

## WATERVILLE ESTATES VILLAGE DISTRICT

February 17, 2021 MEETING MINUTES

**Attendees:** Matt Smith, Maureen Patti, John Herlihy, Gerry Panuczak, Judy Kinney, Corey Smith, Robert Diefenbach

**Guests:** Harry Bertino, Jim Murphy, Jaime Oldmixon, and other unidentifiable parties via Zoom.

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

**Roll Call:** Ms. Patti, aye, Mr. Panuczak, aye, Mr. Herlihy, aye.

**Covid Zoom Declaration:** Ms. Patti read the declaration authorizing a zoom meeting per the Governor's orders.

**Adoption of Agenda:** The agenda was adopted with a motion by Mr. Panuczak and a second by Mr. Herlihy with two modifications. Item 9 was corrected to read Saturday March 6th. Under General Calendar, item G, Waterville Estates Gardening Community, was added. Adoption carried unanimously by roll call vote.

**Approval of Previous Meeting Minutes.:** Ms. Patti made a motion to correct the February 4, 2021 meeting minutes with one correction. On page three, the executive session, add "were present, for the first ten minutes 10 minutes" after Ms. Kinney and Mr. C. Smith were in attendance. Mr. Herlihy seconded the motion and it carried by unanimous roll call vote. Ms. Patti made a motion to approve the January 20 and 27, 2021 meeting minutes, seconded by Mr. Herlihy and the motion carried by unanimous roll call vote. Ms. Patti made a motion to correct the previously approved January 9, 2021 meeting minutes. Under Treasurer's report, after Mr. Herlihy's comment about this is the last time checks would be approved without having the check manifest, add "included the meeting handout". Mr. Herlihy seconded the motion and it carried by unanimous roll call vote. Ms. Patti observed that the Commissioners had a copy of the Check Manifest to approve, but it was not in the handout.

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

**General:** Discussion took place about a proposed uphill travel policy for Campton Mountain. Mr. Herlihy made a motion to approve with a second by Ms. Patti. Mr. M. Smith made a point of order that the village could not issue a joint policy with the Association. Mr. Hering spoke for the Board of Directors, stating we could save paper and the BOD and Commissioners could all sign. Mr. Herlihy amended the motion to strike "Waterville Estates Association and" from the title of the policy and to approve the policy as amended. Ms. Patti seconded the motion and it carried by unanimous roll call vote.

### **General Calendar:**

**Website Committee:** Mr. Herlihy indicated we were having difficulty getting people to join the committee. Ms. Patti suggested we need to vote to create the committee. Ms. Patti made a motion to create a WEVD Website Committee, Mr. Herlihy seconded, and the motion carried unanimously by roll call vote.

**Appointment of Treasurer:** Mr. Panuczak indicated that Mr. Diefenbach could not attend the last meeting for personal reasons so he encouraged Mr. Timms and Diefenbach to get together to determine who they felt would best serve the community. It was determined that Mr. Diefenbach was more qualified so Mr. Timms stepped down and Mr. Diefenbach was appointed by a motion from Mr. Herlihy, a second by Mr. Panuczak, followed by a unanimous roll call vote. Mr. Diefenbach was sworn in. He then appointed Mr. Timms Deputy Treasurer. Ms. Patti made a motion to approve the appointment, Mr. Herlihy seconded, and the motion carried by roll call vote with Mr. Panuczak recusing himself as Mr. Timms is his son in law. Mr. Timms was sworn in.

**Operation of Ski Area by Volunteers:** Ms. Patti asked Mr. C. Smith to provide an update. He indicated that our insurer is not OK with volunteers operating the lift, lift operators must be employees. Mr. C. Smith stated the volunteers asked if they could be hired as employees and donate the money back, and the insurer said that was ok. He stated that a sticking point is we still need a certified ski patrol. He also said that he had discussed with the volunteers and the Board of Directors, that we didn't want to have volunteers on anything Covid related.

**Operation of Ski Area by Volunteers (continued):** Ms. Patti asked about village or association prohibitions against owners being employees. She further observed that with employment wages comes payroll burdens of Social Security, Medicare, etc. and asked if the Recreation Revolving Fund had the money to cover these. Mr. C.

Smith said the Rec fund had \$31k in it and the burn rate was \$30k per month. Mr. Herlihy asked if, therefore, without money from the Association, we would have to cease rec activities at the end of the month. Mr. C. Smith stated that since we can't legally put tax money in the Rec Fund, the answer was yes. Mr. Herlihy asked how much money the Association was willing to commit. Discussion took place. Mr. Hering asserted that the Association had covered all 2020 recreation expenses and would do so again in 2021. More discussion took place around operation of the ski area with volunteers. Mr. C. Smith stated the desire to use volunteers was for extended hours and times when they want to open the ski area when we would have said it won't make money. He stated that the Board of Director's is ultimately covering whatever losses there are. Discussion took place with Mr. C. Smith stating that all of the services are operating at a loss. Discussion took place around duties of staff and volunteers with respect to expanded hours of operation at the ski area. Ms. Patti indicated she wanted to be sure that we operated within state guidelines including having a Covid Compliance Officer. More discussion took place with Ms. Patti noting that this was being presented last minute and it was difficult to make decisions on the fly. Mr. Herlihy noted that with only \$30k in the Rec Fund, there are costs that can't wait and with only a 30 day buffer it is not due diligence for the village to expand employees and operations. He said we need double that amount for a cushion and asked Mr. C. Smith if he agreed, which he did. Mr. Panuczak asked what funds would come over in 2021 so we could continue operating the ski area and recreation center. Mr. Hering said don't worry about the money, the Association will cover it. He said a Covid compliance person is required and we need to do it. He agreed that \$30k was not an adequate buffer and committed to transferring an additional \$50k. He said that while operation is a village district issue, we are all stakeholders and do not want to put taxes at risk. Ms. Tole stated we need to get a better budget to the Commissioners based on what we are seeing and what is possible for revenue. She indicated that we opened the lodge anticipating 50% capacity and that's clearly not happening. Mr. Herlihy stated that with the commitment of \$50k he was comfortable with expanded operation. Ms. Patti cited that operation of recreational activities was the purview of the Board of Directors and if our insurer was OK and the Board was OK, she was OK. Mr. Panuczak indicated his support.

**Operation of Recreation Center:** Ms. Patti discussed a previous motion to open the Rec Center limited to the workout room and the pools. She amended the motion to open the whole Rec Center with the same previous stipulations. Mr. Herlihy seconded the motion as amended and the motion carried by unanimous roll call vote. Mr. C. Smith said there were still staffing and PPP challenges.

**WEVD Facebook Page:** Mr. Panuczak discussed the Village Facebook page. He said the Village Facebook page is up and running and would be used for municipal communication. He observed that the Waterville Estates Homeowners Association Facebook page was for Association communication.

**WEVD Annual Report:** Ms. Patti discussed the need to have the Village Annual Report on the calendar. She indicated we are required to produce one.

**Destruction of Records:** Ms. Patti discussed that the Records Committee had reviewed documents in possession of the Village District and had identified duplicate records, non-records, and records past the statutory retention period. She stated the Records Committee had previously requested permission from the Commissioners to dispose of these documents. Ms. Patti made a motion that one Commissioner, other than her, review the documents prior to destruction. Mr. Herlihy seconded the motion and offered to be the person to review. The motion carried by unanimous roll call vote.

**Waterville Estates Gardening Community:** Ms. Patti stated a group is interested in caring for gardens and landscaping on Village property and that was legal and the Village did not need to form an official or advisory committee for this purpose. Discussion took place about reimbursing for expenses like peat moss.

**Waterville Estates Gardening Community (continued):** Ms. Patti made a motion to grant permission, Mr. Herlihy seconded, and it passed by unanimous roll call vote.

#### **Committee Reports:**

**Planning Board:** Ms. Patti made a motion to accept the report as submitted, Mr. Herlihy seconded, and the motion carried by unanimous roll call vote.

**Records Committee:** Ms. Patti indicated there had been no activity so there was no report. Mr. C. Smith asked to advise the records committee that ski area maintenance records had to be retained for seven years.

**Roads and Water:** No updates other than a Public Hearing on Friday to accept the grant.

**Athletic Courts Committee:** A report was provided.

**Advisory Budget Committee:** A report was provided.

**WEA Representative:** Mr. Hering had nothing to add to the earlier discussion.

**Cluster Box Unit (Mailbox) Committee:** Mr. Herlihy asked if the committee's purpose was completed. Ms. Patti thought so and included a report in the handout with attorney opinions. She shared her findings with the Board of Directors and offered to clarify anything for them.

**Consent Calendar:**

**Check Manifests:** Ms. Patti made a motion to accept the manifest, Mr. Herlihy seconded and the manifest was accepted by unanimous roll call vote.

**Acceptance of Committee Reports:** Ms. Patti made a motion to accept the reports, Mr. Herlihy seconded and the reports were accepted by unanimous roll call vote.

**Set the Next Meeting:** Mr. Herlihy indicated the next meeting would be 3/6/21 at 9:00 AM. He said the Public Hearing to accept the grant money for the water system and value of Locker Room Work from Association CIF would be 2/19/21 at 9:00 AM.

**Recess:** Mr. Herlihy called for a recess at 7:09 PM to prepare for the Public Comment Segment.

**Resumption:** Mr. Herlihy called the meeting back to order at 7:19 PM.

**Public Comment Period:** Mr. Bertino asked that if people are going to ask for things by saying "everybody wants it" that the requests be made in writing. It should indicate who wants what. He stated this statement has been used in the past and then when he has been out in the community he hears something different about whether people want it or not. Ms. Patti indicated there were no more requests for comment. Then Mr. Antinoro was recognized and asked if there was a resource that would indicate when the Rec Center would open. Mr. C. Smith discussed hiring challenges but could not provide a definitive answer.

**Executive Session:** Ms. Patti motioned to enter non-public session for the purposes described in RSA 91A:3, II (a) and RSA 91A:3, II (b), Mr. Herlihy seconded and the motion passed by roll call vote at 7:26 PM by unanimous roll call vote. Non-public session was entered at 7:34 PM. Ms. Kinney and Mr. C. Smith were present in non-public session and left at 7:53. Mr. Scruton was present from 8:00 to 8:45 PM.

**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 9:06 PM. Public session was entered at 9:08 PM. The non-public session minutes were sealed by a motion from Mr. Panuczak, a second by Ms. Patti and a roll call vote with Ms. Patti, aye and Mr. Panuczak, aye, as divulgence of the minutes would adversely affect the reputation of someone other than a Commissioner.

**Adjournment:** Mr. Panuczak motioned to adjourn the meeting, Ms. Patti seconded, and the motion passed unanimously by roll call vote at 9:13 PM.