

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

**The Public can also watch the meeting via the Town
YouTube Live Stream at
<https://www.youtube.com/user/WVTOWNNH>**

DATE: May 18, 2022

MEMBERS PRESENT: Richard Rita, Chairman; Margaret Turner, Vice Chairman; and Bob Fries, Member.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mark Decoteau (Town Manager), David Noyes (Director of Public Safety), Dylan Tucker (WWTP Operator), Brooke Wakefield (Recreation Director), Steve Royer (Administrative Services Manager), John Recine, Irit Levy, Linda Coleman, Tom Myrick, Wendi Rathgeber, Cyndy Piekos, Craig Larsen, John Montiero, and Sharon Charron (Executive Assistant).

1. Call to Order – Non-Public Session

- a) Tom Gross – WVRA re: Bus Agreement**
- b) Land Purchase Discussion**

The Board goes into Non-Public Session under RSA 91-A: 3, II (I) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present The Motion was made by Margaret Turner and seconded by Rich Rita and followed by a roll call vote as follows: Selectman Turner – aye, Selectmen Rita – aye, Selectman Fries – aye and the Board went into Non-Public Session at 2:00 pm. The Board came out of Non-Public Session at 2:55 pm.

Upon return to the public session, a motion was made to seal the minutes by Margaret Turner and seconded by Rich Rita because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. A unanimous voice vote passed the motion.

2. The Public meeting was called to order at 3:02 pm by Chair Rich Rita.

Rich Rita, Chair of the Board, states that this is an in-person meeting, and YouTube LIVE is also being used. The public may call 603-236-4730 or email townofwv@watervillevalley.org to ask questions or if they have problems accessing the video services.

3. Privilege of the Floor

John Montiero addresses the Board regarding instances during his morning walks when the noise ordinance is not followed. He explained that he walks between 7am-8am and routinely passes by active construction sites where noise is generated. The Noise Ordinance states that no construction

activity that produces an unreasonable amount of noise, which may be heard from adjacent and/or public properties, shall be permitted before 8am on weekdays, before 9am on Saturdays, and not permitted past 7pm Monday through Saturday. In addition, NO construction activity is allowed on Sundays or Federal holidays. John explained that he had witnessed construction vehicles at excessive speeds, and a driver verbally attacked him. John expressed concern for the children walking or riding bicycles on their way to school. Chief Noyes stated that any complaint regarding construction noise outside of the allowable hours would be addressed. However, if the Town receives no complaint, a response cannot occur. He noted that any construction activity that doesn't produce unreasonable noise is allowed. The Board thanked John for his concerns.

Cyndy Piekos expresses concern for irrigation systems that use Town water as drought conditions have been present during the last few summers. However, she didn't have an issue with properties with private water wells that don't operate off of the Town's water system. Margaret Turner commented that properties with irrigation systems or usage above a certain amount will have a surcharge applied when the fee structure is reviewed. The Board agreed that drinking water is the priority for the public water system.

John Recine asked the Board if vinyl siding is permitted in town as a building material. Chief Noyes replied that yes, vinyl siding is allowed.

4. Minutes Review and Approval of Regular Meetings of 4/13/2022 and 4/27/2022

Bob Fries motions to approve the minutes of the Regular Meetings of 4/13/2022 and 4/27/2022 as amended.

Margaret Turner: 2nds. A unanimous voice vote carried the motion.

5. Financial Update

Mark Decoteau distributed the financial report as part of the Board's meeting packet and asked if there were any questions. The Board had no questions on the financials.

6. Department Head Reports

a) Public Works/Municipal Services

Jim Mayhew, Public Works Director, is not present, and Mark Decoteau reports that the trash truck is waiting on repairs to the hydraulics. A part is on order and expected soon. In the meantime, dumpsters are being monitored for their contents and will be serviced if needed. He asked residents and commercial properties to call the office if they had any issues.

b) Public Safety

Dave Noyes, Public Safety Director, reports things are going well. The EMT class is nearing completion. Fire truck testing went well with just one minor issue. Repairs continue to fire hydrants in coordination with the water department. The State of N.H. approached the department for a GOFFER Grant of \$50K EMS supplies. There is a 10% match by the Town to qualify. A list of equipment is being prepared, and if approved, the total amount of \$55K will be brought to the Board for review, approval, and acceptance of the grant. Bob Fries asked about the 2022 warrant articles that passed for equipment. Dave is still waiting for a reply on the \$140K grant for the Breathing Apparatus from the State. The other article was for the replacement of the weapons, and that has occurred. The weapons being replaced are traded in or purchased by the officers to which

they were issued. The Fishing Derby is scheduled for May 28, the Saturday of Memorial Day Weekend, coordinating with the Recreation Department. There are also two new record management systems for Fire/EMS and Police that are newly installed, and staff is now being trained on their use. Annual inspection letters have been sent to commercial properties in town.

c) Recreation Department

Brooke Wakefield reports that the Rec Dept bus had an issue with not being able to shift gears that are being looked at now for repairs. The Wilderness First Aid course was full and very successful. Port-a-potties were delivered to the two locations; Packard's Field and W.V. Academy. They are planned to be in these locations through mid-October. The area where they were placed was closer to the tennis center and the Snow's Mountain chairlift by the classroom entrance to the WVA/BBTS building. There was a concern about the location on the Academy campus, as it may not be visible from the parking area for hikers. The planned location was in the Academy parking lot, where they would be visible to hikers and bikers. Discussion followed, and Brooke suggested installing signage to direct the public to the port-a-potties location on the Academy campus. Brooke also announced that a GaGa Ball Pit is being installed at the playground. The Warriors conference is in town this weekend and has events scheduled in the Rec Dept. The Shine conference was last weekend. The boats are open for the season, and Brooke states the Rec Dept is fully staffed for the summer. She is still waiting on word from the Resort on the repairs to the Gazebo in Town Square.

d) Wastewater Treatment Plant

Dylan Tucker, Plant Operator, states there are no significant issues to report, and things are trending in the right direction as long as the biological activity remains the same.

e) Administration

Steve Royer reports that all is going well. He is working with Dylan Tucker on a water/sewer rate survey and will update the Board as information is available. Steve is working with Public Safety to improve administrative support for the department. He reports a need to saturate the lagoons with alkalinity this past week, which was done successfully. Dylan has worked with Joe Ducharme on plans and reports on this under the sewer project update. Dylan stated that the bypass around the ammonia tanks was installed so the tanks could be inspected. This process will also be explained further under the sewer project update.

7. Calendar Review

- a) Next Select Board Meeting – Wednesday, May 25, 2022, @ 3 pm**
- b) Planning Board Workshop Meeting – Thursday, May 26, 2022, @ 8 am**
- c) Joint Meeting with School Board – TBD perhaps 1st meeting in June?**

8. New Business

a) Irit Levy – Presentation and Discussion re: Recycling

Irit Levy of the Citizens Recycling Group shares the recycling survey results with the Board. The survey had 130 respondents who strongly supported reinstating a recycling program. In addition, the survey provided examples of glass, aluminum, plastic, paper, and food composting items. Irit explained that a flyer on reducing waste and increasing recycling practices is planned to be included with the 2nd quarter water/sewer bills. The survey also asked for suggestions and included

painting the blue dumpsters green and securing the transfer station within a gated area. The Board thanked Irit for the information and the Citizens Recycling Group's efforts to promote recycling measures.

b) Craig Larsen – Email Request to Address Selectboard

Craig Larsen had emailed the Board requesting time to discuss several concerns he has with the Town. The first is on-street parking, and he asks this to be allowed on Snow's Mountain Rd across from the Tennis Center and on Valley Rd across from the Golf Course Clubhouse. Discussion followed concerning how best to proceed. Creating an easement from the Golf Club to the Town of Waterville Valley was believed to be the best action for the area off of Snow's Mountain. In exchange for the easement from the Golf Club to the Town, Craig Larsen asked for an in-kind consideration for an area of the same size for parking for his customers and allowed temporary on-street parking in the meantime. The Board reminded Craig that a road paving project would start this summer, affecting the area across from the clubhouse, which led to another of Craig's concerns. He believes he should be consulted on the road project due to being the largest property owner abutting Valley Road.

Craig also mentions that the 20' easement through the golf course for the waterline is inadequate in size to maintain the waterline effectively and proposes that the waterline be relocated under the Valley Road to Boulder Path Road during this paving project. Craig also expressed concern that the waterline is 50 years old and the valves are not operable to shut off the flow of water in an emergency, and that he has tried to operate the valves and has been unsuccessful. Mark Decoteau states that relocating the waterline is not part of the current paving project. The engineering plans for the road paving do not include moving or installing new waterlines. The Selectboard plans to award the contract for the road paving project today, based upon the approval at the Town meeting. There are no funds in the project budget to include the installation of water line pipes. Craig asks how the waterline will be repaired if he won't give the Town permission outside of the 20' easement. Mark states that the previous owners of the golf course have always given permission which was never an issue. Craig offered that he would give permission but expects considerations from the Town in return and believes the Town can install a new water line at the same time. Mark explains that waterlines are set at a much lower depth (7' at least), and the paving work to less than 2' in depth. The additional 5' of depth, other related material, and required engineering plans are not budgeted in the project as presented to the voters. Any changes, as Craig suggested, would halt the project for this year and would require a new Town Meeting vote, and the Board did not support this.

Craig Larsen continues on his next concern, being his water rights to Corcoran's Pond. A brief discussion followed, and Mark Decoteau clarified that while Craig may have water rights to Corcoran's Pond, he does not have rights to trench and install waterlines on properties other than his own, including the Town, Town roads, and Tyrell Development. Mark explained that Craig's water rights allow the Golf Course to draw down the pond to a certain level. The water is then run by hose over the land and the road to the artificial pond by the Golf Clubhouse. However, it did not grant any rights to install pipes or dig in the road to obtain the water. Arrangements would need to be coordinated with the property owners, Tyrell Development, and the Town to draw water.

Craig Larsen also mentions creating more parking spaces in his maintenance area, which led to more discussion about on-street parking. The Board is planning to revisit discussions from last year now that the Ordinance was updated at Town Meeting. Discussion followed, and Craig asked for temporary on-street parking in the meantime. Craig explains that he needs additional parking at certain limited times of the week. The pending paving project will impact the same area where the temporary parking was and where Craig wants it to be continued until the paving project begins. Once the road is paved, the temporary parking area will be part of the bike path and pedestrian walkway and unavailable for parking. Tom Gross proposes that Boulder Path Road is used for Craig's on-street parking area. Rich Rita offers that Boulder Path Road was suggested previously for on-street parking by Public Safety, especially for the winter months. Craig then provided that he would like to relocate the gazebo on the 6th fairway closer to Boulder Path Road for better access by the public year-round. The discussion then turned back to Snow's Mountain Road area. Craig expressed that he (the Golf Course) feels like he is being singled out and wants to be fairly treated. He refers to the "No Parking" signs installed last winter in the Clubhouse area. Craig was reminded that he asked for those signs better to identify the on-street parking area for his customers. Rich Rita states that he understands what Craig is asking for, a Quid Pro Quo, for Craig allowing the Tennis Center customers to park on his land, then Craig's customers can park in another on-street location until the road construction starts.

Craig Larsen expresses his concerns with the Shuttle Bus services and explains the operation was not inclusive of the Golf Course for the snow tubing hill in the winter. In addition, he explains that the operation hours and locations of stops overall were not accommodating to businesses in the Valley. Tom Gross offered that these concerns were brought to the Resort by the Resort Association (WVRA), and two more stops were added. One being at the Golf Clubhouse and another on Boulder Path Road. The shuttle bus operation hours were also discussed, and extending the hours to 6pm would be beneficial, Craig proclaimed. He proposed using the Recreation Department bus to extend the hours for shuttle services, and Mark asked for a proposal in writing to discuss further.

Craig brought the final item before the Board was the new sewer treatment plant project and asked that the property owners on Snow's Mountain Road be exempted from the costs since they do not have access to the Town's sewer services. He adds that he believes the sewer lines should service all properties in the Town if all the taxpayers would be incurring the costs of building the new treatment plant. Bob Fries replied that's not how a Town works, explaining he doesn't have kids in school but pays for the school; and another Board member doesn't ski, but their taxes help pay for the Shuttle Bus; and yet another doesn't go to the Recreation Department, but still supports the programming through taxes. Bob continued that in a community, people work together to better the whole community. Craig doesn't see it the same way and explains he has access to all those particular items and can use any of them if he chooses, and he can't decide to use the sewer treatment plant since his property on Snows Mountain Road isn't connected to the sewer system. Dylan Tucker, Sewer Treatment Plant Operator, offers Craig and any other homeowner not connected to the sewer system access to the plant. The septic trucks that serviced their properties are allowed to dump the contents of their trucks at the sewer plant for processing for no charge. Mark Decoteau adds that any property on private septic services has this indicated on their property assessment cards, which is reflected in their assessed property value. Mark informs Craig that he believes his property is over-valued, then he would suggest that he file for a Property Tax

Abatement. Mark continues to explain that the Board of Selectmen is not allowed to have a special rate for selected homes as it is against the law. The other options would be establishing a Sewer District for unconnected sewer properties or installing sewer lines on Snow's Mountain Road. There are about 20 homes not serviced by town sewer lines. Mark adds that installing a line on Snow's Mountain Road will be costly as most of the hillside is a ledge, and the depth needed to install a sewer line. Water lines on the road have had many issues over the years. The Board asked if a cost-benefit analysis for installing sewer lines and replacing water lines could be revisited before any future roadwork on Snow's Mountain Road (including Greeley Hill Road and Jasinski Road).

Craig thanked the Board for their time.

c) Q1 2022 1st Half Tax Bill Warrant – Review and Sign

The Board reviewed the 2022 1st Half Property Tax Warrant. The Board reviewed a detailed report that compared the Warrant totals to the budgeted revenues. The total amount of the warrant is \$2,623,000. The Board signed the Warrant as presented.

d) Bond Issue Resolution and Sign Paperwork

The Bond Issue paperwork is presented for Rich Rita, the Board Chair, signature. The Bond resolution language, which is needed for these minutes, is included as a supplement to the meeting minutes. **** Bond Resolution is inserted at the end of minutes ***

Rich Rita motions to adopt the resolution regarding the authorization of Bonds and approval of the loan agreement with the New Hampshire Municipal Bond Bank, as specified in the Board's meeting packet.

Bob Fries: 2nds. A unanimous voice vote carried the motion.

e) Sign Permit Application – WVSR Replacement Signs

The Board reviews the sign permit application for the replacement signs. Bob Fries noted that "Waterville" is misspelled, which should be corrected.

Rich Rita motions to approve the sign permit, with the caveat that the spelling is corrected in Waterville.

Margaret Turner: 2nds. A unanimous voice vote carried the motion.

f) Accept Unanticipated Donation – WVRA for Movies

Margaret Turner motions to accept an unanticipated donation of \$3,925 from WVRA for the summer movie series for the Recreation Department.

Bob Fries: 2nds. A unanimous voice vote carried the motion.

g) Request for Permit to Sell Ice Cream

The Board reviewed a request for an Offsite Solicitation Permit from resident Aleena Tessier to sell ice cream. Aleena and her mother, Katie Aylward, explain that Aleena wishes to sell popsicles and ice cream treats out of a wagon she will pull on the sidewalk. Aleena plans to concentrate on the area within the Village Condos and the playground that is adjacent to Packard's Field. Chief Noyes had no issue with approving the request. The Board agreed and approved the request. Aleena and Katie thanked the Board for their support and hoped they would stop by for a treat.

Margaret Turner motions to approve the Offsite Solicitation Permit from Aleena Tessier to sell ice cream.

Bob Fries: 2nds. A unanimous voice vote carried the motion.

h) Lien Payment Abatement – Sign Paperwork

The Board reviews and signs the paperwork to abate fees related to a Lien Notice fee.

9. Old Business

a) Road Project Bid Results

Mark Decoteau had provided the Board with the bid results via email. Mark informed the Board of conversations between the Town Engineer and the contractor, who has agreed to decrease the width of the travel lanes from 13' to 11', which will reduce the amount of paving. The lanes are currently about 12' wide, which will also aid in slowing down traffic. Other cost-saving items include using reclaimed pavement in the areas where appropriate. Other areas requiring more extensive work will be boxed out for new material to be installed. The goal is to reduce the number of trips of old material leaving town and new material arriving into town to reduce the transport costs. Margaret Turner asked what would become of the sidewalk along Snow's Brook Road. Mark said it would be abandoned, but that would be possible if the property owners want to keep some sections in place. The walkway is being replaced with an 8' width multi-use pedestrian lane on the side of the road. The total width of the roadway would be 30', with 22' for the vehicle travel lanes and the 8' multi-use lane. There was some concern about the number of trees being removed for the project.

Mark Decoteau requests that the Board provide authorization to accept the bid from R.M. Piper, Inc., with a change order #1, be placed to reduce the total cost from \$2,181,472 to no more than \$1,913,000 upon execution of the contract. Mark also adds that Craig Larsen referenced the waterlines earlier in his discussion as not being solid are in good shape. Dylan Tucker adds that according to the Town's current plans, there is already a waterline on Boulder Path Road, though it is smaller than the line crossing the 8th fairway of the golf course. Dylan continued to state that the valves on the waterlines are operable, as he has exercised them himself, and the area can be isolated if a problem occurs. Mark Decoteau explains that the easement language for the 8th fairway waterline is the same as every other waterline easement in town. If a repair is necessary, a minimal amount of equipment is brought in, and the area is restored to its original condition at the Town's cost.

Rich Rita motions to accept the bid from R.M. Piper Inc. for \$2,181,472 for the Road Project contingent upon the change order #1 that lowers the total cost to \$1,913,000, as negotiated by the Town Manager, Mark Decoteau.

Bob Fries: 2nds. A unanimous voice vote carried the motion.

Mark Decoteau adds that \$1,913,000 includes the remaining \$113,000 from the Town Entrance Sign Project.

b) Shuttle Bus System Agreement

The Board has reviewed the proposed Shuttle Bus Agreement and agrees to counter-offer the \$4,629 as a monthly payment to the Resort until financial reports on the Shuttle Bus operations show higher operating costs.

Margaret Turner: 2nds. A unanimous voice vote carried the motion.

c) Update Water Sewer Projects Status

Dylan Tucker reports a miscommunication between the contractor and the engineer that resulted in Dylan looking at other options for the repairs to the ammonia tanks. A temporary solution was found to install a large mixing tank to meet the sewer discharge permit requirements for the breakpoint chlorination process. The mixing tank will be rented and will only be needed for the summer months when breakpoint chlorination occurs. This solution costs approximately \$13K and will be needed each summer until the new sewer treatment plant is online. The savings are significant as the alternative proposed was to inspect the tanks at the cost of \$45K, plus the cost of repairs. Dylan explains the process of breakpoint chlorination and the balance between alkalinity, external air temperatures, and the necessary bio-organisms to break down wastewater. The funding will come from the previously approved dollars to maintain the existing treatment plant before the new plant is operable.

Dylan and Mark report from their meeting with engineer Joe Ducharme to finalize the \$4M Funding Application for the Clean Water State Revolving Fund, which is a portion of the \$5M authorized at Town Meeting. The pre-application for the construction of the Wastewater Treatment Plant is being prepared, and Joe Ducharme expressed concern about inflation costs that will impact the project. It was suggested to use the amount of \$35M on the pre-application instead of \$25M. Mark explained that it is more difficult to increase amounts after approvals, and the increased amount does not obligate the Town to take the funds. Other projects Joe is involved with have increased 15-20% for contingency fees. Mark proposes \$35M for the 2023 Town Meeting warrant article for the Wastewater Treatment Plant construction. He also suggests that materials begin to be purchased as soon as possible after the approval. Any equipment or pipes as part of the project can be eliminated from the contractor's bids. The lead times on materials have also become more challenging and are expected to continue. Dylan then informs the Board of a method to eliminate the sludge holding pond, which will be the location of the temporary transfer station. The solution will bring large cost savings to the Town. The Board reviewed the dates for site visits to other Wastewater Treatment Plants.

d) Bike Path Signs

Mark Decoteau reports that he and Jim Mayhew have met with Ian Cullison from the Bike Shop to discuss the bike path signs.

10. Board Concerns and Directives

The Board discussed the temporary parking location by the Golf Course and agreed to allow temporary parking on Valley Road across from the Golf Clubhouse until the road paving project starts. The area on Snows Mountain was also discussed, and the Board decided it was best to continue to allow parking in this area for the time being without penalty as long as the landowner allows. The Board will need to decide how to proceed beyond the summer months and schedule a public hearing to discuss on-street parking further. The Board had concerns about being able to provide a "quo" for the "quid" for Craig Larsen's request for allowing on-street parking once the

road project is underway and the location on Valley Road is not available. A permanent solution is needed, but more discussion is required by the Board, with input from Public Safety on areas.

The Board also discussed road engineering on Snows Mountain Road that would include installing a sewer line along with the road work. The engineering costs are anticipated to be extensive. A forced-main sewer line is suggested as being less costly.

11. Correspondence

None.

12. Non-Public Session

The Board goes into Non-Public Session under RSA 91-A: 3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted, and (l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present The Motion was made by Margaret Turner and seconded by Bob Fries and followed by a roll call vote as follows: Selectman Turner – aye, Selectmen Rita – aye, Selectman Fries – aye and the Board went into Non-Public Session at 5:35 pm. The Board came out of Non-Public Session at 5:50 pm.

Upon return to the public session, a motion was made to seal the minutes by Margaret Turner and seconded by Rich Rita because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this Board. A unanimous voice vote passed the motion.

13. Adjourn

Rich Rita motions to adjourn the meeting at 5:50 pm.

Margaret Turner: 2nds. A unanimous voice vote carried the motion.

Respectfully Submitted,
Sharon Charron, Executive Assistant