

**TOWN OF WATERVILLE VALLEY
BOARD OF SELECTMEN
REGULAR MEETING MINUTES**

DATE: September 14, 2016

MEMBERS PRESENT: Chairman Mike Aronson, Bill Larsen, Margaret Turner.

MEMBERS ABSENT: None.

OTHERS PRESENT: Reggie Breeckner, Rich Rita, Tim Smith, Howard Abramson, Mark Decoteau, Chris Hodges, Brooke Wakefield, Judy Rolfe and Sharon Charron.

1. The meeting was called to order at 3:00 p.m.

2. Privilege of Floor 1

Howard Abramson, President of the Mountain Brook Condo Association, addressed the board regarding the roads in the association and rights-of-way and easements for travel over their property to abutting properties, specifically the Mountain Meadow Assoc. and the Mt Garages Assoc. Mountain Brook's road is deteriorating and is currently in need of repairs. The association is researching if any easements exist, and dependent upon the findings, may choose to restrict access through their roads or request the other associations to contribute to the repair costs. He stated over half of the travel on the road is from other the abutters. Public Safety access cannot be restricted, and if any restrictions take place, it will be coordinated with the Public Safety Department. Discussion followed regarding any town records pertaining to the site plan review of when the original development was approved. Town records will be reviewed for any additional information concerning easements and rights-of-way, specially the plot map.

3. Approval of Minutes 8/24/16 Regular Meetings

Bill Larsen motions to approve the minutes of the Regular meeting of the Selectmen of 8/24/16 as amended.

Margaret Turner: 2nds.

Motion was carried by a unanimous voice vote.

4. Financial Update

Mark notes that the adjusted revenue numbers, as reflected upon the MS-434, are now being used in the presented financial report. All revenues are looking good and there are no departments that are unusually overspent at this time. He noted that the electric costs for street lights is slightly ahead, about 10%, and is expected to be about \$500 overspent at year end. This is due to a previous change to another energy provider for better rates, which the contract has since expired. We have returned to the NH Coop for our electrical energy. The reason we changed is that the rates were lower than the NH Coop's rates at that time. However, after the budget was approved the rates increased higher than we projected at the beginning of the year.

5. Department Heads Updates

- **Recreation**

Brooke Wakefield informs the board that the Rec. Dept has been slow for business recently, and that she is using the time to prepare for fall events. There is the Fall Foliage Race, day trip to Fryeburg Fair, and Halloween events which are all being planned. She mentioned that there is a new fitness instructor in WV who will be teaching some classes, with dates/times to be announced. The after school program begins on 9/19 and currently there are 6 kids registered. The program will run Monday- Thursday. All of the after school programming will be in house by the Rec staff. The boats will continue to operate on the weekends and concluding the Monday of Columbus Day weekend. Brooke commented that with the Freedom passes, through the WVRA, when boats are no longer open the climbing wall is then available on the Freedom Pass. The boats and climbing wall activities are not available on the Freedom Pass at the same time, and when one ends, the other begins.

- **Public Safety**

Chief Chris Hodges states the department is transitioning from summer to fall mode, and that the Public Safety Academy will be beginning tonight at 6pm, 9/14/16 and will run for 5 weeks thru 10/12/16. Both of the new vehicles are performing well. The cruiser is being leased and the truck was purchased. Brief discussion followed regarding the vehicles.

- **Public Works**

Public Works Director Jim Mayhew reports that garbage collection has been slower, which is normal in this time of year. Maintenance to the flashboards on the Corcoran's Pond dam will occur after the boats are done for the season, but before the winter. He has one employee out on sick leave currently. He is planning to begin roadside and ditch work tomorrow, 9/15/16. Mike Aronson inquired if the lack of rain has impact to the WWTP. Jim replied it is actually good, as there is less water that requires treatment. For every 1" of rain there is approximately 100,000 gallons of treated water as a result. For example, being down 3" in rainfall, we've actually saved having the treat approximately 300,000 gallons less of water through the WWTP. This means that fewer chemicals are being used than normal, under average rain conditions. The new water treatment building was discussed, and there was concern expressed by some of the board of the size of the building, as it seemed quite larger than they had expected. Jim stated the new building will measure 25'x25' roughly and to old building was 20'x24', so it is only slightly larger. The size of the hole for the foundation is deceiving, as the treatment chamber in the basement is roughly the size of the building. The area needed to be excavated creates the appearance of the building being larger in size. The building drawing was asked to be viewed at the next board meeting. The trucks working the project were being routed via Tripoli Rd. successfully and no complaints have been received.

6. Calendar Review

The next regular Selectmen's meeting is rescheduled to Thursday, September 29th at 1pm due to board member conflicts.

The first October regular meeting is rescheduled to Wednesday, October 19th at 3pm due to board member conflicts.

7. New Business

- **Request for Flower Bed at Library – Martha Plante**

A request was received to establish a flower bed behind the library. There is an existing flower bed there, as well as the memorial elm tree. The Selectmen had no issue as long as the Library Trustees were in agreement as well.

- **Enforcement Letter – Skateboard Park**

Mark informs the board of the Planning Board decision to request the Ski Resort (WVSR) to complete a Site Plan Review Application for the Skateboard Park in the center of town. Bill Larsen provides the background concerning the park, and how it has been granted permission on an annual basis for its use. When the use was approved last year (2015) at a PB meeting, the PB asked the mountain to complete a Site Plan review for the following year and gave a deadline to do so. That deadline has since passed. Bill Larsen proposed that a Cease & Desist Notice be given to WVSR, with the condition to start the process of doing a Site Plan Review application. A conceptual consultation with the Planning Board would begin this process, followed by a schedule to complete a Site Plan Review by March/April of 2017. The C/D order would mean that the skate park would be shut down for use and access should be restricted. The problem remains that the park is built upon area that is designated for parking, and how these parking spacing are reallocated, or deemed no longer necessary, are things which need to be resolved. Tim Smith of WVSR also expressed that they may not want continue to operate the park as their skateboard camps they've operated out of there have declined the past few years, but they are still undecided. Tim expressed concern that local kids use the park as well, and didn't want to take this away from them. Chris Hodges was asked for his opinion, and he stated he would direct public safety officers to follow the recommendations of the BOS and the mountain. If a C/D order stated it was to be shutdown with a date, it should be posted and locked. It would be enforced by telling individuals found using it that they had to stop their use. Discussion followed which included the a Conceptual Consultation with the PB, the Site Plan review process, WVSR's intention for continued operation of the skateboard park going forward, and how to proceed at this point. It was stated that if a Conceptual Consultation, as the first step of a Site Plan review, is requested by WVSR to the Planning Board the conditions of the C/D Order are being met, and use could continue. However, if the Site Plan review process isn't initiated by WVSR in any action, the C/D order would remain in effect and the park would need to be closed. If there an application not submitted and the WVSR decides to stop operating the park, the structures would need to be removed unless another operator assumed ownership and operation thereof, pending approval of a Site Plan review. Whom that other operator would be is unknown, but included the possibility of the Recreation Department or WVBBS as suggestions. Discussion followed regarding possible alternative operators. Mark recommended that the Cease/Desist order be signed by the Board, and that Tim Smith of WVSR request a conceptual consultation of the Skate Park by the Planning Board, thus meeting the conditions as stated in the C/D order that the Site Plan review process be met which would allow for the park to remain open for use for the immediate future. This process would allow the mountain additional time to consider whether or not future operation of the park is something they want to continue, or not.

Brooke Wakefield comments that the operation of the skate park by the Recreation Dept was something she would need more time to research operations of this type of venue, as well as risks, and staffing needs.

Margaret Turner motions to recommend that the Cease and Desist Order be issued to WVSR for operation of the Skateboard Park.

Bill Larsen: 2nds.

Motion was carried by a unanimous voice vote.

8. Old Business

- **Dog Park Request**

A request was received from David Britton regarding establishing a dog park in WV. Discussion followed as to a possible location, including land owned by the town near the Mad River below the Mad River Condominiums. This land is presently recreation zoned, and there is an easement through the condo's to the parcel. The park would be similar to those in urban areas, an area fenced in so that dogs may wander off leash to socialize with other dogs under owner supervision. The parcel is currently forested land. The board suggested that David Britton establish a committee of other dog resident dog owners to generate plan. The board had no issue as a private project, but didn't feel that tax dollars to establish it, or to maintain it, would be well spent.

- **Water & Sewer Project Update**

Jim Mayhew updated the board on the project. Concrete was poured today for the foundation and 2 sections of walls on Monday (9/19), and anticipates completion of by next Friday (9/23) if all continues to go well. Jim commented that he has not had any complaints regarding the truck traffic. He also mentioned that the extension letter from Rural Development from the previous verbal extension of 9 months to June 2017, to the written extension of 6 months to March 2017, stating an error was the reason and the extension date is for 6 months, not 9 months. The board expressed concern if substantial completion of the project by the contractor can take place, and if the contractor is aware of this deadline. Mark Decoteau, and Jim Mayhew concurred, that the contractor is fully aware of the contract dates and the timeline required for substantial completion of February 25th, 2017. Substantial completion is clearly defined in the signed contract. This includes all of the physical connections of well #4 and the new treatment facility will be completed. The only portion not covered under substantial completion is the water quality testing to meet DES requirements. Most of the water testing has been completed already, but these will be repeated per DES requirements to bringing the new well online. Senator Ayotte's office was notified of the extension date miscommunication.

- **Land & Water Conservation Fund Grant Application**

Mark informs the board that the application for the grant has been withdrawn as the WMAC denied the property donation request from the town. As part of the grant requirements there was a 50/50 match for the grant dollars requested, and the value of the property represented the town's 50% matching portion. Discussion followed concerning other possibly options including purchasing the land from WMAC or utilizing other town owned land for the matching portion. Mark stated this grant is an annual grant and there is time to discuss other locations as options, as well as what types of amenities to construct (outdoor courts for basketball, pickleball, skateboard park, dog park, etc.).

9. Correspondence

- **Bob Guilbert Resignation from Planning Board – Replacement Appointment**

Bob Guilbert has resigned his position from the Planning Board, and following discussion the board follows the recommendation provided through correspondence to appoint PB –Alternate member John Recine to a full member.

Bill Larsen motions to appoint John Recine to a Full Member of the Planning Board.

Mike Aronson: 2nds.

Motion was carried by a unanimous voice vote.

The Planning Board now has vacancies for 2 alternate members that will need to be filled. Conversation continued to include these appointments and vacancies on other boards as well which need to be filled. New residents need to be recruited to fill some of these positions. In an effort to accomplish this, the resident list will be reviewed at the next Selectmen's meeting.

- **Extended Summer Season for Bike Trails**

A memo was received from WVSR that the summer operation for the bike trails has been extended by the mountain due to increased usage. No action necessary, only informational.

- **Coalition Communities Notice**

A letter was received the concerning the recent court case involving the City of Dover against the State of NH regarding the cap placed on education funding. Dover was awarded the back funding it lost (2009-15) from the application of a cap on the per-pupil funding of an adequate education, which amount to \$14 million. Discussion on the board involved the impact for the Coalition Communities and what it means to the upcoming legislative sessions and its impact upon Waterville Valley. This is something that needs to be watched in the coming months.

- **Notice from USDA re: Change to Water/Sewer Project End Date**

This item was covered under the Public Works Department reports.

10. Privilege of Floor II

Reggie Breeckner asked if the Board wanted her to write an article for the WigWag regarding the open positions on various town boards and how people can get involved.

The board also commented upon the recent election and the number Selectmen are required to be present when the polls are open, and if a selectboard member can delegate someone in their absence. Confirmation of this from the moderator, or the Town Clerk, is needed with more details as to the specifics. The answer will be researched prior to the general election.

11. Board Concerns and Directives

None.

12. Non-public Session

The board goes into Non Public Session under RSA 91-A: 3, II (I) along with Town Clerk Reggie Breeckner, Town Manager Mark Decoteau and Sharon Charron. The Motion was made and seconded and with a roll call vote: Selectman Aronson – aye, Selectman Turner – aye,

Selectman Larsen – aye, and the Board went into Non-Public Session at 4:11 p.m. The Board came out of Non-Public Session at 4:39 p.m.

- Legal Opinion Discussion - Non-Public

After coming out of the non-public session, Mike Aronson motions to approve the Grant Anticipation Loan with a not to exceed number of \$300K.

Bill Larsen: 2nds.

Motion was carried by a unanimous voice vote.

Bill Larsen motions to adjourn the meeting at 4:40pm.

Margaret Turner: 2nds.

Motion was carried by a unanimous voice vote.

Respectfully Submitted,

Sharon Charron

Town Clerk/Town Office Assistant