

## Waterville Estates Village District

September 1, 2021

### Commissioners Meeting

**Attendees:** Maureen Patti, John Herlihy, Gerry Panuczak, IGM John Scruton, AGM Judy Kinney, Harry Bertino, Jim Murphy

**Attendees via Zoom:** Ryan Timms, Mark Canfield, Yakov Korkhin

**Call to Order:** Ms. Patti called the meeting to order at 6:01 PM.

**Roll Call of Commissioners:** Ms. Patti, Mr. Herlihy and Mr. Panuczak present at the Summit Lounge

**Approval of Agenda:** Ms. Patti moved to adopt the Agenda with a singular modification (Thank You). It was seconded by Mr. Panuczak and unanimously voted to adopt the agenda with amendments.

**Approval of Past Meeting Minutes (See Attached Changes):** Ms. Patti moved for a series of amendments to the draft meeting minutes per written motion (attached). There was a slight change to her amendments – describing what line at which a correction should be made; inserting titles and John Scruton as an attendee; and inserting “Sno.matic Inc.” after the corrected spelling of consultant Scott Barthold. The motion to amend the 8/4/2021 draft minutes was seconded by Mr. Herlihy and the motion passed with unanimous roll call vote. Motion to adopt/approve the minutes as amended made by Ms. Patti and unanimous roll call vote approving.

**Treasurer’s Report:** No Treasurer’s Report available. Mr. Panuczak announced an upcoming meeting (GP, AGM J. Kinney, & Interim GM J. Scruton) with the Campton Town finance & HR director, a trustee of the Campton Trust Fund, and a representative from NH Trust to get the set up the Park and Public Purpose trust fund approved by the voters at the Annual Meeting on 042421.

**Interim General Manager’s Report:** Mr. Scruton provided the following updates:

- i. Significant problem in budget of overspending in legal costs, resulting in reduction in hours of Interim GM
  - a. IGM seeking to use Warrant Article 5 to offset some of the highway work
  - b. IGM seeking to use all of Warrant Article 6 (Infrastructure) for the boilers
  - c. IGM seeking to delay actuarial study as not a significant risk to the community
  - d. IGM seeking to delay replacement of doors on mechanical rooms (exterior doors, lower level)
  - e. IGM seeking to delay some of the expenditures on HVAC
  - f. IGM has been actively seeking assistance in designing solution to different areas of the Community Center (Summit Lounge, Locker Rooms (moisture), Fitness Room, etc.)
  - g. IGM seeking to delay furniture replacement
  - h. IGM seeking COVID REPAIR funding
  - i. IGM seeking to delay tree removal for the tennis courts
  - j. IGM continuing to seek vendor for pool covers because there is significant energy costs savings
  - k. Continue with project to address the game room carpet

- IGM recommends we make these adjustments and carefully watch spending over the remainder of the year
- ii. IGM recommends delaying opening bids for winter salt/sand shed to include another potential contractor; almost certain the shed will not be done for \$20k
  - iii. There are a lot of deferred maintenance items in the Community Center
  - iv. Looking for a surveyor to determine the beginning point of the plot lines at the tennis courts, utilizing an old plan located by volunteer Stan Bujalski (among the oversized records in the Board Room).
  - v. IGM still waiting for architect to determine the cost to design a replacement hot tub near the lap pool, very busy with bigger projects
  - vi. District advertised on the PSU database for students seeking employment and there are over 200 potential applicants for the bookkeeping and administrative assistant positions
  - vii. Plan for re-plumbing around problematic (rusting) tank at Ski Bowl Pump House is being worked on. IGM will go to DRA to approve funding (if needed)
  - viii. Ski Lodge carpet that was damaged in a faucet leak has been professionally cleaned and does not need replacing.
  - ix. Game Room flooring - IGM asks do you want to just re-apply the carpet tiles for \$2,250 or proceed with a solution to flooring issue (caused by flooding from a frozen pipe bursting last fall) that involves sanding/grinding, sealing the concrete, etc. for \$6,075. Once decision made re: spending, IGM will seek any possible additional reimbursement from our insurance company, Primex, for insurance claim filed in 2020. Discussion about other instances of water intrusion on that level of the Community Center and whether the District should expend resources to remove the failed adhesive (it failed because the carpet tiles got wet). It is roughly \$5,200 to remove the adhesive, sand, and seal the concrete. It is roughly \$800 to re-lay the carpet. IGM to seek a quote to just remove carpet tiles and put new carpet/carpet tiles - if it can be done.
  - x. IGM continuing to look at options with Dubois & King for replumbing at Ski Bowl Pump house in case the heavily rusted tank starts leaking or fails
  - xi. New carpeting is going to be installed in WEVD offices between the 7th through the 10th of September. We are allowing for completion as late as the 14th of September. Our IT consultant will be onsite to assist so District administrative functions continue as staff are moved into the Summit Lounge temporarily.
  - xii. IGM will be getting quote re: ADA Accessible automatic door openers for Community Center but recommends the District look toward retaining an expert about what corrections/changes are needed
  - xiii. The District did not include an Add On to the contract with Vermont Recreational for removal of existing tennis court fencing. IGM recommends having contractor take out the fence and posts. Ms. Patti made a motion for having Vermont Recreational remove and dispose of the fencing & posts from the existing tennis courts. Mr. Herlihy seconded the motion. In further discussion, IGM offers to explore with contractor allowing the District to retain the used fencing - in case it can be re-used or donated. Motion re-stated as "To accept Alternate #1 in contract with Vermont Recreational for \$5,900 to remove and dispose of fencing." With roll call vote, motion passed unanimously. This increases the total cost of the project by \$5,900.
  - xiv. The paving company which was considering performing the re-surfacing of the basketball court area advised the AGM they were not going to consider the job due to the requirement of a payment bond. On advice of AGM (noting the State does not require payment bonds for contracts under \$75k) and following discussion, Ms. Patti moved, "If the total cost for the

project for the halfcourt basketball court on the backside of the Community Center Structure is \$75,000 or less, that no payment bond be necessary.” Mr. Herlihy seconded and the motion passed by unanimous roll call vote

- xv. IGM noted we need to renew the \$5,000 contract for Lakes Region Water to continue to act as our licensed water operator for the next month.
- xvi. IGM has been in touch with Grafton County to request Covid relief funds with a focus on applying any such funds to repairing/upgrading the air system and, possibly, hood vents/venting.
- xvii. An additional \$4,000 in electrical work on boiler system is needed.

### **Committee Reports (See Attached)**

Written Committee Reports were discussed and approved. Mr. Scruton suggested that the Budget Advisory Committee members attend the upcoming NHMA Municipal Budget training workshop. There was consensus among the Commissioners to pay for training for the BAC members.

**Water Master Plan & Roads:** Mr. Herlihy provided an update from the WMP&R Committee. He described an upcoming meeting re: development of the Asset Management Plan. He reported the District has again applied for a leak detection grant. Mr. Herlihy mentioned the water system has significant deferred maintenance needs. Mr. Herlihy briefly described why the District is changing the funding system for the Water Department. Ms. Patti described how the migration away from our old manner of funding the water system to complying with NH RSA 38:28 and 38:29 has opened the door for the District to be considered for grant and loans from NH DES including their administration of federal Covid relief and Infrastructure monies. Per J. Scruton, under the old system of funding water, if we adopted a \$500,000 Water Department budget, \$5 of every one-thousand dollars of assessed value of a dwelling would go to run the water system. If a house has an assessed value of 1 million dollars, that owner would be contributing – from his WEVD tax dollars -- \$5,000 into the Water Department budget.

**Snowmaking:** Mr. Panuczak reported the Snowmaking Committee is gathering information and locating supplies necessary to install a “Y” valve on the pipe/line of untreated water as it is moved from the wells to treatment.

**Consent Calendar:** Ms. Patti moved to approve the manifests and written reports. Mr. Panuczak seconded and the motion was approved by unanimous roll call vote.

### **General Calendar Items (Request for Commission Action, etc.)**

#### **a. Campton Mountain Pump Station – transfer tank, bypass, caustic tank leak/damage**

Mr. Scruton described how there was a leak of caustic material in the Ski Bowl Pump House. The District retained Clean Harbors to clean the tank which contained the hazardous material. The concrete of the containment area, however, was also damaged. The District will proceed with repairing the tank and the concrete in the containment area.

Proposed updated WEVD Commission Agenda

Ms. Patti suggested she be the ex-officio representative to the RMA Modification Committee. Ms. Patti motioned as such, and Mr. Herlihy seconded. The motion passed with unanimous roll call vote

#### **b. Proposed updated WEVD Commission Agenda**

MP described the updated official WEVD Agenda, noting that it corresponds with the recently approved procedures concerning the approval and retention of official meeting minutes. **MP moved to adopt the new Agenda format.** GP seconded the motion. GP raised a question about the listing of each advisory committee and Board – could the list of committees/Boards be changed without the governing body adopting another official Agenda? J. Scruton suggested the addition of a date in the list of committees/Boards. **MP accepted the suggestion and moved to approve the Agenda with a slight amendment. JH seconded the motion. A roll call vote was taken, and the motion passed with all three Commissioners voting “Aye.”**

**c. Upgrading Security – Cameras, Card swipes to enter**

AGM J. Kinney consulted with the vendor who is currently providing the security system for District facilities regarding adding cameras, improving retention of data, and expanding the system to include a door reading (swipe) for employees. This information will be provided to the BAC for inclusion in the 2022 proposed budget.

**d. The Designation of Official Meeting Minutes, 1977 to present**

The Records Committee has compiled a nearly complete set of all Warrant Articles and corresponding Annual Meeting Minutes as well as Special Meeting Warrant Articles and corresponding minutes. The District does not have a complete set of regular Commission meeting minutes over the years. Following a consultation with the Records Committee, Chairperson Patti is going to assist the WEVD Clerk and AGM in processing the historical Commission Meeting Minutes (which predate the adoption of procedures on July 28, 2021), including the scanning of each set of official meeting minutes.

**e. Proposed policy re: ADA access considerations for construction & improvements to WEVD property**

Arising from the ADA Accessibility Committee, and with the assistance of J. Scruton, Ms. Patti presented the following motion titled Governing Body Policies for Facility Maintenance, Construction, & Improvement:

1. Any new construction project or major repair that goes out to bid for buildings or walkways will require the bidder to indicate ADA compliance in the design and construction.
2. Any significant project undertaken by WEVD staff that impacts accessibility will require review and comment by the ADA Accessibility committee.

Ms. Patti moved for the adoption of this policy. Mr. Herlihy seconded and the motion passed with unanimous roll call vote.

**f. Bids for OshKosh will remain open**

- g. Thank You** – Terry Bennett, for donating a used laptop for use by Commission, Advisory Committees, and the Planning Board for streaming public body meetings.

**Next Meeting** – Thursday, September 16, 2021 at 9 a.m.

**Public Comment Period**

H. Bertino inquired whether Mr. Herlihy had spoken to a NH DES representative concerning a water quality issue or for a different purpose. It was clarified that Mr. Herlihy had spoken to a NH DES representative about funding issues. Mr. Bertino referred to RSA Chapter 38 and how the water fund is funded by the water rates. The statute says 'may' not 'shall.' Mr. Bertino asked if there was no water fund, could the water system be run by taxes and not water rates. Ms. Patti explained that tax revenues are still available to fund Capital Preservation of the water system infrastructure. Ms. Patti acknowledged that there are a small number of municipal water systems that are funded with tax revenues (as WEVD used to do) but, the vast majority of communities follow RSA 38:28 and 38:29. According to legal counsel [and NHMA and the Interim GM], using water rates to fund the District's water department is what is required under NH law. Mr. Bertino suggested it would be quicker and better to fund improvements and repairs to the water infrastructure through capital improvement monies from community tax revenue. Taxes have to be proportional. The water piece has to be equitable.

M. Canfield asked about whether a licensed water operator from the Town of Campton could be contracted to act as the licensed water operator for the Estates.

Y. Korkhin addressed the Commission regarding the figure discussed at the WMP&R Committee meeting on 8/31/2021 - the cost of water delivered to the residents is circa about 1 cent per gallon. Mr. Korkhin asked / commented: what does the \$320 going toward? How much water per resident on average is consumed annually? The tax rate is composed of 15 from the District, 20 from the town, and there is county, school, state school - so 40 roughly. Wanted to make sure we are not double dipping. Taxes are assessed from valuation. Are the taxes going to go down?

### **Non-Public Session**

**Motion to Enter Non-Public Session:** Ms. Patti motioned to enter non-public session at 8:06 PM, pursuant to RSA 91 A:3, II(a), RSA 91 A:3, II(e) and RSA 91 A:3, II(l). Mr. Herlihy seconded and the motion passed unanimously by roll call vote.

**Convening of Non-Public Session:** Mr. Herlihy made a Motion to convene non public session at 8:11 PM, it was seconded by Mr. Panuczak and passed unanimously by roll call vote. Other persons present during non-public session: J. Scruton, J. Kinney

**Return to Public Session:** Mr. Panuczak made a Motion to exit non- public session, Mr. Herlihy seconded and the motion passed unanimously by roll call vote at 8:40 PM.

**Public Session Reconvened at 8:42 PM.** A Motion to seal non-public session minutes, due to the fact that it will adversely affect the reputation of any person other than this commission, was made by Ms. Patti, seconded by Mr. Panuczak, and passed unanimously by roll call vote.

**Adjournment:** Mr. Herlihy motioned to adjourn the meeting, Mr. Panuczak seconded, and the Motion passed unanimously by roll call vote at 8:42 PM.