

## WATERVILLE ESTATES VILLAGE DISTRICT

January 9, 2021 MEETING MINUTES

**Attendees:** Matt Smith, Maureen Patti, John Herlihy, Corey Smith, Gerry Panuczak, Judy Kinney, Linda Ivers

**Guests:** Harry Bertino, Jim Murphy, Jaime Oldmixon, Mike Hering, Richard Mayo, Andrea Canfield, Jim Reynolds, Shawn Sullivan, Keith Barnes, Chris McCormack, Ryan Timms, Dave Ketchum, James Cahill, Ken Michaud, Adam Young, Diane Young, Sean Tole, Adam Lonba

**Call to Order:** Mr. Herlihy called the meeting to order at 9:00 AM.

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

**Recess:** Ms. Patti called a recess due to audio problems at 9:08 AM.

**Resumption:** Mr. Herlihy called the meeting back to order at 9:18 AM.

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

**Approve Previous Meeting Minutes:** Ms. Patti made a motion to accept the 12/29/20 meeting minutes, Mr. Herlihy seconded and the motion carried unanimously via roll call vote.

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

**General:** Ms. Ivers reported no balance change for bank accounts or 2019 Warrant Article 3. She ordered the card readers referenced at a previous meeting. She requested approval to pay monthly bills whose amounts don't change without waiting for Commissioner approval. Discussion took place. She talked about checking with the towns of Campton and Thornton for assistance collecting the water bill. Ms. Patti stated she would check with legal about authorizing the Treasurer to pay monthly bills. Ms. Ivers said she would be prepared to recommend a Deputy Treasurer at the next meeting. Ms. Patti stated she would like to see the manifests reflect the monthly bills for the public record and asked if we could post the manifests ahead of the Commissioners meeting. Ms. Ivers said yes. Mr. Herlihy stated this would be the last time the Commissioners approved vouchers without a manifest.

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

**General:** Mr. C. Smith claimed the Covid cases in the village did not come from a gathering at the Campton Mountain fire pit. He stated that the parties involved believed they came in contact with infected persons elsewhere. He discussed an opening plan and the information from DuBois and King. Mr. Herlihy indicated he reached out to the engineer and has not heard back. Mr. C. Smith had asked the engineer whether they should spend the \$5k previously approved on UV ceiling fans or fresh air and was told to supply fresh air. Discussion took place with portable scrubbers discussed. Mr. C. Smith expressed a sense of urgency saying "its gotta happen, let's get it done". Mr. Herlihy said not without understanding the cost. Mr. C. Smith estimated an additional \$7-8k. Mr. Herlihy asked Ms. Ivers if the money was available and she said yes. Ms. Patti made a motion to increase the \$5k by \$7k, not to exceed the total of \$12k and Mr. Herlihy seconded. Mr. Panuczak asked if the estimate included install and Mr. C. Smith indicated yes. Ms. Patti asked about bullet 7 in the email from DuBois and King indicating that the reason for the different CFM/person values between the Ski Lodge and the Summit Lounge was the result of a typo and asked if we were sure we were working with the correct CFM. Mr. C. Smith said he thought so but then was unable to verify anything in writing to that effect. Ms. Patti amended the motion to be dependent on verification of the necessary CFM. Mr. Panuczak seconded and the motion carried by unanimous roll call vote.

**General (cont.):** Ms. Patti said we need details, from the General Manager, on re-opening the Recreation

Center. Mr. C. Smith stated we need to get going on the Phase II report from the engineer and move to Phase III for design documents. Discussion took place around timing of Phase II and III. Mr. C. Smith indicated two employees were in quarantine from close contact incidents and he was one of them. Ms. Patti pointed out that NH Guidelines had a provision for employees who felt unsafe at work because of Covid concerns. Mr. Panuczak stated that with the opening postponed the General Manager should continue to address the safety items identified at the walk through.

### **Committee Reports:**

**Planning Board:** No change.

**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:** Mr. Herlihy read the committee report. Mr. Panuczak observed there was likely to be \$350k unspent from the 2020 budget and asked what the General Managers thoughts were on passing back to the taxpayers or appropriating for staff (etc.). Mr. C. Smith indicated that was the Commissioners call and the money would fall to the unreserved fund balance (surplus). Mr. Herlihy indicated that it was unlikely to address this issue while employees were quarantined and that we could set up a meeting or perhaps discuss at the next meeting. Discussion took place around logistics.

**Water and Roads Committee:** Mr. Herlihy announced we had received a \$20k grant from NH DES and thanked the Water Master Plan Committee members (Jaime Oldmixon, Terry Bennett, Stan Bujalski, and Matt Smith) for their efforts. Mr. C. Smith reported that a resident had gravel in their line from a recent water break repair and asked what should be done about it. Mr. Herlihy indicated our current policy is our responsibility ends at the curb stop. The residence was identified as a Condo at Ledgewood. Discussion took place around having the Water and Roads Committee weigh in and what we might offer were it our responsibility. Mr. Hering stated that it was his opinion that the village was responsible since the gravel came from the break on Richardson Trail. Mr. Herlihy asked if that was correct and Mr. C. Smith stated we could not be sure citing the possibilities of gravel from an old water break or a restriction unrelated to water line repair. Mr. Herlihy asked if the resident had water, Mr. C. Smith answered yes, and Mr. Herlihy indicated it could wait until the next Water and Roads Committee meeting. Mr. Bertino asked to speak and Mr. Herlihy recognized him. Mr. Bertino discussed that the water rate is a charge per living unit but the policy being discussed was referring to street connection and in the scenario of Condo's there was problem with whether the village responsibility was to a home or to the street. He stated that the water fee was not equitable, that using taxes in the water fund was not legal, and whether the Treasurer had revealed the illegal nature of the fee when she was inquiring about getting assistance with collections. Mr. Herlihy indicated we were working on a water ordinance and that issues would be dealt with on a case by case basis for now. He agreed the water rate was not deployed properly. Mr. Bertino stated the village should refund for street connections for the last three years.

### **Consent Calendar:**

**Manifests, Payment of Invoices:** Ms. Patti made a motion to approve, Mr. Herlihy seconded and the motion passed by unanimous roll call vote.

### **General Calendar:**

**Water Grant:** Mr. Herlihy discussed approving the grant and Ms. Patti stated that it was unanticipated revenue and since it was \$10k or greater, required a public hearing. Discussion took place around when that would happen and next meeting was suggested. Mr. C. Smith said he felt this was the right process.

**Pest Control Contract:** Ms. Kinney reported on requests for quotes. Two companies were interested, but only one provided a quote. She provided details for the services provided. Mr. Herlihy made a motion to accept the

quote and provide the requisite funds, Ms. Patti seconded. Ms. Ivers was asked if the money was available, she said yes, and the motion passed by unanimous roll call vote.

**Records Storage:** The Commissioners thanked Jaime Oldmixon for finding some cost effective storage online.

**Appointments to Planning Board and Website Committee:** We have not received any submissions from prospective candidates. We will wait until Ms. Kinney gets a note out requesting such.

**DuBois and King Report:** Mr. Herlihy indicated this was discussed earlier in the meeting.

**Re-Opening Community Center:** Ms. Patti recommended we push this and the next item out to the meeting scheduled for 1/20/21. Mr. Panuczak agreed.

**Re-Opening Ski Lodge:** See above.

**Garbage Dumpsters through WEA:** Ms. Patti has gotten two legal opinions that the village cannot solve this problem. Mr. Panuczak stated that the Thornton Transfer Station Committee considered the new hours a pilot program. They will review at their meetings. He recommended concerned citizens attend and provide their feedback. Ms. Patti said the problem was related to a Bethlehem landfill whose hours leave our transfer station stranded on Sunday when the compactor gets full. Mr. Hering wondered why the transfer station just didn't keep a second container on hand. He described Waterville Estates Realty's trash service, a new competitor to that service, and a proposal to put a 30-yard open dumpster at the maintenance yard off Snow Trail. He indicated there was a risk of illegal dumping in the latter scenario and that it was a complicated issue. He said they were waiting for other proposals.

**Moderator:** Mr. Panuczak indicated that a resident had expressed concern about the current Moderator position citing RSA 670:4(a). He indicated legal counsel has stated that this applies to Commissioners and does not apply to the Moderator.

**Set the Next Meeting:** Mr. Herlihy indicated the next meeting would be 1/20/21 at 6PM.

**Public Comment Period:** Mr. Herlihy indicated they had read the public comments in the Zoom chat function and the Commissioners would move to Non-Public session.

**Executive Session:** Ms. Patti motioned to enter non-public session for the reasons stated in RSA91-A:3, II (a) ), Mr. Herlihy seconded and the motion passed unanimously by roll call vote at 10:24AM. Session was entered at 10:35AM.

**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 11:34AM. Session was entered at 11:38AM. Mr. Panuczak motioned to seal the non-public session minutes as it would adversely affect the reputation of someone other than the Commissioners, Mr. Herlihy 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 11:39AM.