize the following during an emergency.

### Tank Trucks and/or Bottled Water

It is essential that all water systems plan for the contingency of having to provide water from an outside source during an emergency. A list of bottled and bulk water suppliers in the general vicinity of this system is enclosed. Due to high volume needs, tank trucks and bottled water may not be viable alternate water source options for the largest water systems in New Hampshire. Please answer the following questions.

***Bulk water will be hauled to the Ski Bowl Tank.***

Is tank truck/bottled water a viable alternate water source for your system?	<b>Yes</b>	No
If you answered "Yes" above, have you discussed your potential water needs with at least 2 suppliers?	<b>Yes</b>	No N/A
If you answered "Yes" above, approximately how long will it take for alternate water to reach this system?	<b>8 hours</b>	

### Water Supply Treatment

Discuss how this system could utilize its treatment capabilities during an emergency.

### Tie-in to Adjacent Water Supply System

Discuss the feasibility of connecting to an adjacent water supply system for use as an alternate water source during an emergency. DES has provided Drinking Water Resource Maps to every municipality in New Hampshire. These maps show the location of all public water systems in a town. Sampling waiver maps are also good tools for locating nearby water systems. Please answer the following questions.

Does this system have a copy of the Drinking Water Resource Map for its town?	<b>Yes</b>	<b>No</b>
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Are any water systems situated adjacent to this system?	Yes	<i>No</i>
Is it feasible for this system to connect to an adjacent system?	Yes	<i>No</i>
Have you discussed the feasibility of connecting to another system(s) with representatives of that system(s)?	<i>Yes</i>	No

### New Source

An emergency may necessitate that your system develop a new source of water or use an inactive source. Briefly describe this system's contingency plan for developing a new source or using an inactive source.

*Waterville Estates Village District presently has two wells. There is limited space available within Waterville Estates for the placement of a third well.*

## Section 7. Boil Order

An emergency could occur if your drinking water source has been contaminated with microbiological pathogens. The presence of certain pathogens in drinking water is a significant health concern. If coliform monitoring indicates a pathogen risk, it may be necessary to implement a boil order. Include a brief discussion of how this system would implement a boil order. See DES Fact Sheet WD-WSEB-4-8 Boil Water Advisories.

*The Secondary System Operator and the Office Manager under the instruction by the Superintendent will implement a boil order notification at Waterville Estates Village District. If necessary, Lake Region Water Service Company will assist. Waterville Estates Village District will refer to the DES and/or the Town Health Officer to make decisions requiring or canceling a boil order. Secondary Operator will distribute notices to all water users to implement a boil order and also to cancel a boil order. Priority notification will be given to any future water system customer with special needs.*

## Section 8. Water Conservation

Water conservation can be an effective means of coping with minor losses of source capacity. Attach an assessment of how this system could use conservation measures during an emergency. The assessment should include a quantification of unaccounted for water usage, the potential of this system to save significant quantities of water through conservation measures, and a prioritization of categories of water use that are marginal or nonessential in times of water shortage.

*Waterville Estates Village District will implement the following water conservation measures as necessary in the event of a summer water system emergency:*

- 1. Watering gardens, lawns and other landscaped areas will be restricted at a minimum or banned entirely.*
- 2. Washing cars, trucks, boats, RVs, etc., will be restricted at a minimum or banned entirely.*
- 3. Using water from a hose to rinse or clean sidewalks, driveways, decks, etc. will be restricted at a minimum or banned entirely.*
- 4. Residents will be required to follow indoor water use restrictions adopted from DES Fact Sheet #WD-WSEB-26-2 that lists water efficiency practices for indoor domestic water use.*
- 5. In a prolonged or dire emergency requiring reliance on bulk water, rationing will be implemented.*

*If an emergency necessitates shutting down one of the wells, the excess capacity in the remaining well will be used to supply the system. If an emergency necessitates shutting down both production wells, bulk water haulers will be used to supply the system's Ski Bowl Atmospheric Storage Tank. Waterville Estates Village District will implement at its discretion water conservation measures during an emergency. The Village District Board Chairman and the Superintendent will decide whether measures 1 through 3 will be restrictions or bans. System demand at Waterville Estates Village District is greatest during the winter ski season and*



during summer vacation months. We estimate that if an emergency occurs in the summer, by implementing measures 1 through 3 as bans, average daily summer demand would immediately be reduced. Additional demand reductions would be achieved by implementing step 4. Water conservation options are more limited during a winter emergency. Implementing step 4 will be required during a winter water system emergency. The Waterville Estates Village District encourages the use of water conservation practices at all times.

Rationing per household will be computed to reduce daily demand to less than 50,000 gallons. Total storage capacity would provide for over a day of consumption. Waterville Estates Village District will establish a set of Guidelines for water rationing by the end of 2003.

Secondary Operator and the Office Manager under instruction by the Superintendent will implement water conservation notification at Waterville Estates Village District. Secondary Operator will deliver notices to each water customer to implement and cancel water conservation measures.

## Section 9. Return to Normal Operation

Include a description of the follow-up actions and staff responsibilities that this system would undertake to return to normal operation.

The decision when to return to normal system operation will be made by the Superintendent and the Chairman of the Village District Board. The Superintendent and Village Board will make this decision with input from the DES if contamination is the cause of the emergency event. Superintendent and Lake Region Water Services will have the responsibility of overseeing the return to normal operation of the system components. The Secondary Operator or Lake Region Water Services will do any additional water sampling that may be necessary to assess system conditions before returning to normal operation. All water system users will be notified using the same notice posting system described earlier when the system has been returned to normal operation.

## Section 10. Plan Readiness

In order for this plan to be useful, people must know the plan exists, they must know where to quickly find the plan, and they must understand their role during an emergency. Please answer the following questions.

*Waterville Estates Village District will take the following steps to ensure plan readiness:*

1. *Each person listed on our chain-of-command will keep a copy of this and each annually updated plan in their residence.*
2. *A copy of our most recent plan will be kept in the Waterville Estates Village District meeting room.*
3. *A copy of our most recent plan will be kept at Lake Region Water Service Company office.*
4. *A copy of our most recent plan will be kept at Superintendent's residence.*
5. *A copy of our most recent plan will be kept in the Liberty Lane Pumphouse.*
6. *The cover of our plan is brightly colored to make it easy to find.*
7. *Twice a year; an article about our plan will be placed in our newsletter so all our customers know it exists.*
8. *In all cases, earlier plans will be discarded after receipt of a newer plan.*
9. *Each successive group of Waterville Estates Village District Officers will be briefed on all aspects of our emergency plan.*
10. *Waterville Estates Village District will rehearse the plan once every 2 years.*

Do the key representatives of this system know about this emergency plan?	<b>Yes</b>	No
Does this system have a specific location where an up-to-date copy of its emergency plan is stored at all times?	<b>Yes</b>	No

Has this system clearly defined for each key person what his or her responsibilities will be during an emergency, i.e., does each key person clearly understand their role?	<i>Yes</i>	No
Has this system rehearsed its emergency plan?	Yes	<i>No</i>

## Section 11. Signatures

Representatives of this water system must sign and date below. The signatures attest that all information provided herein and on the complete plan is true and accurate. **At least two signatures are required.**

system representative/title	date
system representative/title	date
system representative/title	date

## Section 12. Emergency Plan Requirements

Env-Ws 360.14 requires that community public water systems serving over 500 people have a formal emergency plan. The plan must be reviewed annually by the water system and an updated plan submitted to the DES at least every 6 years. The plan should be updated locally as needed. Additionally, the plan will be subject to review during the sanitary survey and it will be necessary to have a plan to participate in the sampling waiver program. We suggest that the plan have the same organizational format as this guide. This guide is available through the DES website at [www.des.state.nh.us/wseb](http://www.des.state.nh.us/wseb). Every system will be different in terms of the resources that will be needed to develop or update their plan. Grant funding is available each fall for this and other source water protection activity.

**Return This Filled-in Guide and  
Your Complete Emergency Plan  
By Your Submittal Deadline To:**

Johnna McKenna 603-271-7017 or [jmckenna@des.state.nh.us](mailto:jmckenna@des.state.nh.us)  
Department of Environmental Services  
6 Hazen Drive Concord, New Hampshire 03302-0095

## Checklist of Items to Return (check the box next to each attached item)

Completed and Signed Emergency Plan Guide		Vulnerability Assessment – Voluntary submittal (Section 5)	
Chain-Of-Command Flow Chart and List Of Responsibilities (Section 2)		Discussion of Alternate Water Source Options (Section 6)	
Filled out Notification Lists and List of Unique System Users (Section 3)		Boil Order Discussion (Section 7)	
		Assessment of Water Conservation (Section 8)	
System Plan, List of Equipment, and Description of Hydraulic Connection (Section 4)		Description of Return to Normal Operation (Section 9)	



## WATERVILLE ESTATES VILLAGE DISTRICT

### NOVEMBER 14, 2020 MEETING MINUTES

**Attendees:** Judy Kinney, Matt Smith (left at 9:15 AM), Maureen Patti, John Herlihy, Linda Ivers, Corey Smith, Gerry Panuczak

**Guests:** Richard Mayo, Sue McDermet, Jaime Oldmixon, Ned McElroy, Rebecca McElroy, Tom Clarke rke, George Smith, Loren Bennett, Terry Bennett, Chris Bernardi, Keith Barnes, Debbie Barnes, Mike Hering, Sue Hering, Art Marks, Jack Letvinchuk, Stan Bujalski, Mark O'Hara Ryan Timms, Rick LeBlanc, Brian Sylvia, Andrea Canfield, Scott Monroe Harry Bertino, (indecipherable), Greg Banner (sp?), Ellen Witt, Anthony Patti, Jim Murphy, Jeanne Schillberg, Claire Denton, Jeff Popham

**Call to Order:** Mr. Herlihy called the meeting to order at 8:04 AM.

**Introduction of Campton PD Officer:** Mr. Herlihy introduced Officer Anthony Scott.

**Approval of Previous meeting minutes:** Mr. Panuczak motioned to accept the minutes from October 24<sup>th</sup>, 2020, Mr. Herlihy seconded, motion passed unanimously.

#### **WEVD Treasurer Report:**

**Employee Health Plan:** Ms. Ivers indicated that our current plan has become obsolete, but the new plan had comparable deductibles and saves the village 28%.

**Plan for paying invoices between Commissioner meetings:** Ms. Ivers stated she had checked with NHMA and we can have an electronic check signing policy to allow commissioners to approve invoice payments in between meetings.

**Report:** Ms. Ivers provided a Treasurer's report including that Thornton's tax rate had been set at \$35.31 with \$20.11 for town and \$15.20 for village. She provided an update on the status of the Non-Lapsing Recreational Projects. Mr. Herlihy motioned to accept the report, Mr. Panuczak seconded, and the motion passed unanimously.

#### **Vacancies:**

**Commissioner:** Mr. Herlihy indicated that Ms. Patti had put her name forward to replace Commissioner Tole and asked her to provide her qualifications which she did. After discussion, Mr. Herlihy motioned to appoint Ms. Patti to the open position, Mr. Panuczak seconded, and the motion carried unanimously.

**Moderator:** Mr. Herlihy indicated that the Moderator position was vacant. Mr. M. Smith asked to be considered for appointment indicating there was no statutory incompatibility of office with him holding the office of Clerk and Moderator. He provided his qualifications. Mr. Herlihy motioned to appoint Mr. M. Smith to the open position, Mr. Panuczak seconded, and the motion carried unanimously.

#### **GM Update:**

**Report:** Mr. C. Smith provided d a written report. Discussion took place around the current proposal to install additional flow meters in the village water system. The Commissioners are only comfortable with budgeting half of this work now and would consider the rest for next year. They asked Mr. C. Smith to prioritize which meters should be done now and which could wait. Discussion took place around getting a quote to deal with the rodent problem in the Recreation Center. Ms. Kinney indicated a company was coming to do a walkthrough this week.

**Report continued:** Mr. Panuczak asked Mr. C. Smith to provide an update opening the Ski Lodge. Mr. C.

Smith stated that the most important thing was staying on budget as the Association has no way of providing additional funds. With decreased revenue, increased costs, and reduced occupancy, all from Covid, this will be a challenge. He stated the Association Board was proposing reduced hours at the Ski Lodge and Recreation Center. Mr. C. Smith reported that the trunk or treat event was successful and stated that the Board was proposed additional Saturday events and takeout from the Ski Lodge. Mr. Panuczak asked Mr. M. Smith for input on the Ski Lodge ventilation system and discussion took place around what amount of fresh air might be required for a safe opening. There was also discussion about his efforts to do a rough heat loss calculation for the Recreation Center. His efforts were hampered by the poor condition of our architectural drawings and a lack of organization preventing easy access. He stated he would measure spaces this coming week and Mr. Panuczak agreed to assist. Discussion took place about using DuBois and King to evaluate the Ski Lodge and the commissioners recommended using internal resources, like Mr. M. Smith, first. Mr. C. Smith asked for a time frame, Mr. M. Smith stated he would review this coming week. Mr. Panuczak asked when snow making would start, Mr. C. Smith stated a meter was being installed the first week of December so weather permitting, that process could start. Mr. Panuczak asked about timeline for opening the Recreation Center. Mr. C. Smith stated ventilation was an issue here. Mr. Panuczak asked about cleanup progress. Mr. C. Smith provided an update on the progress made by the PSU part timers. Discussion took place around other work needing attention and Mr. C. Smith stated the commissioners would need to advise on priority of each item. Mr. C. Smit reported we passed our first PFAO test and provided updates on paving. A leak at Boulder Village on Weetamoo was reported. Discussion took place around the updated water emergency plan.

#### **Old Business:**

**Friends of Campton Mountain:** Mr. Panuczak provided an update. There are two options. Option one is to treat these monies like any other Recreational Revolving Funds. We would want to have a warrant at the next annual meeting to better how this fund is used. If they are truly charitable contributions, we need to go with option two which is to create a trust fund, establish trustees, and move the money to the Town of Campton's Town Trustee. Our trustees can then request and use the funds. Discussion took place around whether we had an accounting of the monies to present to the AG's office. Mr. M. Smith observed that for the original donors intent to be guaranteed to be honored, it needed to be a trust. If it remains in the Rec Fund, the commissioners may disburse it for any recreation purpose.

#### **New Business:**

**Lease:** Mr. Herlihy indicated that we had received a lease from the Association and we have sent it to the Village attorney for review. Mr. Panuczak stated that the lease cannot reference property taxes for the leased buildings or we will create a taxable event. Discussion took place around what different scenarios would trigger the need to pay property taxes for the Ski Lodge and Recreation Center.

**Budget for Recreational Activities:** Mr. Herlihy indicated that we had received a budget from the Association that included CIF funds for the Locker Room. He asked to see a detailed budget of the proposed work. Mr. C. Smith stated that the Association Board's position is that they can spend CIF money as they wish, when they wish. Heated discussion took place with Mr. C. Smith stating that the Association Board felt that they could come in and perform the work with or without the approval of the commissioners. Mr. C. Smith indicated that a few years ago assets were transferred from the Association to the Village and that it was illegal as the Village never formally accepted the gift, so this is something that has to be worked out. Mr. Panuczak read from the 2020 Recreation Management Agreement which stated that proposed CIF contributions would include a separate formal proposal. Heated discussion took place.

**Budget for Recreational Activities (continued):** Mr. Hering interrupted the conversation and questioned what level of detail Mr. Panuczak was asking for and that the Board was not operating at a minutia level. Mr.



Panuczak disagreed that details were minutia level. Mr. Hering interrupted again stated that if additional dollars were needed the Board would scale back the project or provide more dollars. He went on to say that they could bring in their own forces, as they have done in the past, to move the project forward. Heated discussion took place. Mr. Bertino pointed out that it was a breach of fiduciary duty to give CIF money to the district as it decreased Association assets and increased Village assets. He stated that CIF expenditures should increase the value of Association property. Heated discussion took place. Mr. Herlihy stated that the submitted budget was inadequate and it would be taken up again in the future.

**Ski Lift Ticket Sales Kiosk:** Mr. Herlihy provided an update on this proposal. The estimated cost for an indoor kiosk is around \$15,000. Ms. Ivers indicated that there are additional annual fees of \$1000 per year and \$49 per month and there is a 10-week lead time. Ms. Ivers asked whether the commissioners wanted her to get estimates for an outdoor kiosk, but did not recommend installation this year, but rather include dollars in the 2021 annual budget. Mr. Panuczak asked if we looked at a phone app that could solve this problem less expensively. Discussion took place around logistics. Mr. Herlihy recommended tabling the issue for now.

**Swearing in of Commissioner Patti:** Mr. Panuczak swore in Ms. Patti.

**Updated Check Signing:** Ms. Ivers asked for signature for the procedure.

### **Committee Reports:**

**Budget Committees:** Mr. Panuczak provided an update on how the budget committee plans to move forward.

**Planning Board:** Mr. Panuczak provided an update on what the Planning Board is working on.

**Appointment Letters:** Mr. C. Smith asked for guidance on logistics of the terms and distribution of the letters. Mr. Panuczak proposed swearing in committee members at the associated committee meeting

**Water Committee:** Mr. Herlihy stated that the Village attorney had recommended amendments to the water policy drafted by Mr. Oldmixon and that we would be holding off approving the policy until that work was completed. He stated that the meter work should be around \$49,500 and asked the treasurer to investigate whether we could use the \$90,000 new well line item. Discussion took place around expenditures to date from this line item and whether we could overspend this line. Mr. Herlihy made a motion to spend and pursue grants, Mr. Panuczak seconded and the motion passed unanimously.

**Records Committee:** Ms. Patti provided an update on activities including four proposed procedures we would like the commissioners to approve. This will be tabled until next meeting. She provided details on the procedures. Mr. Herlihy made a motion to spend up to \$500 on lockable file cabinets, Mr. Panuczak seconded and the motion passed unanimously.

**CBU Committee:** Ms. Patti indicated that this committee has not met after the Chairperson, Mr. Tole, resigned as commissioner. She reminded the commissioners of the most recent status of committee work. Mr. Timms asked what if we do nothing, and Ms. Patti said she did not know and would seek to have an answer for next meeting. Discussion took place around options. Ms. Patti made a motion to authorize her to contact Village counsel, Mr. Panuczak seconded and motion passed unanimously. Mr. C. Smith indicated an owner has already made an informal legal claim, that the Village must resolve this matter.

**Court Committee:** An update was provided and included in the meeting handout. Ms. Patti made a motion to permit that all taxpayers are eligible to serve on this committee, Mr. Herlihy seconded and the motion passed unanimously. Current tennis court repair estimates are as high as \$150,000. Mr. Herlihy asked if clay courts would have a lower maintenance cost.

**Adopt-A-Road Committee:** Mr. Monroe provided an update on activities. He indicated crack sealing was critical and that overhanging branches need to be cut back. He recommends a structure to protect equipment stored outdoors. He observed an oil tank that did not have containment and that there might be regulations on having our salt stored in a structure.

**Constant Contact:** Ms. Canfield provided an update on culling the list of email addresses used in constant contact and discussed how to update and what kind of information to try to obtain. She does not recommend Constant Contact as a vendor to upgrade our website.

### **Guest Business:**

**Right to Know Requests:** Mr. LeBlanc asked what was happening with Right to Know requests with particular respect to increased attorney costs. Mr. C. Smith stated they are still coming in hot and heavy and that there was a current legal matter that was making the cost go up daily. Mr. Herlihy indicated Right to Know requests have no inherent legal costs, just manpower costs. Mr. LeBlanc inquired whether we have recourse for the legal costs and what the costs to date were. Ms. Kinney stated the costs were \$7,000. Mr. Herlihy discussed staffing to meet Right to Know manpower demands. Mr. C. Smith indicated there might be greater expense if the village has to pay the plaintiff's legal costs or vice versa. Mr. C. Smith asked if Ms. Patti could assist with the legal implications of Right to Know. She indicated that there are large holes in our record retention and the lack of organization results in high manpower costs. She indicated that municipalities have a statutory requirement to bear the burden of complying with Right to Know so the number one priority is to make our handling of Right to Know more efficient. She stated that the excitement around the lawsuit and the legal costs come down to mis-trust. People don't believe that records are retained or that they exist and this is a cost the municipality has to bear. The solution is to build trust. Discussion took place around what timeline is required for the Village to comply within. She discussed the work the Records Committee is doing in logging what we have for public records.

**Horizon Drive:** Mr. C. Smith stated Mr. Dorsey understood we would not be providing winter maintenance, but requested that the commissioners communicate to those residents.

**Executive Session:** At 10:20 AM, Mr. Herlihy moved to enter non-public session citing RSA 91-A:3 II(a). The Commissioners voted unanimously to enter public session by roll call. Mr. Herlihy, aye, Mr. Panuczak, aye, Ms. Patti, aye.



WATERVILLE ESTATES VILLAGE DISTRICT  
COMMISSIONER'S MEETING

NOVEMBER 14, 2020

## **Waterville Estates Village District**

### **Commissioner Meeting Agenda**

**Saturday October 14th, 2020 @ 8:00am**

#### **Summit Lounge**

- 1) Call to order
- 2) Introductions
- 3) Accept Minutes of last meeting
- 4) Treasurer Report
- 5) Commissioner and Moderator vacancies
- 6) General Manager Report
  - Roads, Water, Structures
- 7) Old Business
  - Friends of Campton Mountain resolution
- 8) New Business
  - Lease for Properties
  - Budget from Association
  - Kiosk
  - Electronic Signatures
  - Officer Nomination
- 9) Committees;
  - Budget
  - Planning
  - Water Master Plan (metering)(water policy)
  - Records
  - Mail
  - Courts
- 10) Comments
- 11) Next Meeting
  - December 15<sup>th</sup> 2:00pm
- 12) Non-Public Session
  - Personnel Discussion
- 13) Adjournment

## WATERVILLE ESTATES VILLAGE DISTRICT

October 24, 2020 MEETING MINUTES

**Attendees:** Judy Kinney, Matt Smith (left at 10am) , John Herlihy, Sean Tole, Linda Ivers, Corey Smith, Gerry Panuczak

**Guests:** Maureen Patti, Scott Ivers, Dave Ketchum, Bobbi Ketchum, Jaime Oldmixon, Harry Bertino, Ellen Witt, Jacqueline Herlihy, Tom Clarke, Rischard Mayo, Stan Bujalski, Denise Bujalski, Mike Hering, Sue Hering, Brian Sylvia, Jim Murhpy, Ryam Timms, Rick LeBlanc, Terry Tole.

**Call to Order:** Mr. Herlihy called the meeting to order at 8:02 AM.

**Introduction of Newly Appointed Commissioner:** Mr. Herlihy introduced Mr. Panuczak.

**Approval of Previous meeting minutes:** Mr. Herlihy addressed the claim made in previous session that when he contacted the previous Chair of Board of Commissioners, during that Chair's tenure to inquire if a citizen could use the Ski Lodge for a political event. He had contacted Natch Greyes in Right to Know instructor at NHMA and was advised the discussion did not violate RSA 91-A Right to Know. Mr. Tole asserted that he too had contacted Mr. Greyes and was advised that it was a Right to Know violation. Heated discussion took place. Mr. C Smith accused Mr. Herlihy of making false statements regarding the past performance of complying with right to know and lodged a second claim against Mr. Herlihy regarding Right to Know. He cited RSA98-e and it's requirement that claims be substantiated. Mr. M. Smith asked for clarification and Mr. C. Smith revised his statement to say that RSA 98-e allows and employee to criticize his boss. Heated discussion took place. Mr. Tole asked for the meeting minutes to be modified to his interpretation of the Ski Lodge issue. Heated discussion took place. Mr. C. Smith again requested that the minutes be modified per his earlier statements. Ms. Kinney asserted that every single Right to Know request, that came to this office, had been responded to. Mr. Herlihy made a motion to accept the minutes as written, Mr. Panuczak seconded, and the motion passed with Mr. Tole voting nay.

### **WEVD Treasurer Report:**

**Karen Water's Resignation:** Mr. Herlihy indicated Ms. Waters had resigned as treasurer and deputy treasurer Linda Ivers would be assuming her duties as deputy treasurer. Ms. Tole asked for her resignation letter to be read. Mr. Herlihy declined stating it would be included in the minutes, but Mr. Tole read it anyway.

**Update:** Ms. Ivers read various account balances. She indicated there was a bill for the Richardson Trail leak repair for around \$14k. Mr. Herlihy motioned to accept the treasurers' report as read, Mr. Panuczak seconded and motion passed unanimously.

### **GM Update:**

**Plow Truck:** We still do not have a new plow truck and may need to invest in the old 2008 truck to ensure that we have a backup. Needs transmission work, engine work, and possibly brake work. Mr. C. Smith estimates the work at \$9500. Discussion took place about resale, qualified staff to do brake job in house, the budget line item. This will put that line over budget, but that is allowed as long as the total budget does not go over. Mr. Herlihy made a motion to fix the truck not to exceed \$10k, Mr. Panuczak seconded, and the motion passed with Mr. Tole voting nay stating that the General Manager should have the discretion to spend this line item based on his own judgement.

**Road Re-surfacing:** The crew is delayed. Should be here this coming week, but can't be guaranteed.

**Rec Center Roofing:** The roof is done with the exception of some shed roof vent work.

**Boiler Issues:** We have a quote for around \$42k to replace the boiler. DuBois and King has been asked to provide a review of this issue and ventilation at the Recreation Center and Ski Lodge. Mr. Herlihy asked about his request that Mr. C. Smith get an estimate to repair the existing boiler. Because the assessment was done by Laconia Refrigeration before they dropped our account we do not have information on the problem to facilitate this. We've talked to five other contractors and can't get anyone in. Mr. Herlihy inquired about the cost of the boiler alone. Mr. C. Smith indicated that we could not get that information from suppliers because we are not a contractor. Mr. M. Smith asked about boiler sizing and offered to assist in obtaining the boiler only value. He suggested that replacing a chlorine eaten boiler with a new boiler in a chlorine environment that eats boilers may not make sense. He also suggested that we should evaluate sizing and ensure that with three boilers, two can meet the design load so if one goes down, we still have 100% capacity. Mr. Herlihy motioned to have Mr. M. Smith assist, Mr. Panuczak seconded and the motion passed with no indication of a vote from Mr. Tole. Mr. Panuczak inquired about Mr. M. Smith's bona fides. Mr. M. Smith detailed experience with boilers, pumps, and instrumentation for boiler control.

**Recreation Center Readiness:** Mr. C. Smith indicated that we have a good plan, but the ventilation system needs to be reviewed. He thanked Mr. Bujalski for helping review the proposal for the work by DuBois and King and asked that since Mr. Bujalski was involved if the commissioners would allow him to sign the proposal. Mr. Herlihy indicated that we should wait until the water committee meeting on November 4<sup>th</sup>. Discussion took place about whether the Recreation Center was public or private. Mr. Oldmixon observed the code distinction is residential or commercial and we are definitely not residential. Discussion took place around Covid guidelines as it relates to HVAC system operation. Discussion took place around staffing levels. Mr. Herlihy asked what the cost was and Mr. C. Smith stated it was an hourly rate and was open ended.

**Water System:** Mr. Herlihy provided a report on the Columbus Day weekend outage and an update on a meeting with our water professionals. He indicated that we need a higher sense of vigilance on maintenance and we need to have valve markers so plow trucks can see the valves. He indicated that if new meters were required, perhaps the CIF could be used. Mr. Hering clarified that CIF was controlled by the association Board of Directors. Mr. Herlihy stated he understood that, but that we needed a written process on how to do it. Mr. C. Smith said the root cause was a lack of metering. He indicated that we need more metering and that we have a quote from our instrumentation contractor of around \$37k, but he expects that when Lake Region Water adds their work, the final total will be in the \$60-90k range. Mr. Tole asked if the meters would be compatible with the new instrumentation software we need. Mr. C. Smith indicated that the \$37k quoted to date included \$13k for a computer that will handle the new software. Mr. M. Smith asked for clarification as meters might have mitigated the length of the repair timeline, their absence did not cause the leak. Mr. C. Smith stated that looked like bad backfill and a rock had impinged on the pipe causing the leak. Mr. Herlihy asked when we would have the LRW quote. Mr. C. Smith stated he hoped it would be this coming week. He has asked EEI for a quote on annual maintenance and calibration of our meters. Mr. Herlihy stated we need a price before the 4<sup>th</sup> and asked if Mr. C. Smith minded if Mr. Herlihy made a phone call to LRW. Discussion took place around Mr. Panuczak's conversations with the Town of Campton for emergency water supply. They do not have a specific water vendor. He then provided a status on the update of the Emergency Water Guide. Ms. Kinney advised that she has been working on group texting for water emergencies. Discussion took place around the challenges of using the pond as an emergency water source in the winter when it's frozen. The revised plan will be presented at the next meeting.

**GOFFR:** Mr. C. Smith stated that the Town of Campton had used all their funds and recommended that we contact the Governor and ask for help since village districts were left out. He also discussed a legal action but stated that it might cost too much relative to the \$12k of assistance we are looking for.



**Village Debris:** Mr. Panuczak discussed two piles of debris at the well site and discussion took place about removing them. One pile has already been removed. He stated that we should be a world class village with world class facilities and detailed an array of housekeeping issues. He asked if we could use the part time college students we hired for that purpose. Discussion took place around staffing levels and using community volunteers to get some of it done. Mr. C. Smith cited a need for better facilities for maintenance and other things observing that most municipalities have a shed for their road salt and we do not. Ms. Canfield noted that some of the appearance issues have been known for years and there is no reason they should not have been addressed by now. She said jobs are started and not finished and nobody is watching. Discussion took place about the condition of the village yard. There was general discussion about solutions. Mr. Hering stated that if we didn't have staff running around responding to Right to Know requests, we could get more done. Mr. Herlihy stated that we have to comply with the law. Heated discussion took place about open maintenance items and solutions. Mr. Herlihy asked Mr. C. Smith to provide an update, via constant contact, on the status of a list of maintenance items created by Lloyd Wiley and Mr. Hering during Mr. Wiley's tenure.

**Appointment Letters:** Mr. Panuczak asked for an update on the status of appointment letters to committee members. Mr. C. Smith referred to the last meeting and whether these letters were required. Mr. Panuczak read some guidance from NHMA asserting that records of appointments including start and end dates should be kept for commission, board, and committee members. Discussion took place around who that might apply to in our village with Mr. Tole stating it only applied to official committees. Mr. Herlihy motioned that Ms. Kinney should send out such a notice to each committee member, Mr. Panuczak seconded, and the motion passed with Mr. Tole not voting. Ms. Tole stated we needed a policy for how committees interacted with staff including what records could be requested. Heated discussion took place. Ms. Patti provided details about the Records Committee and CBU Committee's interaction with staff and stated that it was collaborative. She stated that a lot of the requests of staff go to the Commissioners first. Mr. Bertino asked what the policy was for the Board of Directors of the homeowners association's interaction with staff.

#### **Old Business:**

**Right to Know Request:** Mr. Tole asked how many right to know requests there have been. Ms. Kinney indicated that she had provided logs in the meeting handout. Mr. Tole asked "How many of those have been from Matthew Smith." Mr. M. Smith stated an objection to the Chair. The Chair admonished Mr. Tole that the question was inappropriate. Mr. Tole persisted. Mr. Panuczak stated that the question was not appropriate. Mr. Tole persisted. Mr. Herlihy made a motion to censure Mr. Tole. Mr. Tole then asked how much we have spent on right to know requests. Ms. Kinney stated \$7k. An attendee asked for the figure to be restated and Mr. Tole said "\$7000 because of Matt Smith". Mr. M. Smith stated an objection to the Chair. Mr. Bertino asked for a point of order stating it should be discussed in Executive session that a Commissioner was singling out a resident. Heated discussion took place. Mr. Panuczak observed that it does not matter who is making a right to know request, we cannot ask someone why they are making a right to know request, and it does not matter how many they make. He stated again that it is inappropriate to identify a specific individual.

**Lease:** Mr. Herlihy provided a draft lease that has been prepared will be sent to the village attorney for review. He made a motion, seconded by Mr. Panuczak, to send the lease to the attorney for review and such changes as the attorney might deem necessary. Mr. Panuczak seconded and the motion carried with Mr. Tole not indicating a vote. Mr. Hering stated that the association was working on a lease and would have it to the commissioners, along with the Recreation Management Agreement proposal, by November 1st. Mr. Herlihy stated that as the Lessor, it is the villages responsibility to draft the lease. He stated the importance of the lease as it is a requirement for our liquor license and he will not sign the affidavit without a valid lease.

**Friends of Campton Mountain:** Mr. Herlihy made a motion that the commissioners become trustees and transfer FOCM monies into a fund managed by the Town of Campton. He indicated that the issue has been open for too long. Mr. Panuczak seconded. Mr. Tole stated it was premature and the claims made to the Attorney General had yet to be substantiated. He stated in discussion with attorneys, where the money sits is actually fine. Mr. C. Smith stated our attorney had spoken with the AG Friday during a meeting that was to involve Ms. Waters before she resigned and that the discussions they had may in fact support Mr. Toles claim. Heated discussion took place. Mr. Herlihy asserted he contributed for 8 of the 12 years that FOCM existed so he understands the monies intent. Mr. M. Smith pointed out that the AG's office weighed in and asked to read the direction from that office into the record. Mr. Herlihy allowed this request. Heated discussion took place. Mr. Panuczak concurred with the AG and Mr. M. Smith's assessment based on his own research. Heated discussion took place. Mr. Tole claimed the money came in from the sale of goods and services. Mr. C. Smith said he was waiting for guidance from counsel that is not subject to right to know and the commissioners should consider it before rendering a decision. Mr. M. Smith stated that he was ok waiting until the next meeting to see the issue resolved. Mr. Herlihy made a motion to postpone the decision until the next meeting, Mr. Panuczak seconded and the motion carried unanimously. Mr. C. Smith stated the FOCM was an enterprise fund created by the village district.

#### **New Business:**

**New Meeting Format:** Mr. Herlihy indicated that there would be a new format next meeting to ensure meetings run smoothly. The Commissioners will be seated at the main table, other officers will be seated in an area, staff another area, and written reports will be provided. All questions will be directed to the Chair. Ms. Kinney stated that with all her other duties, more set up requirements would not be possible. Mr. Herlihy indicated that he would see that the room was set up. Discussion took place around the timing requirements for submitting reports.

**Horizon Drive Winter Maintenance:** Mr. Herlihy read a letter about winter maintenance from the developer of Horizon Drive. Discussion took place around the request and the unfinished nature of the road. He opined that we should not take on this responsibility. Mr. Panuczak and Mr. Tole agreed. Mr. Herlihy made a motion to decline providing winter maintenance of Horizon Drive, Mr. Panuczak seconded, and the motion passed unanimously. Discussion took place.

**Moratorium on Water Connections:** Mr. Herlihy indicated he was considering a moratorium on water connections, particularly in light of the water outage and ongoing master plan, and sought feedback. Discussion took place primarily around the legal liability that might create. Mr. Tole observed that we need to have a good reason for it and be able to articulate that we have problem A and a moratorium addresses it in way B. Mr. Bujalski indicated our current water connection policy is in question. Mr. Herlihy indicated that Mr. Oldmixon had prepared a draft that has not yet been approved. Mr. Panuczak said the master water plan may dictate the need for a moratorium.

**CIF:** Mr. M. Smith stated that CIF money had to be held by the town trustees and that the funds had to be accepted by the village commissioners and reported in public session pursuant to RSA 31. Further, he stated that CIF contributions of \$10k or more required a public hearing. He pointed out that if CIF was used to buy personal property which was then given to the district, the same rule applied but the public hearing threshold was \$5k or more. Lastly, he said accepting real estate also required village action, reporting, and in some cases a public hearing. He asked the commissioners to write policies and procedures to ensure that these rules were followed. He pointed out that CIF money has flowed into the village, outside the public eye, and in some cases accepted and spent by individuals who were not commissioners and therefore not authorized for either act.

Mr. Herlihy stated he would support that process. Mr. Tole requested to enter public session citing RSA 91-A:3 (e). Mr. Herlihy stated that a non-public session would be held.

**Thornton Transfer Station:** Mr. C. Smith indicated he had been contacted by the Thornton Transfer Station supervisor about getting too much trash. The supervisor expressed a concern about the amount of trash coming in from second homes and short term rentals. They discussed the village adding a dumpster for short term rentals and taking care of it themselves. Mr. C. Smith countered that even if the village is overutilizing transfer services, we are underutilizing other services like schools so it balances out. Mr. C. Smith feels the Commissioners should get involved politically to get in front of the issue. Discussion took place around how they could know what impact was from renters and how much came from the village. He told the supervisor that the towns get room and meal tax money from the state that the village does not get and that should cover any increased load as well. Mr. Herlihy indicated that short term rental trash removal was a business issue for these renting their dwellings. Mr. Panuczak discussed a retreat where the Commissioners, Board of Directors, and senior staff could have a meeting, possibly with a facilitator, where we could discuss where we want to be in ten years. He suggested we could survey association members in advance to see what they want. We could use it as a visioning session to see what we look like in 10 years and then break it down to see what we need to do each year to get there. Mr. Hering said the Board would be amenable. Discussion took place around that concept. Mr. Bertino asked that Condo Associations be involved in that meeting. A meeting in January was informally proposed. Mr. Tole clarified when and how non-public session may be entered by reading from an NHMA article. Mr. Bertino brought up an earlier suggestion that we write a petition to the state to ask for our share of the room and meals tax.

#### **Committee Reports:**

**Transition of Commissioners Role on Budget and Planning Committees:** Mr. Herlihy stated he would be stepping down as ex officio on the two committees and asked Mr. Panuczak to take his place. Discussion took place around process. Mr. Herlihy discussed having a transition meeting.

**Water Committee:** Mr. Herlihy indicated that there was a water meeting scheduled for the 4<sup>th</sup>.

**Records Committee:** Ms. Patti provided an update on activities. These include weekly meetings, mostly work sessions, cataloging records, drafting a Right to Know Policy, and creating a consent agenda to allow the Commissioners to add past meeting handouts to the public record.

**CBU Committee:** Ms. Patti stated that the committee had not met since the last Commissioners meeting and the CBU Committee meeting minutes reflected the state of play.

**Court Committee:** Mr. Ketchum advised that there is not a lot to report, but that he is looking for volunteers to help with labor for in house activities. He has not heard back from court vendors. Discussion took place around sealing cracks in the courts.

**Executive Session:** The moved to enter public session citing RSA 91-A:3 II(a), (b), and (c). Mr. Bertino asked to attend to address Mr. Toles behavior. His request was not granted. The Commissioners voted unanimously to enter public session by roll call. Mr. Herlihy, aye, Mr. Panuczak, aye, Mr. Tole, aye.

	Current Month	Prior Month
<b>Northway Bank</b>		
Operating Account	\$110,955.18	\$187,793.20
Waters Dept	\$47,603.76	\$73,068.53
Rec Fund	\$117,459.93	\$134,889.42
Friends of Campton Mtn.	\$37,478.80	\$37,478.80
<b>Meredith Village Savings Bank</b>		
Operating Holding Account	\$937,303.47	\$903,513.19
Total	\$1,250,801.14	\$1,336,744.39

Operating Account un-reconciled balance

#### Foot Notes

Taxes owed by the Town of Thornton 2019 \$200.00

Taxes owed by the Town of Thornton 2020 \$245,413.69

Thornton 2020 Tax Rate \$ 35.31  
(\$20.11 Town plus \$15.20  
Waterville Estates)

Taxes owed by the Town of Campton 2019 \$17,240.88

Note - 2020 - Campton hasn't set the tax rate yet



**Non-Lapsing Recreational Projects - \$186,914**

Item	12/31/2021	Cost	11/13/2020	Balance
Computer Equipment		9,459.00	8,137.97	1,321.03
Exercise Equipement - Phase Replacement		15,000.00	17,358.70	-2,358.70
Mahogany Fence		5,000.00	11,300.37	-6,300.37
Mens Lockerroom Showers		8,000.00	35.00	7,965.00
Ladies Lockerroom Floor		16,000.00	11.25	15,988.75
Rec Center Interior Renovations		10,000.00	4,459.79	5,540.21
Septic System Pump Replacement		15,455.00	2,300.00	13,155.00
HVAC		10,000.00	6,763.11	3,236.89
Rec Center Roof		20,000.00	31,761.80	-11,761.80
Security System Rec Center		10,000.00	740.99	9,259.01
Tennis/ Pickel Ball Court		50,000.00	3,576.27	46,423.73
Exterior Painting Rec Center		15,000.00	8,974.13	6,025.87
ADA		3,000.00	43.00	2,957.00
<b>Total</b>		<b>186,914.00</b>	<b>95,462.38</b>	<b>91,451.62</b>

# MAUREEN PATTI

45 Weeping Birches Lane, Thornton, NH 03285

**OBJECTIVE:** To serve my community as WEVD Commissioner

## **EXPERIENCE:**

07/18/20 to present: compiling WEVD ordinances, fees, & policies from 1977 to the present.

08/15/20 to present: WEVD Deputy Clerk

08/15/20 to present: appointed member of Records Committee

12/09/88 – 02/28/18: Criminal defense attorney employed by Los Angeles County Public Defender. Career included representing adults (minor & serious offenses), representing juveniles charged in delinquency court (minor & serious offenses), training other attorneys, and supervising a team of 6 attorneys tasked with changing the culture of a courthouse.

**FOCUS:** Working to develop & update WEVD policies and procedures to meet the needs of the municipality. These policies and procedures will help ensure WEVD complies with New Hampshire finance, budget and record retention statutes, hoping to avoid any potential State audits and future Right-to-Know lawsuits.

I support the continued operation of both the Ski Bowl/Lodge and the Community Center, important assets for our community. I will look for ways to expand their potential and add revenue. We must continue to evaluate our water supply system for our current owners and future growth. With regards to snow making, I will administer and advance the will of the residents while respecting & working to address the needs of all taxpayers.





# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223  
Phone: (603) 726-3082; Fax: (603) 726-8611  
[www.waterville-estates.com](http://www.waterville-estates.com)

November 13, 2020

## **Readiness Status of Plow Truck Repair (F450)**

This truck at Plymouth Ford and under repair.

## **Complete detailed pricing of Water Metering and LRW install**

As reported at our November 4th watermaster planning committee meeting the cost of lakes region water combined with EII for the meter upgrades was \$75,164. At that meeting the idea of adding bypass plumbing to the pits, for the ability to keep water service going while a meter is being replaced, was discussed. After the meeting, in a discussion with Tom Mason, he recommended considering creating bypass spools that could be bolted into place while meters are away for repair. upon further discussion with lakes region water (Peter Hilton, who I believe consulted with Tom Mason) it is thought that most repairs to the water meters can be done by removing the head on the water meters while leaving water service uninterrupted. In the event that the actual body of the meter is faulty It is recommended that the best solution would be to have the faulty meter left in place until such time as a new meter is in hand, and at that time, switch them out, which would take the same time as switching out a bypass spool. It should be noted that when a meter fails it does not stop water flow. So, in short, upon further review, the bypass concept is advised against by lakes region water. The quotes from EII and lakes region water are attached, without handwritten addition of the two quotes in one. The two quotes combine come to \$75,164. It should also be noted that in January 2020 we received an estimate of a description of work to provide a new Dell computer with Windows upgrade and SCADA system software upgrade, for the price of \$13,795 from Electrical Installation Inc. Lakes region water

## **Outdoor pool and patio closure status for Winter**

Complete, however as more leaves continue to fall throughout the season further cleanup may be required.

## **Readiness of Mountain Lodge for Occupancy**

There are several factors weighing into the readiness of the mountain Lodge for occupancy.

### *Cleanliness,*

The lodge has been completely sanitized as has the entire kitchen area been cleaned and sanitized.

### *Stocking of food and beverage*

Much of the liquor inventory has been brought over to the lodge. Erica Benton is prepared to make final orders to establish full product inventory at this time, but we will wait to do such until we are certain we are opening. Our head chef, Tracy Duffy, has created menu items and is working with management on projections of volume

and is prepared to make final food orders. He has spoken with our purveyors and understands that we have certain industries in the food supply network that are affected, at unforeseen times, by the covid19 pandemic. The general approach is to create a functional menu with basic items and utilize weekly specials to capitalize on and react to product availability issues and opportunities. An emphasis on to go orders is essential to mitigating loss in volume anticipated by occupancy restrictions in the lodge. The plan for food service, to the front of the house, includes plans for to go orders being processed out of the back of the house, with to go parking availability.

#### *Projecting income and expenses including dues and tax contributions.*

Watching the performance of the overall food and beverage sales as compared to projected goals will be important to avoid losses that may prove to be detrimental to the service sustainability. In light of the complete absence of relief funding availability (either private or municipal) managing the recreation fund requires knowing the supplemental incomes of both dues and taxes in order to create a reliable plan of action. Management recommends that the commissioners make clear weather the voted 2020 tax supplemental monies for food and beverage will be available. Looking forward, into the year 2021, knowing whether the tax supplemental incomes for food and beverage will be available or not, is also essential to creating a sustainable plan of action for the year 2021. We clearly are going to need to operate on reduced hours in order to not overspend what are certain to be decreased revenues in food and beverage. Attached, and reference later in this report, is a draft rec fund budget. More information available under the staffing and business plan portions of this report.

#### *Managing covid 19 distancing and other safety requirements readiness.*

Management has created a plan of action with a reduction of occupancy, in the lodge to 66 patrons, which is roughly half of the permitted occupancy and meets distancing requirements. This will mean that only food and beverage patrons may use the lodge food and dining area, which necessitates that skiers only have available to them the outside ski facilities and occasional use of downstairs bathrooms. This skier usage plan is consistent with State guidelines as well. Managing compliance will require strict adherence to ticket sales and patron entrance policies for both skiers and diners. Strict adherence to sanitation measures is essential to safe service. Following is a policy draft which is currently under review entitled "ski area covid guest policies". Also following is a draft policy entitled "Campton Mountain ski area employee Covid policy". Additionally, following is the "waiver of liability" which is been thoroughly reviewed by legal.

#### *Air quality in the lodge.*

The engineers of Dubois & King proposal for professional services, for the evaluation of the mechanical systems at the ski area, as well as at the rec center, relative to air quality safety is attached. This quote for \$5,400, includes phase one evaluation. Management has been asked for a scope of work coming from this process, however, a scope of work is not possible until phase two of the Dubois & King proposal, which addresses design. Management has, prior to communicating with Dubois & King, installed ultraviolet induct lights that are for air sanitation that we are hopeful receive high marks from the engineers in the evaluation phase.

#### *IT and point of sale readiness*

Erica Benton has been busy validating the usability and effectiveness of the point of sale software and hardware at the lodge. We believe to have IT and point of sale fully functional at this time.

#### *Staffing*

Staffing requires increased numbers for takeout processing, cleanliness and sanitation needs, and covid 19 compliance. We are presently seeking qualified individuals on all these fronts and have some prospects identified; however, it is very difficult to ask prospective employees to commit to work for hours and opening dates that are yet to be determined. Management will remain committed to properly staffing as determinations are made about opening dates and hours. If we are unable to staff critical needs, we will be sure to communicate such to the commissioners and the association board of directors. Details of how many employees will be

needed in which departments ever how many hours and at what rates are all available in the attached Excel spreadsheet.

### **Business plan for same for 25% and 50% capacity**

An income and expense projection excel spreadsheet, based on capacity restrictions as determined by Covid 19 guidelines and distancing requirements, as opposed to 25 and 50% capacity (base lodge) is attached. While the restaurant facilities and ski hill capacities are recommended to be managed on a first-come first-served basis, the recommendation for capacity at the recreation center is based on a reservation system. The oval pool is recommended to be divided off into four distinct family zones and the lap pool into three zones. The fitness room will be limited to six patrons at any one time. In order to comply with Covid sanitation requirements each pool will have an hour and 45-minute reserve time slot and the fitness room will have a 45-minute time slots. All timeslots will stagger such that patrons can go from reserve space to locker room in a rotating manner that allows each space to be sanitized for 15 minutes out of each timeslot. This proposal has been discussed with certain participants on the Association Board of Directors. The attached spreadsheets include the aforementioned details about staffing. Additionally, the spreadsheet includes projected incomes and expenses for the year. Obviously, this plan will have to respond dynamically to the Covid environment. The plan timeframe is for fiscal year 2021. It includes opening of the rec center on Wednesdays from 8 AM to 8 PM Fridays from 4 PM to 10 PM Saturdays from 8 AM to 10 PM and Sundays from 8 AM to 4 PM. Additionally it includes hours of operation at the ski area on Fridays from 5 PM to 10 PM Saturdays from 11 AM to 10 PM for a week in December and the months of January February and March. The spreadsheet, in the comments sections on relevant cells, gives further detail. Creating this document requires the input of both boards in order for it to be finalized, per contract obligations outlined in the Recreation Management Agreement.

### **Staff Hiring Goals/Plan**

Upon validation of opening times and dates, our staffing plans and goals include increased staffing due to the covid 19 needs of the business. this includes increased staffing for cleaning, for food service, for beverage service, and for covid compliance oversight. The complete staffing plan for the Rec Fund is available for review in the provided income and expense projection sheets as previously mentioned. Everything in the request for this report referred to the rec fund, so I do not believe I was being asked for hiring goals and plans for the village district general fund as well. This process generally comes later in the year and I apologize if I am of a misunderstanding. Nevertheless, I would like to give a brief overview of the hiring needs of Waterville Estates c village district. I think it is imperative that we hire a right to know response consultant immediately. Additionally, I believe we need another full-time administrator, right away as well. In order to provide a meaningful hiring plan for the community in its entirety, meaning all physical plant needs and all recreational service needs, particularly relative to the desire to be run like a world-class resort, management requires an understanding of what the financial limitations are. Presently there is considerable surplus in the coffers however surplus is temporary and without raising dues and taxes no funding plan can be put together without an understanding of the limits of funding. Again, I don't believe this was expected at this time.

### **Status on Clean-up/Repairs Storage rooms, Sprinkler, exterior**

I am pleased to report that the sprinkler system has been repaired and is fully functional at this time.

Extra helpers have been brought in to begin the process of cleanup and repairs. In addition to routine fall season cleanup, work is begun on other areas of focus. Painting of the fire escape area and fitness room sheet rock walls has been underway on rainy days. Organizing of the lower shed at the Public Works garage is underway. The vast majority of the scrap metal in the yard has been removed. Nonmetal debris in the yard is in the process

of being cleaned up and organized. This overall process is still very much under development with the implementation of an older maintenance list that is attached with several new 2020 add-ons.

#### **Status on Committee Appointment letter**

Committee appointment letters for each of the members of each of the committees of the village district have been drafted and are printed out for review. They will require the commissioners to establish the expiration date of the terms of each of the committee members and then sign the letters.

#### **Status on Friends of Campton Mtn attorney response**

The most recent update management has on the response to the AGs office took the basic position that the Friends of Campton Mountain income and expense lines are duly authorized, via 2006 warrant articles, as lines within the fund budget, which are allowed to accumulate year to year. The commissioners were scheduled to speak with the legal about finalizing a response today November 11.

#### **Status on Budget for Recreation**

draft budget for 2021 is attached as previously mentioned you

**LRW Water Service, Inc.**

P. O. Box 309

Moultonboro, NH 03254

Day/Eve 603-476-5378/344-5363

**ESTIMATE**

DATE	ESTIMATE
10/24/2020	447

NAME / ADDRESS
Waterville Estates 19 Waterville Estates Campton, NH 03223

DESCRIPTION	
Liberty Lane - Conduit & Wire From Pump Station To Well Materials & Wire Excavation - Including Sand Bedding Total - \$8,680.00	
Richardson Trail Meter Pit Concrete Pit With Aluminum Hatch Conduit From Richardson Pit To South Meter Pit Meter Pit Installation & Plumbing Nema 3 Enclosure M2000 Meter Total - \$19,150.00	
By-Pass Meter Pit M2000 Meter All Plumbing Needed Nema 3 Cabinet Total - \$5,950.00	
Pegwood Tank, Meter Install M2000 Meter (3") All Plumbing Needed Total - \$6,200.00	
Reservoir Meter Install M2000 Meter	

Authorized Signature



Day/Eve 603-476-5378/344-5363

DATE	ESTIMATE
10/24/2020	447

NAME / ADDRESS
Waterville Estates 19 Waterville Estates Campton, NH 03223

DESCRIPTION	
All Plumbing Needed Total - \$4,400.00	
Ski Bowl Pump Station In-Coming Meter Move Insertion Meter To Incoming Line Total - \$400.00	
Liberty Lane Pump Station Meter M2000 Meter All Plumbing Needed Total - \$6,800.00 Note: Original Plumbing Is Corroded - Plumbing Costs May Increase Based On Condition Of Original Plumbing	

Authorized Signature





☒ **MAIN OFFICE**  
397 Whittier Highway  
Moultonboro, NH 03254  
603-253-4525  
FAX 603-253-6284

☐ **BRANCH OFFICE**  
930B American Legion Hwy  
Westport, MA 02790  
508-636-8600  
FAX 508-636-8650

October 18, 2020

Waterville Estates  
Campton, NH

EI Proposal – Waterville Estates 10182020  
Revised 11/9/2020

**RE: Water System Upgrades**

**Attn: Corey Smith**

On behalf of Electrical Installations, Inc., I am pleased to offer our quotation for the above referenced project. Scope as follows:

- **Supply & Install New Remote Telemetry Unit at Taylor Booster Pump Station including:**

- Nema 12 Enclosure complete with following
- Allen Bradley 1400 PLC
- Transnet Radio with Antenna and Cable
- Tank Level Transmitter
- UPS
- SCADA Programming
- Station Programming to include Low Tank Lockout for Booster Pump, High Tank Alarm, Station Pressure, Power Failure Alarm, Pump Status, and Pump Alarm
- Installation, Conduit and Wiring
- Startup
- O&M Manuals and Drawings

**Total \$13,872.00**

- **Supply & Install Pressure Transmitter at Liberty Lane Well Site Including**

- Pressure Transmitter
- Installation, Conduit and Wiring
- SCADA Programming
- As Built Drawings

**Total \$2,930.00**

- **Supply (2) Well Level Transducer at Liberty Lane Well Site Including**

- (2) Well Level Transducer with Lighting Protection
- Analog Input Module for existing PLC
- Conduit and Wiring inside Pump Station Only, Note: Conduit and wiring outside Pump Station not included and needs to be determined.
- SCADA Programming
- As Built Drawings

**Total \$6,782.00**

- **Revamp existing Meter Pit RTU to Include (2) New Flow Meters (Richardson/South Mountain)**
  - Rewire Existing RTU
  - Analog Input Module for existing PLC
  - Conduit and Wiring inside Pump Station Only, Note: Conduit and wiring outside Control Panel not included and needs to be determined.
  - SCADA Programming
  - As Built Drawings

**Total     \$3,882.00**

- **Revamp existing Meter Pit RTU to Include (2) New Flow Meters (Interconnect Mountain)**
  - Rewire Existing RTU After Unit is moved to New Location By LRW
  - Replace Damaged Radio
  - Add Analog Input Module for New for New Meter and Test PLC
  - Conduit and Wiring inside Pump Station Only, Note: Conduit and wiring outside Control Panel not included and needs to be determined.
  - SCADA Programming
  - As Built Drawings

**Total     \$5,000.00**

- **Wire New Flow Mag Meters and Reprogram existing Pegwood RTU (Flow Meter provided by LRW)**
  - Rewire Existing RTU
  - Conduit and Wiring inside Pump Station
  - As Built Drawings

**Total     \$650.00**

- **Wire New Flow Mag Meters and Revamp existing Reservoir RTU (Flow Meter provided by LRW)**
  - Rewire Existing RTU
  - Update PLC from AB1000 to AB 1400 with Analog Module for additional flow signal
  - Conduit and Wiring inside Pump Station
  - As Built Drawings

**Total     \$2,840.00**

- **Wire New Flow Mag Meter and Revamp existing Ski Bowl RTU (Flow Meter provided by LRW)**
  - Rewire Existing RTU
  - Analog Module for additional flow signal
  - Conduit and Wiring inside Pump Station
  - As Built Drawings

**Total     \$1,500.00**

Excluded from our pricing is:

- Flow Meters to be Provided By LRW

We look forward to working with you on this project. If you have any questions, please contact me.

Sincerely,

Thomas Therrien

Service Manager

**Please sign and return upon approval**

**P.O. Number** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_



**ELECTRICAL INSTALLATIONS, INC.**  
 Project Computer Upgrade to windows 10

Customer: Waterville estates

Job: Software Upgrade and Computer

Site: Office

Date: 1/22/2020

**Description of work :** Provide New Dell Computer with Windows 10 Software. Upgrade SCADA Software to Operate with Windows 10 Including Ifix, Win911 Alarming Software, and XIReporter. Provide Windows 10 Compatible Modem for alarm System.

**Cost Breakdown:**

**Labor:**

Engr / Programmer	25.0 mh @	110.00 / mh	
Service	0.0 mh @	99.00 / mh	\$2,750.00
Electrician "A"	0.0 mh @	90.00 / mh	\$0.00
Electrician "B"	0.0 mh @	75.00 / mh	\$0.00
Design/Draftsman	0.0 mh @	75.00 / mh	\$0.00
Panel Shop	0.0 mh @	65.00 / mh	\$0.00
Clerical	1.0 mh @	55.00 / mh	\$55.00
<b>Total Labor Cost</b>			<b>\$2,805.00</b>

**Materials:**

Description	Quantity	Cost	Total
computer with 24" monitor	1	\$1,850.00	\$1,850.00
Win911 software update	1	\$2,100.00	\$2,100.00
IFIX SCADA Software Update	1	\$3,400.00	\$3,400.00
XL Reporter Update	1	\$2,140.00	\$2,140.00
Phone Modem for windows 10	1	\$550.00	\$550.00
IGS Driver	1	\$750.00	\$750.00
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
	0	\$0.00	\$0.00
<b>Total Material Cost</b>			<b>\$10,790.00</b>

**Other Costs:**

Description	Qty	UM	Cost/Unit	Totals
Travel	1		\$100.00	\$100.00
Shipping	1		\$100.00	\$100.00
	1		\$0.00	\$0.00
	1		\$0.00	\$0.00
	1		\$0.00	\$0.00
	1		\$0.00	\$0.00
	1		\$0.00	\$0.00
travel	1		\$0.00	\$0.00
<b>Total Other Cost</b>				<b>\$200.00</b>

**TOTAL:**

Total Amount This Job

**\$13,795.00**

# Campton Mountain Ski Area

## Guest Policies for COVID-19

- There will be CDC printed signs on each entrance to the Ski Lodge stating IF YOU FEEL SICK STAY HOME. . . followed by a CDC sign that lists the symptoms of COVID-19.
- Upon a guest's entrance to the Lodge, they will be asked if they have been experiencing any of COVID-19 symptoms, if any guest in the party has experienced any of the listed symptoms, the guest will kindly be asked to leave.
- Guests will be asked to wear a cloth facemask while entering the Lodge, going to their table and any time they leave their table for any reason. While guests are at their table they may remove their masks.
- Guests will not be allowed to have more than 6 people within their party.
- Only guest that are coming to DINE in the Lodge will be allowed in upper level of the Lodge.
- No guest will be allowed to use the Lodge to store bags, ski equipment or ANY personal belongings. NO UNATTENDED POSSESSIONS SHALL BE ALLOWED INSIDE THE LODGE FOR ANY REASON.
- The front door entrance of the Ski Lodge will be used for skiers ONLY. They will have access to the lower level restrooms ONLY. They will not be allowed to loiter inside the building and will be asked to maintain the 6 foot physical distance requirement by the CDC/State guidelines.
- Skiers will be able to pick up their tickets through the front entrance from a designated employee. We will encourage online purchase of tickets for low contact but will still offer on site sales.

- DINERS will enter the Lodge through the rear entrance of the building. (\*we are working out details of how seating and occupancy will be controlled )
- The Ski Mountain and the Ski Lodge will serve as two SEPARATE entities until the COVID-19 restrictions are lifted. The Lodge will serve as a restaurant and the Ski Area will be for skiing only. Guest will have to use their vehicles for storage of gear and as a warming place. This will allow WEA to keep the 66 person capacity for DINING as recommended by the CDC to keep all tables at a physical distance of 6 feet apart.
- Guests will be asked to follow all traffic patterns that are marked in the building. This will help insure the practice of the 6 foot physical distance requirements and the safety of guests.
- Guests will NOT be allowed to moved tables, add chairs, or roam to other guests tables to visit while dining in the Lodge.

\*\*We have talked to the Fire Department about a warming area outside. They recommend a GAS fire pit, although we have been approved by both of our insurance companies to have a WOOD FIRE, firepit. There is a committee helping to make this come to fruition. The Fire Department recommended the area 50 feet from the Lift Attendant Building and 50 feet from the Trail Facing side of the Lodge to be the safest area for a fire pit. This area is out of Skiers trails and offers space to keep the physical distance 6 foot requirement by the CDC and the State of New Hampshire. NH Distributors has also offered free standing propane heaters to use on our deck. The representative from the company is looking into when those may be delivered.

Signs have already been posted inside the lodge area for our guest to remind them of their responsibility to keep one another safe along



with hand washing reminders, etc. There will be more added as we approach an opening date.

There will be hand sanitizing stations set up inside the Lodge for guest to use and spray bottles filled with CDC recommended disinfecting spray, and paper towel rolls so that guests can feel free to wipe their tables to insure a safe surface, as well as to help prepare for the guest that will be using the table next. We are all in this together after all, and every little bit of teamwork goes a long way.

My personal feeling is that we all know the procedures by now and hopefully people care enough for one another to follow the guidelines put in place to protect one another. We are writing out these policies to have on record for the unfortunate possibility of a guest deciding to sue, not follow the recommendation set forth by the CDC and the State of New Hampshire, or to follow the guidelines we are asking them to follow as a community. The more we arm ourselves and our guests with information, the better off we all are.

Please let me know if you have any additions you would like to see added for our guests. I appreciate a new set of eyes but I am also not going to be able to submit to everyone's suggestions. It is nothing personal, we are obligated to follow the State of New Hampshire and CDC guidelines above our own wants and needs FIRST. Our aim is to enjoy Campton Mountain the best that we can until COVID-19 restrictions allow us to relax our policies.

# **Campton Mountain Ski Area**

## **Covid-19 Procedures and Policies for Employees**

- **If an employee is feeling sick or has ANY of the COVID-19 symptoms they MUST STAY HOME.**
- **ALL employees will be questioned about their symptoms and risk factors for COVID-19 before each shift as outlined in the NH Universal Guidelines. As indicated in the Universal Guidelines, staff with any new or unexplained symptoms shall not be allowed to work.**
- Upon arrival for a scheduled shift, employee must have appropriate PPE (cloth face mask)
- Food preparation employees must have a cloth face mask and FOOD SAFE protective gloves while preparing guests food (WVD will supply latex gloves for employees).
- Employees are responsible for sanitizing work area periodically throughout their scheduled shift. Wiping down frequently used surfaces, liquor bottles, ice scoops, refrigerator doors and handle, POS screens, etc.
- Employees are asked to monitor areas where guests are seated; wiping tables after each party exits the building, as well as chairs and surrounding area.
- Designated employee will spray down dining area every two hours for additional disinfecting. (this is on top of the cleaning between every guest that uses a table in the dining area)
- Employees are asked to monitor and sanitize the restrooms at least every two hours during their scheduled shift.
- **All sanitizing sprays and cloths will be supplied by Campton Mountain Ski Area, for employee use, following the CDC guidelines for cleaning and disinfecting.**
- Employees are asked to remind guests to wear their masks if the guest is not following the CDC/State guidelines. If the guest does not follow the

guidelines after repeated attempts asking them to follow these guidelines, the employee may ask the guest to leave immediately. Employee is encouraged to ask a Supervisor to help them in a non-compliant guest scenario.

- All Lift Attendant Employees must wear a cloth mask or face covering while working their scheduled shift. This includes any area outside and where they cannot remain 6 feet physical distance.
- Lift Attendants must keep the guests at a 6 foot distance in line while waiting to be loaded onto the chair lift. Employees will mark 6 foot lines to help our guests keep their physical distance while waiting for their turn.
- **ALL STAFF SHOULD DO THEIR BEST TO MAINTAIN A DISTANCE OF AT LEAST 6 FEET FROM OTHERS (staff and guests) AT ALL TIMES.**
- **ALL EMPLOYEES WILL PRACTICE HAND HYGIENE THROUGHOUT THE SCHEDULED SHIFT, including upon arrival to work, before and after using the restroom, before and after touching their facemask, before and after eating, before and after food service, and prior to leaving work for the day.**

## WATERVILLE ESTATES VILLAGE DISTRICT

### WAIVER OF LIABILITY

**NOTICE:** Waterville Estates Village District is making every effort to maintain safe and sanitary facilities. **However, due to the nature of the novel Corona virus, the District is unable to guarantee that users of its facilities cannot be exposed.**

**As a consequence, individuals seeking to use Waterville Estates Village District facilities must sign this WAIVER OF LIABILITY form prior to use, or will be barred from the facilities.**

In the event you need to be engaged in official business with the District, please contact us:

E-mail Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Thank you for your cooperation in these difficult times.

### WAIVER

This Agreement releases Waterville Estates Village District and its Landlord from all liability relating to injuries that may occur as a result of using Waterville Estates Village District facilities and being exposed to or contracting the novel corona virus. By signing this Agreement, I agree to hold Waterville Estates Village District and its Landlord entirely free from any liability, including financial responsibility for injuries incurred, regardless of whether injuries are caused by negligence.

I also acknowledge the risks involved in using the public facilities. These risks include but are not limited to being exposed to or becoming sick as a result of exposure to the novel Corona virus. I understand the risks involved and voluntarily choose to use Waterville Estates Village District facilities. Additionally, I do not have any condition that will increase my likelihood of experiencing injuries while engaged in this activity.

By signing below, I forfeit all rights to bring a lawsuit against Waterville Estates Village District or its Landlord for any reason. In return, I will be permitted to use Waterville Estates Village District facilities. I will also make every effort to obey safety precautions.

I further agree to protect, defend, indemnify and hold harmless Waterville Estates Village District, its officials, employees, boards, agents and its Landlord from and against any claims, suits, demands, penalties, charges, damages or liability, including but not limited to attorney's fees and litigation expenses of whatever nature that the indemnified parties may become obligated or suffer by reason of any accident, bodily injury, death, economic injury, loss or damage to property arising directly or indirectly under, out of, in connection with, or as a result of my use of Waterville Estate Village District Facilities.

I, \_\_\_\_\_, fully understand and agree to the above terms.

\_\_\_\_\_  
Date

\_\_\_\_\_  
User Signature

\_\_\_\_\_  
Address

Parent/Guardian Consent(*include if the person is under 18*)

I am the parent or guardian of the minor child named above. I have the legal right to consent and do consent to the terms and conditions of this Waiver and Release.

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Address: \_\_\_\_\_



## **PROPOSAL FOR PROFESSIONAL SERVICES**

To: Corey Smith  
General Manager  
Waterville Estates  
562 Winterbrook Road  
Campton, NH 03223

FROM: Steve Dumas, P.E., LEED-AP

DATE: September 29, 2020 Revised November 5, 2020

PROJECT: Waterville Estates Mechanical System Assessment

Dear Mr. Smith,

DuBois & King Inc. is pleased to present this proposal to provide professional mechanical consulting services to evaluate the existing HVAC systems at your facility in Campton, NH. This proposal is based on our initial telecon on September 8, 2020 and documents you provided via e-mail on September 18<sup>th</sup>, 25<sup>th</sup> & 28<sup>th</sup>, 2020. The two main issues we are to address are a.) Separation of the pool filters and the boilers in the Rec Center and b.) Evaluating building ventilation for pandemic (Covid-19) response. Ventilation review to include:

- i. Recreation Center – Drawings provided for the existing mechanical systems, ca. 1987.
- ii. Ski Lodge – No drawings available.

From our discussion, the existing boilers have experienced advanced degradation likely due to the nearby presence of chlorine from the pool water treatment equipment located in the same room.

For the building ventilation, we will evaluate existing equipment and make recommendations to improve or supplement mechanical system performance to improve indoor air quality (IAQ) and reduce the risk to building occupants. We will utilize ASHRAE criteria which is based on national developed best practices, and also the NH specific guidance you provided.

Based on the discussion items above, we recommend a phased approach to the project, outlined as follows:

*Note: Proposal revised as requested on November 03, 2020. Revised proposal clarifies that only the Phase I evaluation is funded for the fee listed in the Fee and Schedule section below. Any follow-up activities, including design of recommendations included in the evaluation, will be covered under a separate proposal and fee schedule. In addition, the negotiated Terms & Conditions (T&C's) are attached below and replace the standard T&C's of the original proposal.*

### **Phase I - Evaluation of Mechanical Systems.**

1. Provide (1) site visit for project kick-off and existing system discovery and documentation of existing conditions. Site walk-through to be conducted in conjunction with the kick-off. D&K will collect all available documentation at this meeting.
2. Develop recommendations for boiler segregation from pool equipment.



3. Address building systems controls and upgrade options.
4. Address the referenced facilities considerations for pandemic (COVID-19) response relative to the mechanical HVAC systems.
5. Discuss mechanical system options and related facility upgrades with project stakeholders
6. Develop a priority list of recommended facility improvements.
7. Develop opinions of probable construction cost (OPCC) in order of magnitude terms for major recommended upgrades. Estimates will be relative in nature and developed by D&K. The services of a professional estimator are not included in scope.
8. Assemble a report with findings and recommendations and provide for Owner review.
9. Incorporate comments.
10. Deliverable – Report with priority plan to Owner as the Phase I deliverable.

## **Phase II – Design**

The next steps following the report is to develop a design package for selected improvements that allow the Owner to obtain Contractor bids to complete the work. Should these services be desired, design services are available and will be covered under a separate proposal.

*This proposal revision draws attention to this section, that any design work or implementation of recommended upgrades from the Phase I evaluation will be provided under a separate proposal and fee estimate at the request and discretion of Waterville Estates.*

## **Fee and Schedule**

**Phase I - Our Time and Expense** hourly budget for the work is \$5,400.00 including expenses. Expenses will be invoiced with each monthly invoice submission. Our schedule of hourly rates and expenses are attached.

**Schedule:** Upon receipt of the Notice to Proceed (below), we will contact you to coordinate the site visit. We anticipate that the Phase I work will require three to five weeks to complete.

## **Basis and Understandings**

1. Disciplines not listed above, including Architectural, Structural, Civil, Electrical, Fire Protection, are not included.
2. Assessment covers only the facilities listed.
3. Waterville Estates personnel will provide all available documents, drawings and reports (previous evaluations, maintenance, etc.) for the facility, including design drawings, equipment Operation & Maintenance (O&M) manuals, applicable field reports, testing and balance (TAB) reports, etc.

**Additional Services:** As mutually agreed to in writing.

**Terms & Conditions:** Terms are in accordance with the *negotiated* terms and conditions, *attached*.

**Proposal Acceptance:** Proposal in effect until *December 15, 2020* unless extended in writing.

**Confidentiality:** Proposal, including any attachments and recommendations, is to be treated as confidential and proprietary information of DuBois & King, Inc.

DuBois & King, Inc. appreciates the opportunity to provide this proposal to you. Please contact me if you have any questions or need additional information.

Very truly yours,



Steve Dumas  
Manager BSD Mechanical

**Proposal Accepted and Authorizes D&K to Proceed as Indicated:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**Building Services Division**  
**Schedule of Hourly Rates and Fees**

Personnel	Hourly Rate
Division Director, or Principal	\$160.00
Senior Project Manager	\$140.00
Senior MEP Engineer, P.E.	\$130.00
MEP Engineer, P.E.	\$120.00
MEP Engineer, E.I. or Senior Designer	\$110.00
MEP Designer	\$100.00
AutoCAD Technician	\$75.00
Administrative Support (All Disciplines)	\$65.00
Professional Services Sub-Consultant	Per Invoice

**Notes:**

1. Hourly rates do not include reimbursable expenses or other direct costs. See below for additional charges.
2. We structure each project team to provide the client with sufficient senior level oversight, quality assurance and control, while assigning the work among our team to realize the most efficient use of the project budget.
3. DuBois & King, Inc. is a multi-discipline professional services firm. Rates for Permitting, Survey, Civil/Site Engineering, Environmental Documentation, and Landscape Architecture can be provided upon request.
4. Rates for Expert Witness Assistance are separately quoted upon written request.
5. Overtime labor provided by non-exempt personnel will be invoiced at one and one-half (1½) times the appropriate hourly rate as detailed above.

**REIMBURSABLE EXPENSES and OTHER DIRECT COSTS** including, but not limited to, the following items will be invoiced at cost plus an administrative fee:

1. Subsistence expenses (hotel, food, etc.).
2. Shipping charges and insurance for hardware, samples, field test equipment, etc.
3. Transportation to and from project meetings or job sites based on the current Internal Revenue Service standard mileage reimbursement rate for business travel.
4. The use of rental cars, trucks, boats, airplanes or other means of transportation.
5. Reproduction of drawings, reports, and documents.
6. Other direct materials and expenses.

(Last update 01-23-2020)

## CONTRACT TERMS AND CONDITIONS

**SERVICES OF OTHERS:** On occasion, project needs will require the specialized services of individual consultants or other companies to participate in a project. When considered necessary, these firms or other consultants will be engaged with your approval. We expect that you will enter into an appropriate agreement with them and be directly responsible for all costs incurred by them. For work performed under this agreement for this project we will review their invoices and forward to you a recommendation for disposition of payment. Services that are subcontracted by DuBois & King, Inc., will be billed at direct cost plus 12% overhead and fee.

**REIMBURSABLE EXPENSES:** Reimbursable expenses are in addition to the professional fee compensation for labor and typically include, but are not limited to, the following items: lodging and subsistence expenses; shipping charges and insurance for hardware, samples, field test equipment, etc.; long distance telephone calls, telegrams and cables; transportation to and from projects; use of personal or company vehicles at a rate consistent with the federally allowable mileage reimbursement rate as determined by the Internal Revenue Service; the use of rental cars, trucks, boats, airplanes, or other means of transportation; reproduction of drawings, reports, documents, and photographs for project records; and any other direct materials. Reimbursable expenses will be billed at our direct cost plus an administrative fee of 12%.

**DESIGN WITHOUT CONSTRUCTION PHASE SERVICES:** If the Consultant's Scope of Services under this Agreement does not include project observation or review of the Contractor's performance or any other construction phase services, it is understood and agreed that such services will be provided by the Client. The Client assumes all responsibility for interpretation of the Contract Documents and for construction observation, and the Client waives any claims against the Consultant that may be in any way connected thereto.

**ON-SITE SERVICES DURING PROJECT CONSTRUCTION:** Should our services be provided on the job site during project construction, it is understood that, in accordance with generally accepted construction practices, the contractor will be solely and completely responsible for working conditions on the job site, including safety of all persons and property during the performance of the work, and compliance with OSHA regulations, and that these requirements will apply continuously and not be limited to normal working hours. Any monitoring of the contractor's performance conducted by our personnel is not intended to include review of the adequacy of the contractor's safety measures in, on or near the construction site. It is further understood that field services provided by our personnel will not relieve the contractor of his responsibilities for performing the work in accordance with the plans and specifications.

**RIGHT-OF-ENTRY:** Unless otherwise agreed, you will furnish right-of-entry on the land for us to make the planned studies, explorations, or investigations. We will take reasonable precautions to minimize damage to the land from use of equipment, but have not included in our fee the cost for restoration of damage that may result from our operations. If we are required to restore the land to its former condition, this will be accomplished and the cost will be added to our fee.

**SCHEDULE OF FEES:** DuBois & King, Inc., at its sole discretion, reserves the right to periodically modify the hourly billing rates as detailed in its published Schedule of Fees and Contract Conditions to more accurately reflect the cost of doing business, with sixty days written notice to the Client. Invoiced amounts will be based on the Schedule of Fees in effect at the time of invoicing.

**ADDITIONAL SERVICES:** Services not explicitly detailed in this Agreement will be considered additional and subject to increased project fees. Additional services will not be provided without the Client's prior authorization to proceed. Any additional services agreed on between the Client and DuBois & King, Inc. will be subject to the terms and conditions contained in the original contract provisions.

**TAXES:** State and Local Sales, Use and License taxes will be billed at cost. Any taxes or fees, enacted by Local, State or Federal government subsequent to the date of this contract, and based on gross receipts or revenues, will be added to amounts due under this contract, in accordance with any such fees or taxes.

**INVOICES:** Invoices may be submitted periodically, and not less than monthly, and are payable upon receipt. Interest of one and one-half percent (1-1/2%) per month will be payable on any amount not paid within thirty (30) days. Any attorney's fees or other costs incurred in collection of any delinquent amount shall be paid by the Client. Upon request, documentation of reimbursable expenses included in the invoice will be provided in some format itemizing the amount in excess of \$50.00. DuBois & King, Inc. reserves the right to discontinue work on any account that is not paid on a current basis in accordance with these terms. If reassignment of project personnel occurs due to non-payment on an account, project schedule and fees may be adversely impacted.

**OWNERSHIP OF DOCUMENTS:** All data, including research and information gathered, project analyses, data and materials, as well as reports, plans, drawings and specifications prepared by DuBois & King, Inc. for the Project under this Agreement, together with all materials and data furnished to DuBois & King, Inc. by the Client under this Agreement shall become the property of the Client. The Client shall not be limited in any way in its use thereof at any time. DuBois & King, Inc. does not warrant or represent that any such drawings, plans or specifications are suitable for use on any project other than this Project; and any such reuse without specific written authorization by DuBois & King, Inc. will be at the sole risk of the Client, and the Client shall indemnify and hold harmless DuBois & King, Inc. from all claims, losses and expenses arising out of any unauthorized reuse of the drawings, plans, or specifications prepared for this Project.

**INSURANCE:** DuBois & King, Inc., is protected by Worker's Compensation Insurance (and/or Employer's Liability Insurance), and by Comprehensive General Liability Insurance for bodily injury and property damage. We will furnish information and certificates upon written request. We will not be responsible for any loss, damage or liability arising from your negligent acts, errors and omissions and those by your staff, consultants, contractors and agents or from those of any person for whose conduct we are not legally responsible.

**RISK ALLOCATION:** In recognition of the relative risks and benefits of the Project to both the Client and DuBois & King, Inc., the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of DuBois & King, Inc. and its officers, directors, partners, employees, shareholders, owners and subconsultants for any and all claims, losses, costs, damages of any nature whatsoever or claim expenses from any cause or causes, including attorney's fees and costs and expert-witness fees and costs, so that the total aggregate liability of DuBois & King, Inc. and its officers, directors, partners, employees, shareholders, owners and subconsultants shall not exceed the available policy limits. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.



**INDEMNIFICATION:** DuBois & King, Inc. agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Client, its officers, directors and employees (collectively, Client) against all damages, liabilities or costs, including reasonable attorney's fees and defense costs, to the extent caused by DuBois & King, Inc.'s negligent performance of professional services under this Agreement and that of its subconsultants or anyone for whom DuBois & King, Inc. is legally liable. The Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless DuBois & King, Inc., its officers, directors, employees and subconsultants (collectively, DuBois & King, Inc.) against all damages, liabilities or costs, including reasonable attorney's fees and defense costs, to the extent caused by the Client's negligent acts in connection with the Project and the acts of its contractors, subcontractors or consultants or anyone for whom the Client is legally liable.

Neither the Client nor DuBois & King, Inc. shall be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence or for the negligence of others.

**STANDARD OF CARE:** In performing our professional services, we will use that degree of care and skill ordinarily exercised, under similar circumstances by members of the profession practicing in the same or similar locality. This warranty is in lieu of all other representations expressed or implied.

**OPINION OF PROBABLE COST:** DuBois & King, Inc. has no control over the cost of labor and material, or over competitive bidding or market conditions, and therefore does not guarantee the accuracy of our project or construction cost estimates as compared to contractor bids or actual cost to the Client.

**DELAYS:** DuBois & King, Inc. is not responsible for delays caused by factors beyond DuBois & King, Inc.'s reasonable control. When such delays beyond DuBois & King, Inc.'s reasonable control occur, the Client agrees DuBois & King, Inc. is not responsible for damages, nor shall DuBois & King, Inc. be deemed to be in default of this Agreement.

**THIRD PARTY BENEFICIARY:** Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Client or DuBois & King, Inc. DuBois & King, Inc.'s services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder. The Client and DuBois & King, Inc. agree to require a similar provision in all contracts with contractors, subcontractors, subconsultants, vendors and other entities involved in this Project to carry out the intent of this provision.

**DISPUTE RESOLUTION:** In an effort to resolve any conflicts that arise during the design and construction of the Project or following the completion of the Project, the Client and DuBois & King, Inc. agree that all disputes between them arising out of, or relating to, this Agreement or the Project shall be submitted to nonbinding mediation. Mediation will be conducted in accordance with the rules and procedures of the American Arbitration Association and the mediator will be chosen by mutual consent of the Client and DuBois & King, Inc.

The Client and DuBois & King, Inc. further agree to include a similar mediation provision in all agreements with independent contractors and consultants retained for the Project and to require all independent contractors and consultants also to include a similar mediation provision in all agreements with their subcontractors, subconsultants, suppliers and fabricators, thereby providing for mediation as the primary method for dispute resolution among the parties to all those agreements.

**TERMINATION:** In the event of termination of this Agreement by either party, the Client shall, within fifteen (15) calendar days of termination, pay DuBois & King, Inc. for all services rendered and all reimbursable costs incurred by DuBois & King, Inc. up to the date of termination, in accordance with the payment provisions of this Agreement.

The Client may terminate this Agreement for the Client's convenience, and without cause, upon giving DuBois & King, Inc. not less than seven (7) calendar days' written notice.

DuBois & King, Inc. may terminate this Agreement for the Consultant's convenience, and without cause, upon giving the Client not less than seven (7) calendar days' written notice.

Either party may terminate this Agreement for cause upon giving the other party not less than seven (7) calendar days' written notice for any of the following reasons:

- Substantial failure by the other party to perform in accordance with the terms of this Agreement and through no fault of the terminating party;
- Assignment of this Agreement or transfer of the Project by either party to any other entity without the prior written consent of the other party;
- Suspension of the Project or DuBois & King, Inc.'s services by the Client for more than ninety (90) calendar days, consecutive or in the aggregate;
- Material changes in the conditions under which this Agreement was entered into, the Scope of Services or the nature of the Project, and the failure of the parties to reach agreement on the compensation and schedule adjustments necessitated by such changes.

In the event of any termination that is not the fault of DuBois & King, Inc., the Client shall pay DuBois & King, Inc., in addition to payment for services rendered and reimbursable costs incurred, for all expenses reasonably incurred by DuBois & King, Inc. in connection with the orderly termination of this Agreement, including, but not limited to, demobilization, reassignment of personnel, associated overhead costs and all other expenses directly resulting from the termination.

**ASSIGNMENT:** Neither party to this Agreement shall transfer, sublet, or assign any rights under or interest in this Agreement including, but not limited to, monies that are due or monies that may be due, without the prior written consent of the other party.

**SEVERABILITY:** Any provision of this Agreement later held to be unenforceable for any reason shall be deemed void, and all remaining provisions shall continue in full force and effect.

**EXTENT OF AGREEMENT:** This Agreement comprises the final and complete agreement between the Client and DuBois & King, Inc. It supersedes all prior or contemporaneous communications, representations, or agreements, whether oral or written, relating to the subject matter of this Agreement. Execution of this Agreement signifies that each party has read the document thoroughly, has had any questions explained by independent counsel, and is satisfied. Amendments to this Agreement shall not be binding unless made in writing and signed by both the Client and DuBois & King, Inc.

**LEGAL JURISDICTION:** The parties agree that this contract shall be governed by and construed in accordance with the laws of the State of New Hampshire in connection with all matters arising out of this contract. The parties agree that the courts of the State of New Hampshire shall have exclusive jurisdiction over any legal proceeding arising out of this contract.

## Maintenance Items

Painting and Door repairs need to be on t

### Refurbish Ladies locker room

Determine reason for leak along the wall in ladies locker room and remedy.

- floor – tiles need to be replaced and rerouted **2019** #1 in the fall
- Seal around foundation in locker area (wondering if a silicone grout could work) – If possible
- Remove rust from inside lockers and repaint inside & out Evaluate priority
- Paint bench bases Quick Fix
- Remove mold from walls Quick fix
- Fix 4th shower fixtures Shower fixed just need to replace tiles
- Paint entire room including stalls, base boards and shower area and all trim/door ways

### Refurbish Men's locker room

- Back side of wooden partition has broken boards Quick fix
- Tile men's showers #1 fall when less people in building
- Build a better screened changing area (currently has just a board up with a curtain rod and c
- Remove rust from pump room door and repaint
- Install baseboard
- Paint bench bases Quick fix
- Sand and refinish men's sauna Evaluate priority
- Paint entire room including stalls, base boards and shower area and all trim/door ways

### Paint and clean Game Room

- Paint entire room including trim, door, door way and window trim COMPLETE

### Refurbish TV Area

- Paint entire room including trim, door,, repair textured paint on bottom side of stairs
- Weatherize outside door
- Paint stair railings

Started

### Refurbish Outside of Pool Area and Basketball Entry

- Winterize outside doors paint and repair all holes etc.
- Fix electrical hole in wooden ceiling Quick fix
- Paint sheetrock walls and trim

### Complete Gym

On Hold

- Finish installing rubber flooring REPLACED FLOOR
- Remove rust from emergency exit door
- Paint entire room including windows, doors and trim Walls Painted



### Update Pool Area

- Refurbish all doors (includes emergency exit door)
- Weatherize emergency exit door
- Repair cracks in sheetrock walls #2 priority
- Repair rot around interior windows and paint #2 priority
- Fix all the leaks in hose room Quick fix
- Replace all rotted wood in hose room # 2 Priority
- Refurbish somehow the bottoms of all the support beams around the pool #2 Priority
- Replace broken boards over lap pool FIXED
- Paint entire room including, doors, railings, ceiling and trim #3 Priority
- Remove hanging wires from wall Need to hide wires but not remove
- Install adequate emergency equipment Evaluate priority

### Hallway from Pool area to kid's corner

- Paint hallway including trim, ceiling, doors and pipes *Walls Painted*
- Remove rust from Fire Panel room door Quick fix
- Remove unused speakers throughout Do not remove

### Tanning Room

- Remove carpet to eliminate mold odor. Thoroughly clean or replace rug. Evaluate p

### Update Kid's Corner

- Fix rot on wood #2 Priority
- Add baseboards #2 Priority *Walls Painted*
- Remove sink Evaluate if needed
- Install hand sanitizer station

### Complete and Refurbish Hallway to family changing room

- Add baseboard #3 Priority
- Finish ceiling Evaluate
- Paint sheet rock wall #3
- Insure leak from outside gutter in front of building is fixed to stop flooding *Heat to be Added to Gutter*  
Evaluate

### Stairwell to lobby level

- Replace light bulbs Quick fix

### Vending Machine Area

- Paint walls and all trim #3 *Complete*
- Weatherize outside door to outside pool area

New - Replace missing board from box near ceiling next to window looking into pool area *Replaced*

### Stair way to office area

- |                                     |    |           |
|-------------------------------------|----|-----------|
| • Finish sanding stairs and railing | #3 |           |
| • Cleanout flies from light covers  |    | Quick fix |
| • Polyurethane railings             | #3 |           |
| • Repair walls and paint            |    |           |

### Summit Lounge

- |  |  |           |
|--|--|-----------|
| • Fix broken scissor arm of window opening mechanism |  | Quick fix |
| • Replace or otherwise weatherize outside doors      |  |           |

### Office Area

- |                                     |    |           |
|-------------------------------------|----|-----------|
| • Remove and Repair carpeting       | #3 |           |
| • Repair walls and around windows   | #2 |           |
| • Paint walls and trim              | #2 |           |
| • Replace all blown out light bulbs |    | Quick fix |

### BOD Room

- |  |    |           |
|--|----|-----------|
| • Finish flooring outside of BOD room          | #3 |           |
| • Discard broken chairs and bring wood to dump |    | Quick fix |
| • Weatherize BOD emergence exit door           |    |           |

### Lobby Area

- |                               |    |         |
|-------------------------------|----|---------|
| • Repair walls around windows | #3 |         |
| • Repaint walls and trim      | #3 | PAINTED |
| • Repair entry way            | #3 | PATCHED |
- Completed

### Mt. View Lounge

- |   |    |              |
|---|----|--------------|
| • Paint trim and baseboard (heating base board) | #3 | Trim Painted |
|---|----|--------------|

### Entire Building

- |   |                           |                      |
|---|---------------------------|----------------------|
| • Cover all exposed wiring with in building   | #3                        |                      |
| • Power wash entire outside of building   | # 2/-Front & pool Area #1 | Painting in Progress |
| • Scrape and paint and repair portions of the outside of building in prep for major painting of |                           |                      |
| • Remove old speakers from building   | Do not remove             |                      |

### Outside Community Center

- |  |            |                      |
|--|------------|----------------------|
| • Organize and properly store all materials in small storage building by the Handicapped Deck                                  |            |                      |
| • Engineer Gutter system over the front door to insure water does not run down the side of t and Family changing room hallway. | Evaluation | Heat Added to Gutter |
| • Repair or totally replace entry stoop at the front entrance  | #1         |                      |

- |   |          |           |                        |  |  |  |
|---|----------|-----------|------------------------|--|--|--|
| • Refurbish all outside lights                                | complete |           |                        |  |  |  |
| • Refinish Fence around Pool                                  | complete |           |                        |  |  |  |
| • Clean out storage space under Stadium seating in pool area. |          | Quick fix | Still has some stuff t |  |  |  |

### Major Maintenance Projects 2019

Paint front half of Community Center

Painted

Replace indoor Jacuzzi and make it accessible #1

Replace floor around pool area complete

Replace roof not done in 2018

All Roofing completed

### **Completed Items**

Refurbish TV Area - Lowest Level

- Bring broken couch to dump complete
- Replace missing ceiling tile and unify the tiles complete
- Discard rusty chairs complete

Refurbish Outside of Pool Area and Basketball Entry

- Replace broken fountain complete

Update Kid's Corner

- Paint all walls, trim, doors and bench
- Thoroughly clean all toys - Install hand sanitizer station - NOT DONE

Was done but a renter came in with a bunch of toys as a donation but were dirty

Repair Boiler Room

- Fix lock on door complete
- Remove wet carpet inside boiler room. complete

Family Changing Room

- Replace broken seam binder from shower to changing room complete
- Repaint walls

Vending Machine Area

- Repair any holes in the walls complete
- Fix Outside Shower repair and replace shower head complete

Freshen Bathrooms on main level and Summit Lounge Level

- Wood needs to be sanded and re apply polyurethane
- Repair walls
- Paint walls

Summit Lounge

- Replace broken door locks on doors to deck

#### Entire Building

- Power wash entire outside of building  
Front & pool Area almost completed

#### Refurbish Ladies locker room

- Fix 4th shower fixtures Shower fixed just need to replace tiles
- Replace 1st shower head – Button doesn't work Quick fix
- Sink counter under paper towel dispenser is pulling away Quick fix

#### Paint and clean Game Room

- Bring couch, chair and cushions to dump complete

#### Update Pool Area

- Repair cement on floor completed
- discard wooden lounge chairs completed ?
- Remove brackets from ceiling when roof rot was done completed
- Discard all rusty chairs and repair completed Quick fix rusty chairs
- Replace warped door to hose room #1

#### Lobby Area

- Repair entry way Patched complete

#### Outside Community Center

- Repair both Dams #1 Complete
- Straighten and Reinforce the Poster Bulletin Board near mailbox. Completed

#### ADD-ON ITEMS 05/20/2020

- \*Clean pool windows around the Jacuzzi using CLR/vinegar soak to remove chemical build up (cleaning der)
- \*Sand and polly the baseboards in the lobby bathrooms
- \*Sheet Rock, Paint and crack repair throughout building (especially pool area)
- \*Shovel back gravel on the tennis courts and possibly create some form of small retaining wall using filter
- \*Cut firewood at the shop for the ski area
- \*Fix Driveway on backside of building where it has been vandalized
- \*Fix water shut off valve at corner of McLaren and Pegwood COMPLETE
- \*Grade Ski Area Parking Lot paying close attention to Lower Parking Area
- \*Clean and paint around the exhaust fan on front of Ski Lodge
- \*Repair rotted fascia areas on Community Center (3 person job)
- \*Continue to paint exterior wall areas of building
- \*Fix fence by horseshoe pit



# Waterville Estates Village District

562 Winterbrook Road Campton, NH 03223

Phone: (603) 726-3082; Fax: (603) 726-8611

[www.waterville-estates.com](http://www.waterville-estates.com)

November 10, 2020

Dear Jaime Oldmixon:

On behalf of the Waterville Estates Village District we want to thank you for agreeing to serve on the WEVD Water Master Plan and Roads Committee. As a member of the committee you will bring much needed perspective to the process of governance of Waterville Estates Village District. Your contributions will help to provide services and equitable solutions to challenges that the community faces. Waterville Estates Village District is grateful that you are willing to share your time and your talents.

At the time of your swearing-in, so began your appointment term to the committee. Meeting times and dates will be established at prior meetings and all meetings will be posted publicly on the Waterville Estates website as well as be noticed through emails to our community. Your term will expire on \_\_\_\_\_.

Thank you again for your time and willingness to serve

Sincerely,

Waterville Estates Village District Commissioners

	2020 Budget	Actuals as of 10/20	Year End 2020 Projection	2021	
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
<b>9000 • WE Recreation Fund Income</b>					
9000.1 • Facility Rental	382,495	226,598	382,495	382,495	0
9000.2 • Facility Common/Services	31,600	5,420	20,000	18,000	-13,600
9000.3 tax supplement income	61,000	0		64,715	3,715
District infusion into Rec.Operations		0			0
9000.4 ski area offset	33,528	0		35,570	2,042
9000.5. Northway Interest	10	5	5	10	0
9000.6 WEVD 1 Time Funding	0	0		0	0
<b>9001 • Recreation Income</b>	<b>508,633</b>	<b>232,023</b>	<b>402,500</b>	<b>500,790</b>	<b>-7,843</b>
9001.01 CC Processing Fee	100	0	50	50	-50
9001.3 • Vending - Games	800	291	300	400	-400
9001.4 • Vending - Soda	500	0	25	250	-250
9001.5 • Vending Snack Foods	200	51	100	100	-100
9001.6 • General Merchandise Income	5,000	2,990	4,000	2,500	-2,500
9001.7 • Tanning	300	90	90	150	-150
9001.8 • Misc. Income	30	4,147	4,147	15	-15
9001.9. Movie Rentals	30	3	6	15	-15
<b>Total 9001 • Recreation Income</b>	<b>6,960</b>	<b>7,572</b>	<b>8,718</b>	<b>3,480</b>	<b>-3,480</b>
<b>9002 • Food &amp; Beverage Income</b>					<b>0</b>
9002.1 • Soda & Non-Alcoholic Beverages	5,000	283	283	2,500	-2,500
9002.2 • Food Income	40,000	6	6	20,000	-20,000
9002.3 • Liquor Income	55,000	989	989	27,500	-27,500
9002.4 • Beer Income	37,000	2,514	2,514	18,500	-18,500
9002.5 • Wine Income	6,331	426	426	3,166	-3,166
<b>Total 9002 • Food &amp; Beverage Income</b>	<b>143,331</b>	<b>4,218</b>	<b>4,218</b>	<b>71,666</b>	<b>-71,666</b>
<b>9003. Campton Mt. Income</b>					<b>0</b>
9003.1. Campton Mt. Fund Raiser	8,000	0	0	8,000	0
9003.2. Campton Mt Tickets	20,000	34,460	40,000	10,000	-10,000
9003.3 ski lessons (net income assumes pay	500	825	0	0	-500
9003.4. Food Income	44,000	33,103	44,000	29,040	-14,960
9003.5 Non-Alcoholic Beverages	5,067	3,522	5,067	2,534	-2,534
9003.6. Liquor Income	34,000	18,467	36,000	17,000	-17,000
9003.7. Beer Income	32,000	27,420	33,000	16,000	-16,000
9003.8. Wine Income	9,000	6,331	11,000	4,500	-4,500
9003.9 Campton Mt. Bank Interest	1	3	3	0	-1
<b>9003 • Campton Mt Income</b>	<b>152,568</b>	<b>124,130</b>	<b>169,070</b>	<b>87,074</b>	<b>-65,495</b>
<b>Total 9000 • WE Recreation Fund Income</b>	<b>814,492</b>	<b>368,043</b>	<b>584,606</b>	<b>663,009</b>	<b>-151,483</b>
<b>Total Income</b>	<b>814,492</b>	<b>368,043</b>	<b>584,606</b>	<b>663,009</b>	<b>-151,483</b>
<b>Cost of Goods Sold</b>					<b>0</b>
9203 • Cost of Goods Sold					<b>0</b>
9005.01 Special Events - Comped Food	0	0	0	0	<b>0</b>



9203.01 Events - Food	800	0	0	0	-800
9005.03. Campton Mt. Fund Raiser Food	1,600	0	0	1,600	0
9005.04 · General Merchandise	2,000	2,199	3,000	1,000	-1,000
9005.06 · Vending Machine - Soda	1,500	136	160	750	-750
9005.07 · Food	35,000	11,541	20,000	23,100	-11,900
9005.08 · Soda & Non Alcoholic Beverages	7,200	3,622	7,200	3,600	-3,600
9005.09 · Beer	25,750	1,723	5,000	12,875	-12,875
9005..10 · Liquor	24,000	9,308	11,000	12,000	-12,000
9005.11 · Wine	6,800	722	2,000	3,400	-3,400
9005.12. Bar Supplies	5,000	399	1,000	2,500	-2,500
9005.13 · Catering/ Function Income				0	0
9005.14. Catering Food	0	0	0	0	0
99005.15. Catering/Function Bar Supplies	0	0	0	0	0
9005.16. Catering/Function Other	0	0	0	0	0
Total 9005· Cost of Goods Sold	109,650	29,651	49,360	60,825	-48,825
Total COGS	109,650	29,651	49,360	60,825	-48,825
Gross Profit	704,842	338,392	535,246	602,184	-102,658

#### Expense

#### Recreation Expense

#### 9101 · Business Expense

#### 9101.01 · WEA Admin Wages

9101.02 · Admin Help	31,720	19,008	31,720	31,720	0
9101.03 · Workman Comp	2,200	44	2,200	2,200	0
9101.04 · Payroll Taxes	517	1,667	2,000	521	4
9101.05 · Travel Reimbursement	550	210	260	550	0
9101.06 · Employee Education	0	0	0	0	0
9104.30. Cell Phone	600	200	350	600	0
Total 9101.01 · WEA Admin Wages	35,587	21,128	36,530	35,591	4
9101.07 · Copier Lease	2,400	814	2,400	2,400	0
9101.08 · Dues & Subscriptions	3,500	228	3,500	3,500	0
9101.09 · Office Supplies	4,000	2,704	4,000	4,000	0
9101.10 · Finance Charges	11,000	5,905	11,000	11,000	0
9101.11 · Licenses & Fees	7,000	5,686	7,000	7,000	0
9101.12 · Misc Expenses	1,200	2,236	2,500	1,200	0
9101.13 · Telephone	6,000	4,646	6,000	6,000	0
9101.14 · Internet Access	3,500	2,271	3,500	3,500	0
9101.15 · Advertising	2,500	2,766	4,000	2,500	0
9101.16 · Postage	1,000	559	1,000	1,000	0
9101.17 · Computer Support	10,000	5,005	10,000	10,000	0
9101.18 · Computer Supplies	500	0	100	500	0
9101.19 · Cable	2,500	1,282	2,500	2,500	0
9101.20 · Payroll Fee	3,000	620	2,000	3,000	0
Total 9101 · Business Expense	93,687	55,850	96,030	93,691	4

#### 9200· Infrastructure

#### 9200.0 · Infrastructure Wages

9200.01 · Cleaning Wages rec center	93,472	23,710		85,448	-8,025
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9200.02. Grounds Wages	2,408	579		5,000	2,592
9200.03 · Payroll Taxes	7,430	1,948		5,200	-2,230
9200.04 · Health Ins.	11,123	10,033	11,123	11,123	0
9200.05 · Dental Ins	705	588	705	705	0
9200.06 · Retirement	3,889	1,320		2,384	-1,505
9200.07 · Travel Reimbursements	350	13	100	100	-250
9200.08. Cell Phone	300	175	200	0	-300
9200.09 · Employee Education	305	0	0	200	-105
9200.10 · Criminal Record	50	31	50	50	0
<b>Total 9200.0 · Infrastructure Wages</b>	<b>120,032</b>	<b>38,397</b>	<b>12,178</b>	<b>110,210</b>	<b>-9,822</b>
9200.11 · Equipment Rental	200	0		100	-100
9200.12 · Cleaning Supplies	6,000	2,891	3,050	12,000	6,000
9200.13 · Pool Chem. & Supplies	22,500	2,156	4,000	18,000	-4,500
9200.14 · Other Supplies	2,000	38	2,000	1,000	-1,000
9200.16 · Pool & Spa Inspection	605	0	0	605	0
9200.18 · Carpet Cleaning	300	0	0	300	0
9200.19 · Pest Control	2,500	39	100	2,500	0
9200 · Landscaping	5,000	4,077	5,000	5,000	0
9200.21 · Trash Removal	8,000	4,161	6,000	8,000	0
9200.22 · Outdoor Repairs & Maintenance	1,000	1,549	2,000	1,000	0
9200.23 Paddle Boat Repairs	200	0	0	200	0
<b>Total 9206 · CC Infrastructure</b>	<b>168,337</b>	<b>53,306</b>	<b>34,328</b>	<b>158,915</b>	<b>-9,422</b>
9300. · Campton Mt. Expenses					0
9300.01 Ski Area Wages					0
9300.02 · Ski Bartenders Wages	15,635	6,213		16,200	565
Covid Compliance Person				9,574	9,574
9300.03 Ski Area Cooks	35,066	20,750		22,500	-12,566
9300.04 · Ski Lift/ Patrol Wages	29,501	14,827		22,950	-6,551
9300.05 · Trail Groomer Wages	5,810	523		2,700	-3,110
9300.06 Ski Instructor Commission	0	438	0	0	0
9300.07 · Payroll Taxes	6,792	5,018		5,200	-1,592
9300.08 · Criminal Record	200	175	200	200	0
9300.1Ski Lodge Cleaning	1,905	989		8,250	6,345
<b>Total 9300.01 · Ski Area Wages</b>	<b>94,909</b>	<b>48,932</b>	<b>200</b>	<b>87,574</b>	<b>-7,335</b>
9300.10 · Building Heat	6,000	4,734	6,000	6,000	0
9300.12 · Cable & Internet	4,300	3,576	4,300	4,300	0
9300.13 · Bar Supplies	800	2,627	3,000	800	0
9300.14 · Kitchen Supplies	4,000	2,413	4,000	2,500	-1,500
9300.15 · Cleaning Supplies	2,000	32	1,000	3,500	1,500
9300.16. Fund Raiser Exp.	7,200	0	0	7,200	0
9300.17 · Misc Expense	6,500	8,842	9,000	6,500	0
9300.18. Mowing	2,400	41	2,400	2,400	0
9300.19. Inspections	3,100	0	3,100	3,100	0
9300.20. Tickets	2,000	0	1,000	2,000	0
9300.21. Trash Removal	5,000	2,433	4,000	3,000	-2,000
9300.23 · Web Hosting	400	1,161	1,500	1,200	800

9300.24 Groomer Diesel		2,587	3,200	2,700	2,700
9300.25 . Electric	16,000	8,531	16,000	12,000	-4,000
9300.26 · Snowmobile Parts & Maintenance	0	113	200	50	50
<b>Total 9300 · Campton Mt. Expenses</b>	<b>154,609</b>	<b>86,023</b>	<b>58,900</b>	<b>144,824</b>	<b>-9,785</b>
9400 · Skating Pond					0
9401 · Jeep	500	4	4	500	0
<b>Total 9400 · Skating Pond</b>	<b>500</b>	<b>4</b>	<b>4</b>	<b>500</b>	<b>0</b>
9500.0 . Summer Rec Person	5,250	0	0	5,250	0
9500.02 · F&B&F Admin Wages	15,500	2,706		18,000	2,500
9500.03 . E & F Assistant	0	128		0	0
9500.04 · Bar Admin Wages	0	2,187		0	0
9500.05 F&B General support	3,355	2,323		0	-3,355
9500.06 · Bartenders	12,665	112		18,000	5,335
9500.07 · Kitchen Wages	45,963	6,777		42,280	-3,683
9500.08 · Pool Side Servers	1,290	0	0	11,200	9,910
9500.09 · Events Staff	500	0	0	0	-500
9500.10 · Health Ins	11,123	10,033		12,000	877
9500.11 · Dental Ins	705	588		650	-55
9500.12 · Retirement	4,959	2,086		5,551	592
9500.13 · Payroll Taxes	6,261	1,130		1,200	-5,061
9500.14. Cell Phone	600	375	600	600	0
9500.15 · Employee Education	750	112	200	700	-50
9500.16 · Criminal Record	300	0	0	150	-150
9500.17 · Travel	500	0	100	200	-300
<b>Total 9500 · Lounge Wages</b>	<b>109,721</b>	<b>28,557</b>	<b>900</b>	<b>115,781</b>	<b>6,060</b>
9500.19 · Comp& House Charges	800	0	200	400	-400
9500.20· Waste Product	2,000	5,485	6,000	4,000	2,000
9500.21 · Bar Supplies	2,500	2,165	2,500	1,500	-1,000
9500.22 Kitchen Supplies	3,000	1,481	3,000	1,500	-1,500
9500.24. Casual Labor	300	150	150	300	0
9500.25 · Meals Tax	24,066	9,280		12,000	-12,066
9500.26· Entertainment	22,000	9,825	9,825	14,000	-8,000
9500.27 · Events Expenses	10,000	352	352	0	-10,000
9500.28 · Lounge Supplies	2,000	-223	0	0	-2,000
9500.29 · Laundry & Uniforms	9,000	2,526	3,500	2,800	-6,200
9500.30 · Rec Supplies	1,000	2,073	2,500	2,000	1,000
9501 Cartering & Function					0
9501.01. Catering/Function Staff	0		0	0	0
9501.02. Payroll Taxes	0		0	0	0
9501.03 · Catering/ Function Expenses	0		0	0	0
9501.04 Weddings Commission	0		0	0	0
9501.05. Function Rental Expenses	0		0	0	0
9501.06 · Advertisment	8,000	70	70	0	-8,000
9501.07. web hosting	0		0	0	0
9501.08 · Catering/Function Vendors	0		0	0	0

9501.09 Wedding Coordinator Allowance	0		0	0	0
Total 9501 Catering & Function	8,000	70	70	0	-8,000
Total 9209 • Lounge Expenses	194,387	61,741	28,997	154,281	-40,106
9600 • Front Desk Expenses					0
9600.01 • Front Desk Wages					0
9600.02 • Front Desk Covid Compliance Person	78,331	22,283		30,196	-48,135
9600.03 • Payroll Taxes	6,052	1,823		3,000	-3,052
9600.04 • Travel	50	0	0	50	0
9600.05 • Criminal Record	50	0	50	50	0
9600.06 • Cell Phone	300	100	150	300	0
Total 9600.01 • Front Desk Wages	84,783	24,206	200	33,596	-51,187
9600.07. Purchased Movies	25	0		25	0
9600.08 • Front Desk Expenses	1,600	639	1,000	1,600	0
Total 9600 • Front Desk Expenses	86,408	24,845	1,200	35,221	-51,187
Total 9200.0 • WEA Recreation Expense	697,928	281,769	219,459	587,431	-110,497
Total Expense	697,928	281,769	219,459	587,431	-110,497
Net Ordinary Income	6,914	56,623	315,787	14,753	7,839

REVISION  
copy

LEASE AGREEMENT

This AGREEMENT made the 31<sup>st</sup> day of OCTOBER 2020, between **Waterville Estates Village District**, having a mailing address of 562 Winterbrook Road, Campton, NH 03223-9705, hereinafter referred to as LESSOR, and **Waterville Estates Association**, having a mailing address of 562 Winterbrook Road, Campton, NH 03223-9705, hereinafter referred to as LESSEE.

LESSOR is the owner of certain land, together with the buildings and improvements thereon, described as Tax Map/Lot 5-3-36 (ski area), Tax Map/Lot 5-6-11 (shop); and Tax Map/Lot \_\_\_\_\_ (community center), and LESSEE desires to rent said premises.

LESSOR agrees to lease, and LESSEE agrees to rent from LESSOR the premises described herein upon the terms and conditions set forth:

1. **TERM:** This lease shall be for a term of one (1) year, and shall renew automatically for one (1) year periods, beginning on 11/1/, 2020 and ending on 10/31, 2021. 2021 *renew*  
However, both parties agree to present this Lease to their legal voters (in the case of LESSOR) or to their members (in the case of LESSEE) at the next regular annual meeting for both entities, or order to approve a 1 year term, to begin on 10/31, 2020 and end on 10/31 / 2022, assuming both parties' voters/members so approve. Notwithstanding the foregoing, either party may terminate this Lease prior to that date upon one hundred eighty (180) days' written notice to the other party.
2. **RENT:** Rental for the premises shall be One Dollar (\$1 .00) per month.
3. **REAL PROPERTY TAXES:** Any and all taxes assessed on the real estate which is the subject of this Lease, from any government entity, shall be the sole responsibility of the LESSOR.
4. **UTILITIES:** LESSOR shall be responsible for heating and electricity at the community center and all utilities at the shop. LESSEE shall be responsible for all other utilities.
5. **MAINTENANCE AND REPAIRS:** The LESSOR shall be responsible for all maintenance of the premises, including, but not limited to, snow removal from all walks, driveways, parking areas; rubbish removal and landscaping.
6. **FIXTURES AND IMPROVEMENTS:** The LESSEE shall have the right to make improvements and install fixtures in its sole discretion and said improvements and fixtures shall become the property of the LESSEE and shall in no way be considered a gift to the LESSOR.
7. **LESSEE'S PERSONAL PROPERTY:** All personal property of any kind or description whatsoever kept by LESSEE on the leased premises shall be at LESSEE'S risk; however, LESSOR shall be liable for any damage done to or loss of such personal property, or damage or loss suffered by the business or occupation of the LESSEE arising from any act or neglect of

LESSOR or its agents.

8. **INSURANCE:** LESSOR shall provide fire and casualty insurance upon the premises. LESSEE shall provide a commercial tenant's policy covering liability and property damage to personal property brought into on onto the leased premises. LESSEE shall cause LESSOR's name to be added to its policies as an additional insured at no cost to LESSOR. To the extent that LESSOR's insurance covers activities by LESSEE, any limitation of activities shall be negotiated between the parties.

9. **USE OF PREMISES:** LESSEE agrees that it shall not permit any activity to occur in or on the premises that is contrary to the terms and provisions of insurance policies maintained with respect to the premises or that shall cause an increase in premiums for LESSOR's insurance, or that is contrary to the laws or regulations of any local, state, or federal governing authority. However, LESSOR and LESSEE agree to mutually determine what activities are to be covered by the insurance policies. To the extent that permits or approvals are required by any governmental authority with jurisdiction over LESSEE's use of the premises, LESSEE represents and warrants to LESSOR that it will have obtained such permits or approvals prior to the operation of any commercial enterprise on the leased premises, and that it will maintain strict compliance with the terms, conditions, or provisions of such permits or approvals. LESSOR agrees to cooperate with LESSEE in the application for any such permits or approvals, to the extent necessary.

LESSEE agrees that a portion of the community center, agreed to by the parties, shall be set aside for the use of carrying out its municipal functions. LESSOR agrees to be solely responsible for any and all utilities, repairs, maintenance and security occasioned by its use of this area, as well as any and all personal property kept and/or stored by LESSOR within this area.

10. **INDEMNIFICATION:** LESSEE, during the term of this lease, agrees to indemnify and hold LESSOR harmless from and against any and all claims and demands of all kinds whatsoever, including but not limited to injuries to persons or damage to property, arising out of the use of the leased premises by LESSEE, its agents, licensees and invitees. LESSEE'S agreement to indemnify LESSOR in this manner shall survive the term of this Lease, in the event that a claim or demand is made of or against LESSOR after the expiration or termination of this Lease, and the event causing the claim or demand occurred during the term of this Lease.

11. **RISK OF LOSS:** If the leased premises, or any part of them, are damaged by fire, flood, or other Act of God, during the term of this Lease, LESSEE may, as its option, continue to occupy the premises after repairs are made, with adjustments made for the payment of rent during the period when the premises are not capable of use, or, if the damage is so great that the parties agree not to rebuild the premises, LESSEE may void this Lease without further payment or consideration to LESSOR.

12. **COVENANT OF QUIET ENJOYMENT:** LESSOR covenants that LESSEE, upon paying the rentals and performing the covenants that it has agreed to in this Lease, shall and may have, hold and enjoy the leased premises during the term of this Lease to the extent permitted by



this Lease and applicable law.

13. **RIGHT TO INSPECT AND ENTER:** LESSOR shall have the right to enter upon the premises at all reasonable hours for the purpose of inspecting the premise, for necessary maintenance and for any other lawful purpose, and shall provide LESSEE with prior notice of its intended entry.

14. **ASSIGNMENT AND SUBLEASE:** LESSOR agrees that the LESSEE to may assign, sublet, or otherwise encumber the leased premises, or any part thereof, to or for the benefit of any third party without the prior written consent of LESSOR.

15. **SUBORDINATION:** LESSOR agrees not to mortgage the premises and not to subordinate the Lease to any liens.

16. **DEFAULT OR BREACH:** If LESSEE fails to comply or perform in accordance with any of the terms and conditions of this Lease, LESSOR may, at its option, declare this Lease to be terminated. LESSEE shall be given written notice of any default or breach and termination of this Lease shall not be final if within (30) days after receipt of such notice, LESSEE has corrected the default or breach. If this Lease is declared terminated under the provisions of this paragraph, LESSOR shall be entitled to evict LESSEE in compliance with the Laws of New Hampshire.

17. **INTERPRETATION:** All words used herein in the singular number shall include the plural; the present tense shall include the future; and the masculine gender shall include the feminine and neutral.

18. **CAPTION HEADINGS:** Each paragraph of this Lease contains a "caption heading" in bold print, which heading is solely for the sake of convenience and is not to be used in interpreting this Lease to contradict in any way the language of the paragraph itself.

19. **BINDING EFFECT:** The covenants and conditions contained in this Lease shall apply to and bind the parties, their heirs, successors, legal representatives, and, if applicable, their assigns. All covenants are to be construed as conditions of this Lease.

20. **FINAL AGREEMENT:** This Lease represents the entire agreement between the parties, superseding any prior statements, representations, understandings or agreements between them.

21. **NO ORAL MODIFICATION:** This Lease may not be changed orally, and may only be changed by an agreement in writing, signed by the party against whom the enforcement of any change, modification, waiver or discharge is sought.

22. **NOTICES:** Any notice required pursuant to this Lease shall be provided to the other party

by certified mail, sent to the address listed in this Lease. Proof of receipt shall constitute sufficient notice. If either party desires to change its mailing address from the one listed in this Lease, that party must send notice of such change to the other party in accordance with this paragraph.

23. **LEGAL EXPENSE:** Both LESSOR and LESSEE agree to be responsible for their own legal expenses, in the event that there is any form of legal dispute.

**IN WITNESS THEREOF, the parties hereunto set their hands to duplicate instruments, each agreed to be an original, the day and year first hereinabove written.**

WATERVILLE ESTATES  
VILLAGE DISTRICT  
LESSOR

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: \_\_\_\_\_  
Duly authorized

WATERVILLE ESTATES ASSOCIATION  
LESSEE

Lew L. Loh  
Witness

Michael E. Hering  
By: MICHAEL E. HERING  
Duly authorized

## **Waterville Estates Association Board of Directors**

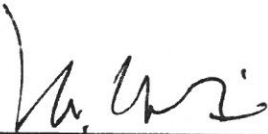
October 31, 2020

To the Waterville Estates Village District Commissioners pursuant to the requirements of the Management Agreement, we, the Waterville Estates Board of Directors are submitting this proposal.

Due to the current COVID pandemic and the uncertainties that lie ahead of us, the Waterville Estates Association Board of Directors are submitting a proposal for the budget moving forward, based on the services delivered in Fiscal Year 2019 (or service similar in kind) and providing funding based on the budget of Fiscal Year 2020.

RE: The \$16,000.00 warrant article to update Ladies Locker Room

The WEA BOD plans to commit an additional \$34,000.00 of CIF monies to supplement the renovation. Pursuant to WEA BOD policies and our proposed lease agreement, this renovation is within our purview as we are not asking the Village District to accept this as a gift.



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Michael G. Hering

President, on behalf of the WEA BOD

## **WATER SYSTEM ORDINANCE**

### **1. AUTHORITY**

- 1.1 This regulation is adopted by the Waterville Estates Village District Board of Commissioners pursuant to RSA 52:1 d and RSA 38:26.

### **2. PURPOSE**

- 2.1 Provide a continuous supply of drinking water to the residents of the Waterville Estates Village District (WEVD) in accordance with the Safe Water Drinking Act and New Hampshire RSA's 38 and 485 and the Administrative rules of the NH Department of Environmental Services.
- 2.2 Regulate connections to and expansion of the WEVD water system to ensure adequate supply of water to existing and future customers.
- 2.3 Prevent physical and environmental damage to the water system.
- 2.4 Provide an ordinance that can be enforced by local officials.

### **3. REGULATION**

#### **3.1 WATER CONNECTION**

3.1.1 An Application for hook up or connection to the WEVD Water System shall be made on a form approved by the Board of Commissioners. The Application must be signed by the property owner(s). (Attached)

3.1.2 Applications must include a copy of the septic design approved by the NH Department of Environmental Services, an approved WEA building permit (construction), and a certified plot plan.

3.1.3 Applicants will be assessed(RSA 38:27) a Water Connection Fee of \$1,500. In addition to the water connection fee, applicants applying to connect to the system will be responsible for extra costs above a standard connection. A standard connection is

defined as having a water main passing by the subject property and a curb stop installed at the property line. These extra costs will include (but not be limited to:)

- a. Extension of water mains and/or installation of service lines to the subject property line. All main extensions and service taps must be performed by a WEVD approved contractor and paid for by the applicant. Sizing of water mains must comply with the WEVD Water Master Plan or be approved by the District's consulting engineer. These extensions of the water system become the property and responsibility of WEVD up to the curb stop. The service line from the curb stop to the building is the sole responsibility of the homeowner.
- b. Replacement of paving on paved roads.
- c. Restoring unpaved roads to their original condition before construction began.

3.1.4 Each Water System Connection application will be individually considered for its effect on the existing water delivery system. The following considerations will apply:

- a. Connections will not be approved if the WEVD water system cannot deliver 20psig to the upper floor shower under projected system peak flow conditions. This will be determined by engineering calculations and or residual pressure tests made and recorded in the field at the affected portions of the system. The applicant will provide the WEVD with a site plan and architectural drawings of their proposed building, so a determination of the elevation of the upper floor shower can be determined.

b. The evaluation of the connection application and determination of approval or denial will be made by the WEVD Board of Commissioners.

c. Water connections will not be made during the period October 15 to April 15, except at the discretion of the WEVD Board of Commissioners. Applications for water system connections must be submitted by August 15 if the connection is to be made in that year.

d. The water service to the house will comply with the requirements of Section 3.4.

### **3.2 WATER SERVICE CHARGES**

Turn off or turn on of water service at the request of the user will be charged \$50 or the actual costs incurred by the WEVD whichever is greater.

### **3.3 SERVICE LINE CONNECTION**

3.3.1. The property owner shall install and be responsible for maintaining the house service waterline from the curb stop to the house shut off in accordance with District, State and Federal regulations.

3.3.2 The location of the service line shall be approved by the Water System Operator or other person designated by the Board of Commissioners prior to work commencing.

3.3.3. Service line shall be a one inch I.D 200 psi NSF poly pipe or equivalent. All valves and fittings shall be 200 psi rated.



- 3.3.4. Laying of pipe and fittings shall be in accordance with the requirements of AWWA specifications and as specified herein.
- 3.3.5. Minimum depth of bury for waterlines shall be 6 feet.
- 3.3.6. Pipe shall be laid in the dry and at no time shall water in the trench be permitted to flow into the pipe.
- 3.3.7. Marking tape shall be installed the length of the pipe and at a maximum depth of 24 inches.
- 3.3.8. Pipe shall be laid with 6" screened sand under pipe and 18" over pipe and compacted every 12 inches of depth. No debris, rubble organic matter, muck or rock materials shall be used.
- 3.3.9. A continuous 12 gauge trace wire shall be run along the house service pipe from the curb stop to the house shut off valve.
- 3.3.10. Before backfilling, the installation of the service line shall be inspected and approved by the Water System Operator or other person designated by the Board of Commissioners.
- 3.3.11. No service line shall be connected to another water source where potential cross connection could occur.

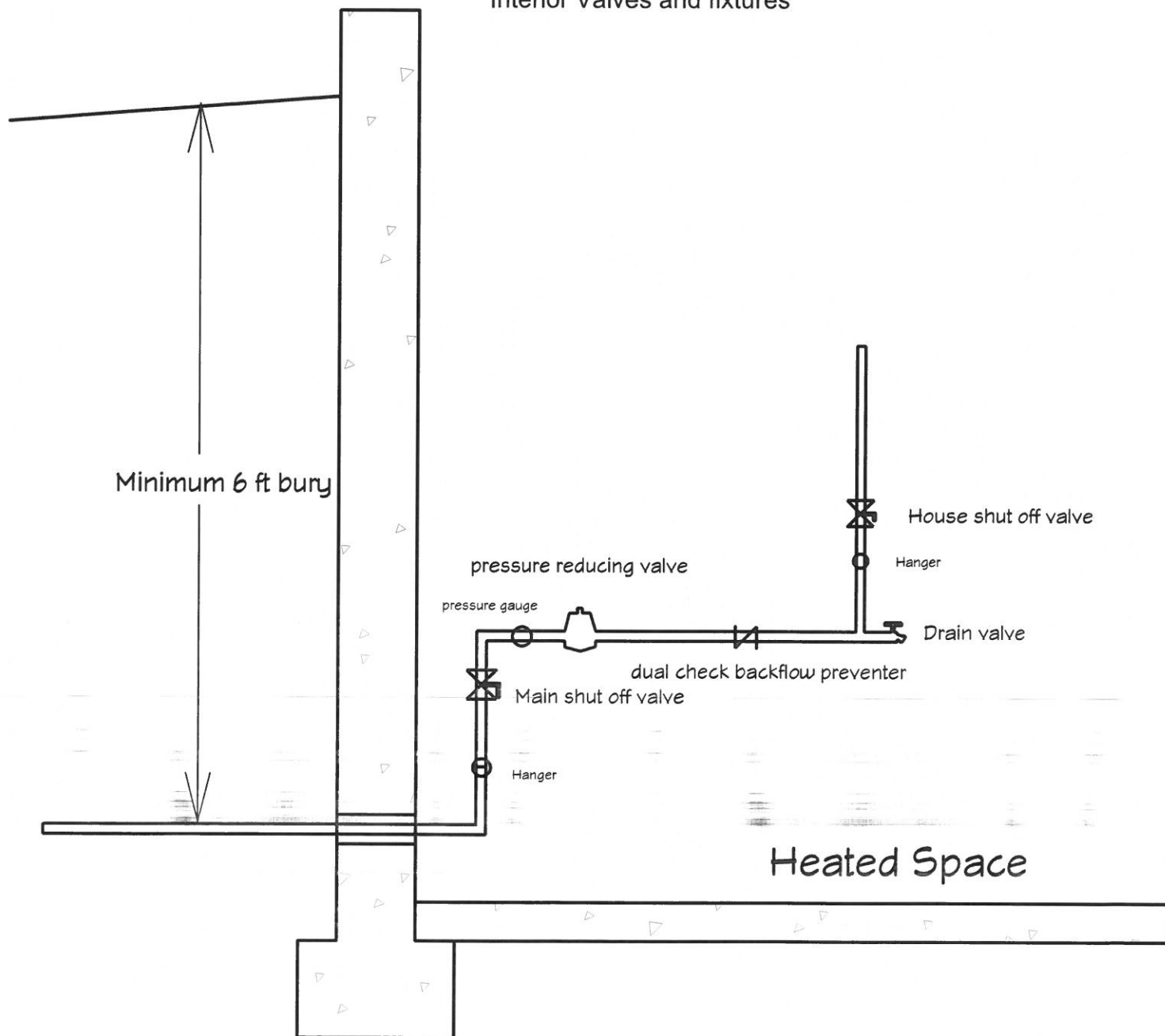
#### **4 ENFORCEMENT AND PENALTY**

- 4.1.1. This ordinance is enforceable by the WEVD Commissioners.
- 4.1.2. Pursuant to RSA 38:26 II, any person who tampers with the water system or violates this ordinance shall be subject to a penalty of up to \$10,000 per day until said violation is remedied.

## 3.4 HOUSE CONNECTION

3.4.1 The service line shall be terminated inside the house as shown in Figure 1.

FIGURE #1  
Interior Valves and fixtures



3.4.2 The interior service connection must have a brass ball valve, followed by a minimum 0-160 psig pressure gauge, then a pressure reducing valve, followed by a dual check backflow preventer, then a second ball valve. All fittings should be rated to minimum 200psi. This pipe configuration shall be inspected and approved by the Water System Operator or other WEVD designee prior to turning on the water.



Office: 562 Winterbrook Rd Campton, NH 03223  
Tel: 603-726-3082

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**APPLICATION FOR WATER HOOKUP PERMIT**

Address of Property: \_\_\_\_\_

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Name of Owner of Record:

\_\_\_\_\_

Current Address of Owner or Record:

\_\_\_\_\_

Telephone of Owner:

\_\_\_\_\_

Email of Owner:

\_\_\_\_\_

Designated Representative if Other Than Owner:

Name: \_\_\_\_\_

Contact Address and Telephone:

\_\_\_\_\_

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NH DES approved septic design, WEA building permit and Site plan Attached:

Yes: \_\_\_\_ No: \_\_\_\_

Date Application Submitted: \_\_\_\_\_ Initials: \_\_\_\_\_

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**PERMIT APPROVAL**

Date of site visit and attendees:

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Permit is Denied: \_\_\_\_\_ Approved: \_\_\_\_\_ Approved subject to the following additional conditions:

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Date Issued: \_\_\_\_\_  
(Permit is valid for up to 60 days and is nontransferable)

Water Connection Fee received: \_\_\_\_\_ Y/N

Permit No: \_\_\_\_\_  
(Year eg 2020- XX (followed by sequential number))

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_



## Committee

**Request for WEVD Court Committee participation** was sent on Oct 28. A follow-up request was sent to the Chairperson asking to requalify the requirement that all committee members be resident owners to allow non-residents. That request was denied.

Two responses to the Court Committee participation request were received, Richard Mayo (42 Summit Drive) and Jodi Taylor (86 Toby Road). Jodi is a non-resident homeowner. I ask the Commissioners to reconsider and permit Jodi to participate as a member of the Outdoor Court Committee.

We ask the Commissioners to assign a commissioner to the Outdoor Court Committee.

## Activity

At the August District meeting, it was recommended, and agreed, to fill the cracks to protect the courts from additional freeze/thaw damage.

At the October District meeting, it was stated that external vendors had not responded to requests for a quote to repair cracks and that WEVD staff was most likely not able to get to it before winter. It was suggested that volunteers could be organized to do the work.

### Oct 2020

- Thursday 10/29 - Stan B, Rick L & Dave K spent a total of 12 hours clearing cracks on the 2nd half of upper court #2 (2nd pickle ball court).
- Saturday 10/31 - Sean T & Dave K spent a total of 4.5 hours installing 100 lbs of cold patch to larger cracks and clearing all courts of leaves & needles

### Nov 2020

- Monday 11/9 - Stan B & Dave K spent a total of 7.5 hours filling cracks with blast sand and hot tar. Approximately 75% of cleared cracks were filled before running out of tar. Some will need a 2nd filling.

## Summary

Some of the cracks are ~8 inches wide and at different levels. Since it's taken 24 total hours to clear and fill roughly 18% of the cracks and 50% remain untouched, there is about 67 hours of work remaining for crack filling. The remaining crack fill is more than we wish to take on. This work is only intended to protect the courts from freeze/thaw damage. It was suggested to cover the remaining open cracks with a sheet of plastic to minimize the winter damage.

The lower court is flooded with runoff, so drainage still needs rework & dredging. Trees still need to be cut back. Fence line needs brush cut.

For those new to the outdoor court amenity discussion, it was stated by two tennis court contractors this summer that the courts "owe us nothing" and both sets of racquet courts should be completely rebuilt. Two bids were received of \$140k & \$150k for the upper court alone. The basketball court is in worse shape. This Outdoor Court Committee's goal is to define the community's needs and present viable solutions.

## WATERVILLE ESTATES VILLAGE DISTRICT

### NOVEMBER 21, 2020 MEETING MINUTES

**Attendees:** Matt Smith, Maureen Patti, John Herlihy, Corey Smith, Gerry Panuczak

**Guests:** Richard Mayo, Harry Bertino, Jim Murphy, Jaime Oldmixon, Ned McElroy, Rebecca McElroy, Anthony Patti, Ryan Timms, Scott Hettinger, Andrea Canfield, Ellen Witt

**Call to Order:** Mr. Herlihy called the meeting to order at 8:04 AM.

**Approval of Previous meeting minutes:** Mr. Herlihy asked if the minutes were available for review and Mr. M. Smith indicated they were not. Mr. Herlihy indicated we could wait until next meeting.

#### **Committees:**

**Planning Board:** Mr. Panuczak provided an update on what the Planning Board is working on. He noted that there are two vacancies on the board. Mr. Panuczak made a motion to nominate Sean Slattery to the Planning Board. Mr. Herlihy seconded and the motion passed unanimously. Ms. Patti indicated Dave Spinney was interested but could not attend today's meeting. Ms. Canfield indicated that Mr. Canfield is interested. The Commissioners resolved to canvas the community and appoint additional members at the next meeting.

**Appointment of Deputy Clerk:** Ms. Witt stepped forward to replace Ms. Patti in this role. Mr. Herlihy made a motion to appoint, Mr. Panuczak seconded and the motion passed unanimously. Ms. Patti indicated she would swear Ms. Witt in at the next Records Committee meeting.

**Court Committee:** Ms. Patti was asked by Mr. Kethcum to be the Commissioners liaison for the court committee and she has agreed.

**Ms. Patti's Term:** Mr. Patti clarified for the record, that her term would be until the next annual meeting, not the 18 months she had stated at the last meeting prior to being appointed to replace Mr. Tole. She indicated that at the next annual meeting we would be voting for one commissioner for a one year term and a second commissioner for a three year term. At the meeting after that, the normal single commissioner for a three year term process would resume.

**Using Zoom for Committee Meetings:** Mr. Herlihy indicated that we should establish a zoom account and asked Mr. C. Smith to accomplish this. Mr. M. Smith reminded the Commissioners that a loss of audio requires suspension of the meeting as per our NHMA training. Mr. Timms has offered technical assistance to make sure future meetings run smoothly.

**Budget Committee:** Ms. Patti presented a flow chart of meetings and meeting dates, created by Ms. Kinney, required to be in compliance with New Hampshire statute. See attached. Mr. Herlihy made a motion to select 2/20/21 for the budget hearing, and 3/20/21 for the annual meeting, Mr. Paniczak seconded and the motion passed unanimously.

**Records Committee:** Ms. Patti made a motion to post proposed procedures, approved by the Records Committee, online by 12/7/20 so the public could preview, Mr. Panuczak seconded and the motion passed unanimously.

#### **New Business:**



**Facilities Inspection:** Mr. Herlihy advised we would be performing a facility survey. The Commissioners reviewed a pest control quote. Discussion took place around whether additional bids would be required and what term adjustments we might want to add. Mr. Panuczak asked whether we have a current contract in place and it was indicated we did not. Ms. Patti made a motion to seek two more bids and to cover the Ski Lodge and Recreation Center. Mr. Panuczak asked to amend the motion to include the costs for annual maintenance. Ms. Patti accepted the amendment, Mr. Herlihy seconded and the motion passed unanimously. The Commissioners requested the Mr. C. Smith have bids in hand for the next meeting. Mr. Panuczak provided background as to what drove the decision to do a facility walkthrough. The lack of fresh air at the Ski Lodge was discussed. Other HVAC system deficiencies were noted. He noted that the Summit Lounge fresh air system was down. Mr. M. Smith had suggested the kitchen hoods in both facilities did not have make up air, but Mr. C. Smith asserted there was make up air built in to the kitchen hood exhaust fan, but the make up air was not heated or cooled. Mr. C. Smith indicated that the Summit Lounge make up air may not be working right. Mr. M. Smith provided preliminary feedback on his analysis of the boiler system indicating the building heating load is only 100,000 to 250,000 btuh, such that while the building is closed and fresh air systems are down, the two functioning boilers we have are big enough to carry the load. He did observe that the current system may have some inherent operational inefficiencies that an engineer could help solve. Mr. Panuczak opined that it was not safe to open the Ski Lodge with no fresh air and suggested repairing the Summit Lounge ventilations system. He also stated he was surprised how dirty, unkept, and unsafe the facilities were. The kitchens were not properly closed and sanitized and mechanical rooms had safety violations. He reached out to our insurer who recommended a walkthrough and a condition report. He asked if we had a safety committee and if they meet quarterly and perform an annual walkthrough, as required. He asked if there were documents substantiating this activity and Mr. C. Smith said yes. He indicated that Shawn Pelchat chairs the committee, they meet more than quarterly, and the records are all available. Discussion took place around whether working with our insurer on this inspection would trigger higher costs. The Commissioners felt it would not and that we needed their expertise. Mr. Bertino discussed a proposal by a previous Commissioner for an adaptive use program and that ADA compliance would be a safety issue. Discussion took place around getting more bids for an engineering review of the facilities. Mr. Herlihy made a motion that Mr. C. Smith craft a scope of work covering ventilation, safety, and the boiler plant to get three bids, Ms. Patti seconded the motion. There was additional discussion around logistics of accomplishing this as well as a bid that had been received from Yeaton Associates. The motion was amended to allow Mr. M. Smith to assist Mr. C. Smith and passed unanimously. Mr. Panuczak suggested we need to halt opening plans. More discussion took place around how to open the Ski Lodge. Mr. Herlihy made a motion to arrange for 4 Portapotties to be used at the Ski Lodge, Ms. Patti seconded the motion and it passed unanimously.

**Moderator Training:** Mr. Patti made a motion that the Commissioners participate in NHMA Moderator training with Mr. M. Smith, Mr. Herlihy seconded and the motion passed unanimously. Mr. Herlihy asked Mr. M. Smith to coordinate the training.

**Meeting moves to inspection phase:** At 10:01 Mr. Herlihy indicated the walkthrough would begin. The meeting attendees and a portion of the guests toured the Recreation Center and Ski Lodge. Mr. M. Smith took pictures and the Commissioners took notes.

## WATERVILLE ESTATES VILLAGE DISTRICT

### December 12, 2020 MEETING MINUTES

**Attendees:** Matt Smith, Maureen Patti, John Herlihy, Corey Smith, Gerry Panuczak, Judy Kinney

**Guests:** Adam Field, Adam Lomba, Adam Young, Alexis Regan, Alissa Imbracsio, Mike Hering, Mark O'Hara, Ned McElroy, Rebecca McElroy, Jaime Oldmixon, Ellen Witt, Mary O'Brien, Jack Letvinchuk, Sean Tole, Brian Sylvia, Linda Reynolds, Jeanie Price, Linda Ivers, Susan Alessandri, Terry Bennet, Richard Mayo, Knud Hellested, Scott Gray, Ken Grass, Stephanie Arpin, James McKenna, Courtney Germani, Dagny Fleming, Chris Gerber, Andrea Canfield, Rick LeBlanc, Colin Keenan, John Forsyth, Scott Devens, Erin Waldron, Chris McCormack, Tim Fleming, Lenau Picco, Nina Gray, Charles Goodhue, Dave Ketcham, Chris Bernardi, Terri Tole, Andrew Erickson, John Babson, Janis Hellested, Kristian Sanchez, Mark Crovella, Michael Heiplik, Allen Meringolo, Mark Felag, Bill Donahue, Harry Bertino, Madhavi Challagulla, Scott Hettinger, Mary Hettinger, other unidentifiable parties via zoom.

**Call to Order:** Mr. Herlihy called the meeting to order at 9:28 AM.

**Covid Zoom Declaration:** Mr. Herlihy read a declaration authorizing a zoom meeting per the Governor's orders.

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

**Previous Meeting:** Mr. Herlihy re-stated the Village mask policy discussed at the recent non-meeting which was aborted to comply with RSA 91-A. Clerks note: Other discussion took place at the non-meeting, but no deliberations occurred. Mr. C. Smith discussed a possible snow gun pump and the water system.

### Opening:

**Ski Lodge:** Ms. Patti provided an update on readiness including installing a temporary plastic partition that would allow access to the main floor bathrooms only via the deck. A barrier to prevent people from congregating at the live edge shelf at the window is also recommended by the Fire Chief.

**Snow Making:** Mr. Panuczak provided an update on a plan to use untreated water for snowmaking by installing a pump at the ski bowl pump house. Dubois and King has provided consultation on the approach. To cover the mountain, 2 million gallons a year would be required. The DES would not give verbal approval for using treated water in that quantity. The plan would provide 65 GPM to the top of the chair lift. He discussed an email from Mr. Hering with an alternate plan referencing a snowmaking committee. He inquired as to how the committee was formed and who was on it as he can find no records. He asked what CIF contributions there might be for the plan. He observed that Mr. Hering's plan is to draw water from the upper pond and that it would involve private property easements. He stated that a draw rate of more than 20,000 gallons per day would require a study. He observed that the village plan avoided the study and the easements. Mr. Herlihy said that we don't yet have power for the snow gun as the work order had to be cancelled by Eversource as they addressed storm damage and a reschedule is still TBD. Once scheduled there is a 3-7 weeks installation estimate which means that snowmaking is unlikely this year, but if possible he felt it would be ok to make snow with treated water this year. If we do make snow it should only be between the hours of 10PM and 4AM and we should not make snow during weeks of school vacation (totaling 3 weeks, one in December and two in February). A motion was made and seconded to that effect. Discussion took place around evaluating how snow making affected water tank levels and it was decided to table the motion until after the joint WEVD and WEA meeting scheduled for December 29<sup>th</sup>. Mr. Herlihy made a motion to ask Dubois and King for water level recommendations, seconded by Ms. Patti, and the motion passed unanimously by roll call. Mr. Panuczak recommended reconstituting a snow making committee to review option A, tapping well water before treated at the ski bowl pump house versus option B, drawing from the upper pond.

**Snow Making (cont.):** Ms. Patti observed this is an existing WEA committee. Mr. Herlihy asked for Mr.

Hering's thoughts on the WEA plan and timeline. Mr. Hering indicated WEA would like to blow snow on the rope tow and work towards a pond solution. He stated that it would not draw more than 20,000 gallons per day from the upper pond. He indicated that a pond solution would be engineered by mid-winter.

**HVAC:** Mr. Herlihy stated we had bids from consultants to evaluate the facilities and a selection would be made on the 15th. The prices were indicated to be in the \$9,000 to \$14,000 range.

**Safety Audit:** Mr. Panuczak said there was confusion in the community about the wisdom of, and repercussions of, contacting our insurer to evaluate the condition of the Ski Lodge and Recreation Center. He reiterated that they are a resource to help us manage our liability. Our insurer, Primex, provides insurance for many municipalities in NH and has the experience and insight needed to help us. Primex has indicated that we need a safety committee, comprised of labor and management, that meets at least four times a year with one meeting being a tour of the properties. The walkthrough performed by the Commissioners and evaluated by Primex indicated 100 safety issues in 30 categories that required remediation. He indicated that the previous claims about safety committee activity was not accurate as there was no evidence of the required number of meetings or facility inspections as the General Manager had claimed. The General Manager has been asked for an action plan to address the issues. He indicated that the Lodge should be given top priority so we can open safely.

**Lodge Services:** Mr. Hering indicated the Association Board wished to make takeout available Friday and Saturday nights. Discussion took place around logistics including outdoor seating and its effect on plowing. It was determined that seating would be "bring your own". The Commissioners inquired about a pro-forma budget for profit and loss. Mr. C. Smith stated he was working on it but in the past, they assumed \$600 a day of gross sales covered Duffy's salary. Mr. Hering said this was a grey area. Discussion took place around whether it was OK for this recreational activity to lose money. Discussion took place about the logistics and legality of selling alcoholic beverages with the building closed. Mr. C. Smith said we can sell canned beverages and that there were mixed drink products available in a can.

#### **Guest Business:**

**Locker Room Update:** Ms. Challagulla provided an update on WEA activity as it relates to the Locker Room upgrades and asked for a Commissioner to serve as liaison. Mr. Panuczak volunteered. Mr. Herlihy indicated that information he received was still inadequate, that the CIF transfer needed a formal process, and it would be discussed at the meeting on the 15<sup>th</sup>. Ms. Challagulla expressed that she did not understand how that affected the conversation. Ms. Patti stated that Village legal counsel has advised that acceptance of CIF must follow statute and that a lack of action by the Village will trigger legal costs. Mr. Bertino asked how it was legal for CIF to go to the Village District. Mr. Bertino asked for a cost calculation for the Ski Lodge opening for the 18<sup>th</sup> and 19<sup>th</sup> of December. Heated discussion took place. Ms. Patti stated she would consider Mr. Bertino's question a Right to Know request and respond accordingly.

**Records Committee:** Mr. Patti discussed Right to Know procedures proposed by the Records Committee and that they were posted on the Village web site so people could review them prior to the Commissioners discussing and possibly approving at the next meeting.

**Adjournment:** Mr. Herlihy motioned to adjourn the meeting, Ms. Patti seconded, and the motion passed unanimously by roll call vote at 10:48 AM.

## WATERVILLE ESTATES VILLAGE DISTRICT

### December 15, 2020 MEETING MINUTES

**Attendees:** Matt Smith, Maureen Patti, John Herlihy, Corey Smith, Gerry Panuczak, Judy Kinney

**Guests:** Ned McElroy, Harry Bertino, Jim Murphy, Mike Hering, other parties, some unidentifiable, via zoom.

**Call to Order:** Mr. Herlihy called the meeting to order at 2:02 PM.

**Covid Zoom Declaration:** Ms. Patti read a declaration authorizing a zoom meeting per the Governor's orders.

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

**Approve Previous Meeting Minutes:** Mr. Herlihy asked about the December 12, 2020 meeting minutes, Mr. M. Smith stated he was waiting for the zoom video and chat recordings to complete the minutes.

#### **Treasurer's Report:**

**General:** Ms. Ivers reported on bank balances, the need to transfer money from the Meredith Village Bank account to pay a paving bill, and the balance of \$116,921.62 for the work approved in Warrant Article 3 from 2019. She stated she needed a signature from Mr. Panuczak for the bank signature card. Mr. Herlihy asked about an electronic signature for other administrative approvals beyond approving checks. Ms. Ivers stated that this could be done.

#### **General Manager's Report:**

**General:** Mr. C. Smith provided an update on snow management plans and the vehicles available for that purpose. Mr. Herlihy stated we need a log book for each vehicle to be kept in the vehicle. Discussion took place around the accident involving damage to the road grader. Discussion took place around the fact that Ray, even though part time, is still a village employee and should follow village safety procedures which required medical attention and a drug test. Ray declined medical attention and went home after the accident. Mr. Panuczak recommended Steve get his CDL. The insurer is coming to inspect the grader for an estimate of damage, but if totaled it will be difficult to come up with a figure as that make and model of grader is no longer manufactured. Discussion took place around sand for winter traction management and whether it could be used as fill when water lines are repaired.

**Ski Lodge Pro Forma Budget:** Mr. C. Smith presented spreadsheets providing an analysis of Ski Lodge operation profit and loss under varying "same store sales" declines based in last years numbers. A 70% decline in revenue will result in an operating loss of \$30,000. A 25% decline in revenue will result in operating income of \$14,000. Mr. C. Smith stated that the Association Board wishes to take any Recreation Revolving Fund surplus into next year and that no additional dues or taxes would be required for operation as 2021 would most likely still be a year with reduced services. Discussion took place around food and beverage pricing with Mr. C. Smith indicating it was market base and people with picture passes get a 10% discount. Discussion took place about raising prices to cover any operating losses. Ms. Patti asked about the performance of the "takeout" operations this spring. Mr. C. Smith indicated there was no takeout service this spring. Ms. Patti asked if that meant we were guessing when it came to takeout service performance and Mr. C. Smith indicated yes. Discussion took place around advertising takeout service using social media, road signs, and other methods. Mr. C. Smith said he would look into that and it was a good idea. Discussions took place around the logistics of how people would order and pick up takeout food and beverage. Mr. C. Smith indicated that plans need to be finalized. Mr. Herlihy asked if the ticket prices had been set.

**Ski Lodge Pro Forma Budget (cont.):** Mr. C. Smith stated that the Association Board of Directors sets the ticket prices. Ms. Patti asked if \$31 covers the costs of skiing. Mr. C. Smith stated that the village has not

contributed to the ski area for a few years and would need to do so. He asked Ms. Ivers to confirm that the village has not contributed which she did. Mr. Herlihy asked about wine and beer inventory and whether we could limit the selection for inventory management. Mr. C. Smith stated that beverage offerings was the purview of the Association Board of Directors. Mr. Herlihy asked if inventory was purchased with village funds. Mr. C. Smith stated no, it was the Recreation Revolving Fund which is Association money as it is funded by dues. Discussion took place around the Onetouch Bistro software and whether it could help us track success. Discussion took place around the cleanliness of the Ski Area. Mr. Panuczak asked about debris outside the Lodge and loose siding on the Lodge.

**Safety:** Ms. Patti suggested we should be having a safety meeting a month until the audit items have been addressed.

**Water System:** Mr. Herlihy asked if we had begun marking water valves throughout the community. Mr. C. Smith stated that he could not get to it as a result of winter plowing and addressing items in the safety audit. Mr. Herlihy indicated we would move on to New Business, but Mr. C. Smith asked to amend his previous statement and expressed that he would get to the water valve marking.

### **New Business:**

**Warrant Articles:** Ms. Patti provided a schedule of actions needed and deadlines to be met as we approach the annual meeting. Discussion took place around how to move the budget forward. Mr. C. Smith suggested that he, Ms. Kinney and Mr. Panuczak should meet to review. Mr. Panuczak pointed out that Mr. Canfield is the Advisory Budget Committee Chair and should be involved. Mr. C. Smith stated that it was an informal process. Discussion took place around resolving the issue of Friends of Campton Mountain money. Ms. Patti observed that we needed to wait for direction from the Attorney General's office. Mr. Panuczak stated that we still need to write a warrant article to deal with the mechanics. Ms. Patti made a motion that we post the Warrants and budget by 3/1/21., Mr. Panuczak seconded, and the motion passed by unanimous roll call vote. Mr. C. Smith stated that it was not enough time. Petitioned Warrant Articles were due by 5<sup>th</sup> Tuesday before the annual meeting.

**Locker Room Update:** Mr. Herlihy indicated that the Commissioners would discuss this at the next meeting.

**CDL:** Mr. Herlihy stated that we should get one of our staff a CDL. Steve is interested. It was also suggested he get his water system license. Ms. Patti said all village drivers should have their CDL.

### **Old Business:**

**Lease:** Mr. Herlihy indicated that there is still no lease.

**Recreation Management Agreement Budget:** Mr. Herlihy indicated that the Association has yet to provide a budget. Mr. C. Smith asserted that the Recreation Revolving Fund budget was the Association budget. Ms. Patti stated that the Recreation Management Agreement had an 11/1 deadline for submitting a detailed proposal of requested recreational activities and associated budget and that the Commissioners needed more detail than what the Association has submitted to date and that submission was not compliant with the RMA.

**Pest Control:** Mr. Panuczak stated that we had three proposals for pest control and would review this at the next meeting.

**HVAC:** Mr. Panuczak stated that we had three proposals from engineers to review the facility HVAC and electrical. Mr. M. Smith gave an update on vendors and prices. The low bid was Dubois and King at \$10,750. Mr. Herlihy asked Ms. Ivers if a line item was available. She indicated there were several budget line items that could be tapped. Mr. Herlihy made a motion to accept the quote from Dubois and King, Mr. Panuczak seconded

and the motion carried by unanimous roll call vote. Mr. Herlihy asked Mr. M. Smith to notify the bidders.

**Water Meters:** Mr. C. Smith indicated that Dubois and King was most interested in recording well levels and that he would concentrate on getting that work done first.

#### **Committee Reports:**

**Budget Committee:** Mr. Panuczak indicated that the Budget Committee has had two meetings since the last report. At one the determined a mission/vision statement. At the next, they met with Steve to work on budget numbers.

**Planning Board:** Mr. M. Smith stated that the next meeting would be 12/17/20 and would be a meeting with The North Country Council about how they might help us with our master plan.

**Water Committee:** Mr. Herlihy indicated that we had submitted a proposal for a grant.

**Records Committee:** Ms. Patti made a motion that the Commissioners approve the new Records and Right to Know policies via consent agenda, Mr. Herlihy seconded and the motion passed by unanimous roll call vote.

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

**Court Committee:** Mr. Ketchum provided an update.

**Regular Commissioner Meeting Schedule:** The Commissioners will meet one Wednesday a month at 6 PM and a Thursday or Saturday a month at 9AM.

**Set the Next Meeting:** Mr. Herlihy indicated the next meeting would be 12/30/20 at 6PM.

**Executive Session:** Ms. Patti motioned to enter non-public session for the reasons stated in RSA91-A, III (a), Mr. Panuczak seconded and the motion passed unanimously by roll call vote at 3:56PM. Session was entered at 4:05PM.

**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 6:07PM. 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 6:10PM.



## **Waterville Estates Village District**

### **General Manager Report Topics for December 15, 2020**

#### **1) Logs, maintenance and fleet readiness of vehicles for Winter**

Steve Baert, Roads and Water Lead and Ryan Avery, Infrastructure Worker/Mechanic, have been busy with readying the fleet for winter maintenance. All current maintenance vehicles have been outfitted for snow and are ready for use. The 2020 truck has yet to be made available, however the 2008 Ford F 550 has received a rebuilt transmission. It has been evaluated mechanically and found to be worthy of returning to the plowing fleet. All work done was within the voted \$10,000 allotment. Logs have not been maintained. Steve is slated to meet with management about logs. There needs to be a discussion about the larger issue of finding adequate staffing to fine-tune our operations in a way that allows for administrative follow-through on items such as mechanics logs inventory sheets and other such administrative tools.

#### **2) Grader accident report, root cause analysis, and status of accident policy requiring medical attention and drug test**

The root cause analysis of the greater accident points to a mechanical failure within the transmission that caused a decoupling of the drivetrain from the motor. Because grading was happening on one of our steeper roads the grader very quickly became difficult to control to a stop.

Our accident reporting policy is always required a drug test, and if injury is sustained, a medical evaluation. The operator at the time, Ray Marden, indicated that he had no injuries of any sort and did not want to receive medical attention. I was not on-site at the time (family medical issue), but it is reported to me that Ray insisted on just going home.

#### **3) Pro Forma lodge operation for outdoor operation Revenue vs Expenses**

##### **Take-out Proforma**

Building from the Pro Forma, created by members of the Budget Advisory Committee, and looking at take out food only, I agree that, to break even, we will have to be at roughly 75% of 2019 sales for food, beer and wine combined. This includes liquor sales being completely lost as we will not be permitted to mix drinks for to-go patrons.

Overhead, rooms and meals tax and costs of goods sold are figured into this equation. So, I think it is important to understand that starting with to-go food sales is meant as a service to the community and as a way to test the waters. At 15% of prior year sales food and beverage will be at a loss of \$32,000 at 30% of 2019 sales losses will be \$24,000 at 60% losses will be approximately \$7,000 and at 75% we break even. So, worst case scenario, it will cost the community \$32,000 of the already accumulated surplus (no special assessment) to provide takeout food service at the ski area Friday and Saturday nights from 4 – 8 January February March and 2 weekends in April with

some 5 additional days of service during Massachusetts February vacation week (assuming adequate staffing and no shut-down orders).

If we move to inside dining, the Proforma will change in many ways and will have to be refigured based on the approach we take. Occupancy will drop by  $\frac{1}{2}$  from prior years seating availability, assuming current restrictions. Proforma spreadsheet attached (keep in mind it is a spreadsheet that I have modified the numbers on and should not be represented as the committees as they have not seen my modifications).

### Ski Operations Proforma

I have worked from and modified the Proforma spreadsheet, built by members of the Budget Advisory committee. The sheet assumes the same ticket sale numbers (number of tickets, not total dollars). With the changes I made to the sheet the sales price analysis indicates that each full mountain ticket would have to go up to \$31 per ticket, to achieve projected breakeven. With that said it is anyone's guess as to the participation we may see this winter. If this summer is any indication of the number of people who may be in the area this winter and based on the reduces services at other ski areas, some (particularly on the board and in the industry) think we could be very busy at Campton Mountain. If we have a rain out winter, we will likely only have skiing on the rope tow and may not be busy at all. If snow conditions are poor, the cost of operating the rope tow is much less than the lift, mitigating to a certain extent, the potential losses. Considering the projected surplus in the dues and assuming the resident voters vote to fund skiing \$35,570 (ski area offset) and \$60,000 (tax supplemental income contingency, typically for any needs in rec fund) the budget plan for reduced hours at the ski area and the rec center, next summer, in light of unknown circumstances, is a sustainable plan without raising any additional funds than normal taxes and dues. It should be noted that the supplemental tax monies, though voted each of the past 3 years have not been needed, due to strong sales as compared to budget expectations in those years. While not needed in 3 year, they will likely be needed this year 2021, but again do not represent an increase in taxes. Proforma attached (modified but not endorsed by the committee).

### 4) Winter road sand & salt supply and coverage

We do road sand was quoted by a couple different suppliers before orders were placed. Salt and sand are regularly ordered throughout the winter with a sand salt mix kept in the yard, not undercover, and a pure salt supply kept undercover.

### 5) Inventory report

Liquor, Beer, Wine

Procedures to manage inventory including control procedures

Erica Benton, being new to this role, is actively learning about and developing inventory control procedures. She has conducted and we do have in our records up to date

inventory accounting for our liquor beer and wine. Further development of a written plan of how inventory is to be done, is a current topic of discussion and development.

#### Water Valve & Pressure Reducer Markings and Cleaning

much like the aforementioned need for additional help in the infrastructure staffing, for administrative needs like maintenance logs and inventorying policies and procedures, there simply needs to be more help on the road, water and infrastructure staffing.

#### 6) Safety audit action plan, priorities, and timeline for completion

The action plan for the safety audit action items list is to prioritize the seven items listed at the ski lodge as top priority, whereas we will be opening operations at the facility prior to the rec center facility. Some but not all of the items have been completed at this time. The mechanical rooms have been cleaned and organized primarily. Fireproof cabinets for flammable materials have been ordered. Rodent mitigation to be completed via contracting with a pest control company, multiple bids have been obtained. In addition to cleaning of commercial kitchen, we are looking into whether the state health department will come to validate work done. The remainder of the work is on the short schedule for completion.

#### 7) Safety Committee recommendations and implementation plan

the safety committee is just been reorganized with Tracy Duffy taking the lead role as chairman of the committee. A recommendations and implementation plan has not yet been developed, for general items beyond the initial items in the safety audit.

#### 8) Status of cosmetic cleanup of lodge/ski area and community center

Grounds have been well cleaned and organized in preparation for winter. Cosmetic cleanup including scheduled painting continues on days when the weather is not conducive to outdoors work.

#### 9) Status and listing of Warrant Articles for Annual Meeting

The recommended timeline and completion dates for postings, in accordance with state RSA's, is attached. Understanding whether the budget committee will be recommending warrant articles is imperative.

# WATERVILLE ESTATES VILLAGE DISTRICT / ASSOCIATION JOINT MEETING

December 29, 2020 MEETING

## MINUTES

**Attendees:** Matt Smith (Clerk), Maureen Patti (Commissioner), John Herlihy (Commissioner), Corey Smith (WEA/WEVD Manager), Gerry Panuczak (Commissioner), Judy Kinney (WEA/WEVD Assistant Manager), Mike Hering (Board of Directors President and Meeting Chair), Terry Tole (BOD), Mark O'Hara (BOD), Madhavi Challagulla (BOD), Art Marks (BOD), Ryan Timms (BOD)

**Guests:** Harry Bertino, Jim Murphy, Mark Canfield, other parties, some unidentifiable, via Zoom.

**Call to Order:** Mr. Hering called the meeting to order at 11:01 AM.

**Covid Zoom Declaration:** Mr. Herlihy read a declaration authorizing a zoom meeting per the Governor's orders.

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

**General:** Mr. Hering asked the Commissioners (BOC) for their "vision" for the community. Ms. Patti had a response to the letter submitted by Mr. C. Smith on behalf of the Association Board (WEA BOD) at 8:15 PM the previous evening. Ms. Patti made a motion to have her response accepted by the BOC, Mr. Herlihy and Mr. Panuczak indicated they would accept the response. Ms. Patti asked that the two letters be posted online and on constant contact. She also sent the response letter to the WEA BOD. Mr. Panuczak said we are not here to talk about a change in the construct and that the municipal / HOA model works well. He indicated he wanted Campton Mountain to be the best small ski area in New Hampshire, not the best kept secret in New Hampshire. He discussed taxes being used in the Recreational Revolving Fund (Rec Fund) and that the Rec Fund operates at a \$150,000 loss per year best case scenario and that method of operation had resulted in deferred maintenance. He indicated the current slate of Commissioners is trying to correct the problem. He indicated the recreation business could be run better and it would be best to work together. He talked about the three snow making water source options not being fully analyzed, but that we needed to start building our brand. He stated, we need to utilize the Mountain Lodge year-round and that 10 years from now it should be the best ski area.

Ms. Tole asked what the priority array was for getting caught up on deferred maintenance. Mr. Panuczak responded building and employee safety, then the water system. He indicated that the Planning Board was in the process of crafting a master plan and it would help with prioritizing. Ms. Tole asked if we would re-open after the safety issues and lack of ventilation were addressed and what the timeline was. Mr. Panuczak said we had just received a draft report from DuBois and King and it dealt with the fact that two of our facilities don't have proper HVAC and it was too early to give a timeline. Ms. Patti indicated that the General Manager only brought it to the attention of the Commissioners at the beginning of September. Mr. O'Hara stated the vaccine is 3 – 4 months away and discussed that schools and City or Lowell MA don't have fresh air and didn't understand why it was important to ventilate. Mr. Herlihy indicated that the evaluation concluded there were many deficiencies and that the deferred maintenance should have been performed a long time ago. Ms. Challagulla asked whether the improvements were necessary for Covid or regardless of Covid. Ms. Patti stated the answer is easy, New Hampshire building standards require ventilation and that the Recreation Center (Rec Center) had fresh air systems that have been inoperable for a long and indeterminate time. Mr. C. Smith stated the Rec Center HVAC has been brought up before, but the Ski Lodge HVAC had never been discussed. Mr. Hering suggested that the Rec Center and Ski Lodge were constructed before codes required fresh air. He stated that Waterville Valley had no fresh air, that if we had broken fresh air systems, we should fix them and that the BOD had a partial reopening plan. Mr. Herlihy stated that the Ski Lodge did not have operable windows and was a "sick building". Mr. Hering stated that fresh air was introduced to the Ski Lodge when air is sucked down the chimney by other Ski Lodge air systems. Mr. Herlihy indicated we would be discussing the engineers report at the Village meeting scheduled for tomorrow.

Mr. Marks said the ski area is a great little ski area and asked if Commissioners Patti and Herlihy agreed. Ms. Patti indicated that she supported the ski area and cited the actions she has taken that demonstrate that support including working to find a water source for snowmaking. Mr. Marks stated he was looking for a yes or no answer. Ms.

Patti pointed out that people aren't listening when she tells them she supports the ski area so detailing the actions was the only way to make the point. Mr. Herlihy said he has skied at Campton Mountain since the 70's. Mr. Hering clarified that the Ski Lodge was built in the 60's and the Rec Center in the 80's. Mr. Herlihy stated that he supports the ski area but that it needs to be sustainable. He stated we need to evaluate the cost to the community and the benefit to the community. He stated that 145 New England ski areas have closed in the past 15 years as a result of global warming. Ms. Challagulla stated that global warming would "kill everything" and asked "what's your point?". Mr. Marks stated that we are a weather-based community. Mr. O'Hara indicated that if we had made snow already, the ski area would be open now. Mr. C. Smith indicated we were currently test running the snow gun. He indicated that the public had not seen the previously referenced letters. Ms. Patti suggested that he share the letters on the screen as he was the zoom host. She stated that we would schedule a meeting to discuss the three different snow making plans. Mr. Hering discussed the WEA snow making committee consisting of himself, Mr. O'Hara, Mr. C. Smith, and Mr. Tole. He asked if a Commissioner would join the committee and Mr. Panuczak volunteered. He indicated he was full time and was happy to participate. Mr. Hering indicated he was full time as well. Mr. C. Smith indicated Mr. Hering had asked him to look at taxes in the Rec Fund. Ms. Patti talked about the consistent misinformation provided about the Rec Fund. She read from the 2006 warrant article which established the Rec Fund pursuant to RSA 35-B and pointed out that the warrant language only allowed funding through fees and charges and only authorized the Commissioners to direct the Treasurer to disburse funds. She observed that the BOD suggestion to hold more dues outside the Rec Fund, so they would have more freedom to spend, was problematic.

Mr. C. Smith stated that the problem is that the WEA creates a budget and then the Commissioners can say yea or nay which prevents the WEA BOD from managing the business the way the business needs to be managed. Mr. Hering stated that the previous BOC allowed a "broad-brush" approach and that it was impossible to project 15 months out. He indicated the price of a burger should not be a BOC decision. Ms. Patti expressed concern about the need for flexibility, but what's at issue is that the Recreation Management Agreement (RMA) requires proposals and associated budgets. She noted the RMA gives the Association final approval over all recreational activities. She understands that the BOD wishes they did not sign the agreement, but it is the contract they are all bound by at this time. Ms. Tole asked what level of detail is required, \$20k for bands or the name of each band. Ms. Patti said that a formal proposal need not list band names. Mr. Panuczak stated that budgeting 15 months out is nothing new and that the General Manager can manage day to day issues. He said the RMA is well written and we should just follow it. Mr. C. Smith said Waterville Estates Village District (WEVD) is unique and no other municipalities are doing Bar and Restaurant business. He stated that we should not follow the RMA. Mr. Hering said that WEA wishes to revisit the RMA and has provided a budget. He said the budget limitations put us in a different position. Ms. Patti stated the Commissioners have not received anything but a one-page proposal saying "do what you did last year and we'd like to give \$34k of CIF money for the Locker Room Upgrade". Back and forth discussion took place. Ms. Patti pointed out that the RMA requires a proposal.

Mr. Hering stated that the BOD does not agree with the RMA and we needed to set up a meeting to resolve the issue. Mr. Hering discussed CIF and it was never the intent that CIF commitments be made ahead of time. He complained that NH statutes require that CIF contributions of \$5k and over require a public vote. He stated that a CIF contribution did not create a legacy liability for WEVD. Ms. Challagulla stated that the bottom line is the 2006 Warrant Article that created the Rec Fund directly subverts the Sovereignty of the BOD. She stated that the warrant article was not legal and the BOD could overturn it. Ms. Patti said the warrant article was very clear about the Rec Fund and the Commissioners role in it. Heated discussion took place with Ms. Challagulla stating WEA was here first so the BOD can disassociate from WEVD. Ms. Patti said the BOC wants to work with the BOD within the terms of the RMA. Ms. Challagulla continued to call for sovereignty to be returned to the BOD.

Mr. Hering said the BOD letter from last evening revolves around the suggestion that instead of transferring dues. The BOD could retain the funds and spend them as they wish. He said the BOD did not have to comply with the statutes and regulations that the village does. He complained that WEVD had been "inundated" with Right to Know (RTK) requests costing \$10's of thousand or dollars in legal fees and staff time and that the BOD could help avoid that. Ms. Challagulla came back to the legality of the 2006 Rec Fund warrant article and the sovereignty of the BOD. Ms. Patti corrected Mr. Hering on the requirements of CIF transfers to WEVD. The BOC can approve

contributions under \$10k and needed to hold a public hearing for amounts \$10k and over, but the power to accept still rested with the BOC and did not require a public vote. She stated that our current difficulties from RTK stem from not having enough staff and not having a plan. She said RTK is a standard cost of doing business for a municipality. She said we are big enough to need procedures and to follow them. Mr. C. Smith reiterated by keeping the dues in the BOD's control we could avoid RTK altogether particularly as it relates to requests for OneTouch Bistro data. Ms. Patti indicated that it may not solve the problem but would seek advice from village counsel. Mr. Panuczak stated that many municipalities have Bar and Restaurant operations and we are not unique in this regard.

Ms. Challagulla asked what do we want out of this meeting and that she thought the priorities were to open, redo the RMA, deal with the ventilation, and address CIF. Mr. Timms stated we are two hours into the meeting and haven't talked about the agenda items and that the BOD could not continue to put their head in the sand. He said the BOD has had plenty of time to comply with the terms of the RMA and to continue to not engage is irresponsible. He said the BOD should stop complaining and blaming. Heated discussion took place among the BOD members.

Mr. Canfield talked about how the new RMA came about indicating he worked with Sean Tole and Karen Waters. He indicated that there were no changes to the terms of the RMA only changes were made to make each parties responsibilities more clear. He talked about the need to safely re-open and maintain Covid compliance. He said, as a member of the village Budget Advisory Committee, there were limitations on what the village can do. He said he wants to see the members dues used properly and doesn't want the money spent unwisely. Mr. Hering said he appreciated the re-opening comments and that the BOD had submitted a budget in November reflective of the previous year. Mr. Herlihy indicated the BOD had not seen these plans.

**Commissioners Departure from meeting:** Ms. Patti indicated she had an unavoidable appointment and left the meeting at 1:10PM. Commissioners Herlihy and Panuczak departed at 1:10, thus ending the public portion of the meeting.



## WATERVILLE ESTATES VILLAGE DISTRICT

### December 30, 2020 MEETING MINUTES

**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. Patti 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 indicated 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 scheduled 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 late as May 1st. Currently it is scheduled 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 possibly 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 signing 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. Herlihy 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 she 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-opening 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.



Judy Kinney &lt;wea.judy@waterville-estates.com&gt;

**email response/ manager's report.**

1 message

**Corey Smith** <corey@waterville-estates.com>

Wed, Dec 23, 2020 at 3:11 PM

To: John Herlihy &lt;john.h@waterville-estates.com&gt;, Maureen Patti &lt;maureen@waterville-estates.com&gt;, Gerry Panuczak &lt;gerry@waterville-estates.com&gt;

Cc: Judy Kinney &lt;wea.judy@waterville-estates.com&gt;

Please allow my response to your email to serve as my Manager's Report for this upcoming meeting. My responses are in red in response to your comments in black.

From: John Herlihy

Pursuant to this week's Tuesday meeting, the Commissioners want to have you prepare a written report to determine the current staffing and budgeting for increases in headcount of employees.

I can give you an initial overview at this time, however budgeting increase details will require more time and feedback.

1) Please list all employees by name and their current job description, whether they are full or part time, and describe any changes and additions of job descriptions for part time to full time roles.

At this time we have five full-time employees working for Waterville Estates Village district.

Corey Smith

I am a full-time employee and you received my general manager job description on a few occasions.

Judy Kinney

Judy Kinney is a full-time employee of Waterville Estates Village District and is our Bookkeeper / Account Manager/Executive Assistant. Her job description was provided on October 2 and can be readily made available again. Obviously I cannot include everybody's job descriptions in my managers report, as it would be superfluous. In addition to her job description Judy clearly takes on additional roles of helping with food and beverage when it is required and has taken a lead role with oversight of the cleaning department, in addition to any other task at hand needs to be completed. It is hard to state how many different hats Judy wears for this establishment and can be thought of as a general expediter of needs in addition to her regular job description.

Shawn Pelchat

Shawn is a full-time employee of Waterville Estates Village District. He works on all matters related to physical plant and infrastructure needs. He assists Steve Baert on road maintenance and equipment maintenance. He also assists with billing infrastructure needs, including everything from hands-on repair to finding and overseeing contracting services. Shawn is our main person for construction projects and other miscellaneous projects and also has direct oversight over all ski lift maintenance. In the organizational chart there is a position for Building Infrastructure Lead, which I have hoped to formally move Shawn into over the past couple years, but have found his time spent on other matters more valuable and so have not formally moved them into that position, which leaves the sharing of the responsibilities in that position to both he and Steve Baert. Shawn performs many other job duties in a vast array of responsibilities that go beyond the aforementioned job duties. These include assistance with member events like fireworks displays or at times arbitrary functions for food and beverage events, like setting up for functions or member events, and also generally includes helping out wherever whenever is needed, regardless of job description, much like all our full-time employees do.

Steve Baert,

Steve is our Roads and Water Infrastructure Lead. Steve is Full-time. As mentioned above, in addition to Roads and Water Lead job duties, Steve has been working in conjunction with Shawn Pelchat to attend to our Building Infrastructure Lead Position job duties, with managerial oversight. Steve's job description, which was also previously provided, can be made available at any time. Under the current, reduced staffing, circumstances and until such time as we can transition Shawn away from some of his job duties and towards taking on a more responsible role with building infrastructure oversight, or until such time as we can restructure to find an individual to be added to the staffing to alleviate some of these responsibilities for Steve, he remains spread very thin and unable to attend to job duty requirements, with attention to finer detail, on such matters as exercising water valves, marking water system elements, and other Roads and water finer details. Like the other full-time employees Steve's work expectations carry over into all other areas of the

organization, which he labors to assist with, whenever asked and to the best of his ability and like the other employees, does so with a positive attitude.

#### Tracy Duffy

Tracy Duffy is a full-time employee of Waterville Estates Village District. He is our Executive Chef. His job description has been previously provided and can be made available at any time upon request. In addition to being lead on all food service preparation, safety and service, Tracy assists other full-time employees in executing needed work. Tracy has extensive construction experience and knowledge, a strong sense for safety, and also is required and happily abides by being willing to help out anywhere and anyhow, as needed in the organization, however typically this results in assistance on infrastructure matters relative to construction, ski area maintenance, painting, and at times general labor (as he is a large individual who can do heavy work). During these Covid 19 times he has worked somewhat reduced hours to be cognizant of the budget and has taken up part-time work with other employers. He has done so without consideration for how it may or may not affect unemployment benefits and has primarily put Waterville Estates first in his own life.

#### Cleaning and Front Desk Lead FT Positions

There have been times in the past when we had both these positions filled with full-time, benefited, people. At this time we have lost our full-time leads in both positions and are getting by on part-timers filling those reduced Covid 19 hours. When we reopen the rec center full-time we will need these positions filled. It is important that the front desk full-time position be a person adequately skilled at dealing with many clerical assistance needs including web management, social media management, product research, membership software and a host of other technical/clerical skills. In order to lessen the need of Steve's time on building needs, I believe I will be recommending that we attempt to find a very strong cleaning lead person who can also take a lead role relative to workplace safety, and most importantly pool management. Currently Ben Demers, on our cleaning crew, has been carrying more than his normal workload due to the fact that he is our only cleaner left. He has been doing a good job of meeting our needs during these Covid 19 times, but I do not think he will be happy with nor is he properly skilled to take on the full-time cleaning/pools/workplace safety role that I feel needs to be filled. It is likely that when we reopen, full-time, if we put the lead person on cleaning and pools, as I have described. Ben Demers may very well still be needed to work the full-time hours that he has been seasonally doing as of late. On the front desk, Lindsay Osborne has agreed to fill the lead position in this interim time of the building not being open regular hours. I'm unsure that she will be able to meet the needs of the full-time position once we are open regular hours. She is a strong and willing employee, but may not be able to fully commit to the aforementioned role. Cheryl Toolin, who at one time was our front desk lead person, has been helping fill front desk lead needs, at times when Lindsay has been unable to. Like the rest of the crew at Waterville Estates, Cheryl has been incredibly devoted to the organization.

#### Ericka Benton

Ericka is not full-time or benefited, but has been filling a role that, in typical operating times, is a full-time benefited position( at least when we do weddings in conjunction with F&B). She has been helping administratively with many of the compliance issues relative to Covid 19, even though she knows these job duties are temporary. Ericka has been running lead on preparing for ski lift operations, in addition to food and beverage operations, and in conjunction with assisting with a myriad of administrative needs. She too is a very devoted employee to Estates, who presently resides in a temporary but borderline full-time position. Like Ben on cleaning and Cheryl and Lindsay on the front desk, Ericka would be well served by and further vested in working for Waterville Estates if her position were full-time benefited. In the future (normal operating times with may new members), I think all of these positions could very well justifiably be full-time positions, I think it is important that we understand the upcoming expense requirements of the tax base relative to the Water Master Plan and the building air handling infrastructure needs before we know whether certain tasks can be accomplished within reasonably expected and a voter supported tax budget.

#### Ryan Avery

Ryan is an assistant to Steve and Shawn who works part-time, year-round for us with increased hours during certain times of the year. He is our resident mechanic, and does a great deal of work on vehicles and equipment. He also plows for us and does much of our mowing. Ryan, like most employees of Waterville Estates, is also willing and capable of, and has a history of contributing to accomplishing whatever needs we need accomplished including lift operations, event set up and breakdown, and a myriad of other tasks.

#### Patti Lindholm,

Patti is an administrative assistant to Judy. Patty is semi-retired and works for us part-time. With the recent departure of Sarah Sidor, Patti's duties have temporarily increased significantly. Patti has shown devotion and a willingness to, temporarily, take on a great deal more work than she normally does. Patti does not desire full-time work. Patti, nevertheless, plays a very important role of helping Waterville Estates operate efficiently.

#### Bernadette Georges

New to our team, Bernadette is training to fill the role previously held by Sarah. While Judy has recommended that this position be full-time, I have not had the time to evaluate Bernadette's willingness and capability of filling such a role. I do know that she was hired part-time and therefore has demonstrated a willingness to work part-time. It may be that if we



can put a full-time front desk supervisor in place that has complementary administrative skills, it may alleviate the need for the full-time position in administrative assistance that Judy seeks.

There are a host of other part-time and seasonal people whose employment is presently altered due to the Covid 19 circumstances. I would simply generally characterize them as being valuable, but on hold for now.

2) Provide a full definition and financial justification for pending position changes which have been proposed by the Assistant General Manager (Custodian and Administrative Assistant).

Financial justification for any positions, to presently be offered, hinges on either..... an as need-based perspective or a finance restricted perspective. At this time I do not support or feel there is justification for making full-time the two positions that the Assistant General Manager has requested. We are going to need to finalize two different staffing scenarios, one for normal operating procedures in which these two positions as full-time may be justified and the other for reduced operating hours due to temporary Covid 19 impacts. For these reasons, it is my opinion that we can not justify making a decision about the prospect of making these two positions full-time with benefits at this time. I have spoken about this with Judy

3) Detail the proposed changes to the General Manager position for the Commissioners to review.

The only changes I have formally asked for consideration for, that have not been addressed, at this time, is for some assistance in not having to be on call 24 seven and kept awake for many nights with alarm system calls. With Steve Baert being the other employee who deals with the brunt of the after hours demands, and with no foreseen way to provide relief for my circumstance without overburdening him, as an already overburdened employee. I see no way to change things at this time.

4) Itemize the status of the "Safety Review" action items to include;

- a. Remedy Action Plan
- b. Cost involved to remedy issue
- c. Itemize time for completion of remedy

The safety committee is hoping to meet the first week of 2021 to discuss these matters. In the meantime, when time allows, we have been focusing on these items, with an initial prioritization towards the ski lodge facility, and major safety components at the rec center.

5) Further define the Safety Committee roles and actions;

- a. Members each role in Committee
- b. Provide an annual meeting schedule of Committee
- c. General Manager involvement
- d. Primex Involvement

Again, the safety committee has not had time to meet to discuss these items yet. And therefore the general manager has not had time to meet with the safety committee either.

6) Further define the "Cosmetic Cleanup" of WEVD facilities.

- a. Item of action for resolution
- b. Proposed remedial action
- c. Time for completion

At this time all available staff is busy with winter snow removal, ski area operations preparation, including training and maintenance repair items as well as food and beverage preparation and service requirements. There simply is not enough staff or time right now to meet and formalize plans on these items and likely will not be until sometime in January.

We will expect a written report with verified actions on these items of interest in 10 days or by December 28, 2020 to assist in planning for the future.

I do not mean for this to be oppositional, but it is my opinion that it is necessarily time for the commissioners to start recognizing our staffing limitations and heavy workloads and start asking when certain actions can be attended to as opposed to unrealistically dictating when they will be attended to. At this time we do not have time to meet on several of the items of interest let alone come up with a comprehensive plan for dealing with such items, on the timeframe mandated. Waterville Estates has an incredibly devoted and hard-working team that is becoming increasingly frustrated with the lack of comprehension of and appreciation for the manner in which they show a willingness to and successfully execute, (individually and as a whole), job duties that go beyond job descriptions, on a regular basis, due to our staffing structure, which has been restricted by historically low funding for the wide variety of tasks at hand. While we have been given clearance to and have successfully hired on more help as of late. Much of that help is of little experience and lacking dependability. As an example the college crew that we have brought on have been helpful in dealing with many of

12/23/2020

Waterville Estates Mail - email response/ manager's report.

the tasks added to the normal crew lately, however they are not available to us at this time, as they are on break. Additionally we have lost three of the five workers in the past two weeks. We are presently looking for more help.

Corey Smith, WEVD GM

Regards,  
John Herlihy

#### Records Committee Report:

The Records Committee needs the Commissioners to vote to authorize the committee members to dispose of duplicate records and records older than the statutory retention period per RSA 33-A Disposition of Records.

The Records Committee needs the Commissioners to vote to add meeting handouts to previously approved meeting minutes to ensure a complete and decipherable record of the business conducted at each meeting.

The Records Committee has met with Marty Humphrey to review her recommendations and is currently performing a final evaluation of vendors who provide online and/or off-site record retention. We are scheduled to tour Thornton Town Hall on January 6<sup>th</sup> to review their method of record retention. Cataloging the Village records provided to date is ongoing. Commissioners Patti and Herlihy picked up three used file cabinets for \$110, picked them up in Concord (Manchester?), and brought them to the Recreation Center for document storage.

## Budget Advisory Committee (BAC) Report as of 12/22/2020

The BAC is comprised of three members: Mark Canfield, Linda Ivers, and Gerry Panuczak. The committee was established in September of 2020 with its first meeting held on September 25. Several original members elected to resign their positions resulting in new members Ms. Ivers and Mr. Panuczak joining in November. Meetings have been open to the public on a virtual basis using Zoom. Minutes of every meeting have been produced and provided to the Assistant General Manager.

The BAC established its Mission Statement.

Each member was assigned responsibility for reviewing a WEVD budget section's three-year history (REC FUND, WEVD General Fund, and Water Department) to understand how the community has been spending money, to identify areas requiring additional information, and to facilitate discussion enabling the BAC to shape their assistance and work required on the 2021 budget process.

The Waterville Estates Village District Budget Process Timeline was circulated and discussed. It was quite evident from the timeline provided that the BAC has a lot to do before being in the best position to provide assistance and input in line with its mission statement. As a result, this necessitated meeting weekly since prior to the Thanksgiving holiday. Meetings are scheduled every Monday at 4PM until further notice.

The BAC plans to meet with each Lead employee to familiarize themselves with the employee, functions, opportunities, and challenges in each functional area. At this time, only Steve Baert, Road and Water Lead, has met with the committee. A scheduled meeting with Shawn P, Campton Mt Facilities Lead, had to be postponed due to an improper posting, forcing cancelation of the December 21 meeting.

The BAC has not met with Corey Smith, General Manager, to review work on the budget that may already be underway but is open to meeting when convenient for him. A tentative meeting Dec 22<sup>nd</sup> did not materialize.

The BAC was requested to develop Proformas on the Campton Mt. Food Service offering and Campton Mt. Ski operation, which were initially presented in rough form earlier in the month of December. Even though these are Association related service deliverables, several expense categories found in the General Budget are associated with each operation. The commissioners' request was to understand as best as possible the potential income and expenses associated with each operation as dictated by the State's COVID restrictions.

Respectfully submitted,

Mark Canfield BAC Chair

## WvE Outdoor Courts

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### December 30 Committee Meeting

#### Updates

Mahdu Challagulla has joined the Outdoor Court Committee as the representative from the WEA Board of Directors.

**Basketball Court** - We've had some feedback from residents that the area would be better served as a garden/walking area. Maureen met with the Campton/Thornton Fire Rescue Chief, Dan Defosses. on Dec 4. One of the topics was plowing of the existing basketball court. *He said the basketball court does NOT need to be plowed. Instead, a path is to remain cleared along the edge of the court or through the court for folks and emergency personnel to walk. He said the walkway is to include both doors -- the handicap entrance and the door from the gym.* A walkthrough of the existing court was done on 12/4. The committee is considering a change to a half court as the vast majority of usage is free throw shooting and 2 on 2 or 3 on 3 games. A new hoop would face the stone retaining wall. This would keep balls from hitting the building or rolling through the existing garden, and the wall would provide a good backstop.

- remove existing hoops, install new hoop near stone retaining wall
- remove the existing paved area, repave a new 1/2 court area near stone retaining wall
- convert area near fence to garden with sidewalk to both exterior doors, perhaps add additional handicap parking spot

**Tennis Courts** - We have 3 turnkey quote proposals to completely rebuild the upper courts, from 2 tennis court contractors. We asked them if there would there be a discount to rebuild both sets of courts at once. Vermont Tennis responded with 'yes there would' and asked when we would need a quote proposal, January was requested. Maine Tennis & Track said 'no', just double the provided quote.

We are working on another option to sub-contract out each phase of the a rebuild.

**Community Input** - We are working on finalizing a survey to be sent to ownership regarding outdoor court usage.

The next official meeting is on Jan 5 at 7:00pm. It is on the WEA calendar.