

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

September 25, 2007

The Selectmen's Meeting convened at 4:18 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C David Weathers (Chair), Gary Webster, Mark Hounsell, and Howard C. Dickinson; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

Selectman, Larry Martin, was not present for the meeting.

PLEDGE OF ALLEGIANCE

Chairman Weathers led the Board in the Pledge of Allegiance to the Flag.

SIGNING OF DOCUMENTS

The Board reviewed and signed various documents contained in the signature folder.

CONSIDERATION OF BILLS

The Board reviewed and signed the manifest dated 9/27/07.

CONSIDERATION OF MINUTES

Mr. Webster moved, seconded by Mr. Dickinson, to approve the minutes of 7/25/07, regular and non public, as written. The motion carried 4-0-0.

BIRCH HILL WATER – PUBLIC INFORMATION MEETING

Mr. Weathers explained the Board would be having a public information meeting today. The Board met with the Town Attorney prior to this meeting and discussed issues. Mr. Weathers further advised that John Boisvert of Pennichuck Water, State Representative, Tom Bucu, and Public Works Director, Paul DegliAngeli, and others are here to discuss the matter.

John Boisvert of Pennichuck first spoke with regard to the boil order issued and stated that as of last Friday, the Hartley well is now off line. They have six other wells in Birch Hill to provide flow to Birch Hill. If they are to lose any of those they will not be able to meet the demands of Birch Hill. Mr. Boisvert next commented that they did tests and no giardia is present. The met with the DES and they will be helping with additional testing. The Hartley well will have additional testing to confirm the well is clean. Mr. Boisvert further advised that DHHS has offered additional testing of residents who have become ill. There is also testing being done to try to determine where the contaminant came from as the CDC would like to know the origin. Mr. Boisvert advised the boil order is in place until the additional testing results are received and if and when they come back clean they will approach the DES about reopening the Hartley well. Mr. Boisvert further briefly discussed how giardia can get into water advising that it is mainly through surface water but sometimes it can be through a leak.

State Representative, Tom Bucu, advised that he spoke with the State about sources for giardia. Mr. Bucu provided information to the Board and public regarding giardia.

Mr. Hounsell questioned what Pennechuck Is doing for the resident to supply water. Mr. Boisvert replied they were doing testing and if the tests come back clean the residents can use the water. Mr. Hounsell questioned what would happen if the tests did not come back clean. Mr. Boisvert replied that he was not prepared to answer that question at this time.

Town Health Officer, Ray Leavitt, advised the town was notified on 9/10/07 of the boil order by the state as a courtesy. Mr. Leavitt advised that he met with the Town Manager at that time to determine the town's roll if any. The Town contacted Pennichuck and Pennichuck advised that they had contacted the residents of Birch Hill and also contacted the North Conway Water Precinct. Mr. Leavitt next spoke about the possible causes of the giardia. Mr. Leavitt also advised that he received a call from the Epidemiology office advising that they were doing more testing for giardia as they received more reported cases of people affected.

Birch Hill Commissioners, Dave Jenson and Kirk Smith, were present. Mr. Jensen advised the Commissioners position is to ask the Board of Selectmen to ask Pennichuck to expedite this and provide water to Birch Hill as fast as they can.

Mr. DegliAngeli advised that he spoke with Harry Stewart of DES. Mr. Stewart asked to have put on record that DES's first priority is to get reliable and safe drinking water to Birch Hill. Prior to the giardia outbreak there were two options apparent to Mr. Stewart and DES is in favor of either option. DES is supportive of either an interconnection or a well.

Birch Hill resident Bob Metz spoke next stated he feels Pennichuck has done a poor job of notifying the residents. He feels there needs to be more thorough information than just a "boil order".

Mr. DegliAngeli next drew a diagram and reviewed options with the Board for running pipes to get water to Birch Hill. Mr. DegliAngeli reviewed the various options for least costly methods of running pipes.

Mr. Sires next requested direction from the Board regarding staff attending the North Conway Water Precinct meeting. The Board agreed they would like staff to attend.

Mr. Hounsell moved, seconded by Mr. Webster, that the Board of Selectmen take a position of endorsing the drilling of a test well that can be used as a temporary source of water for Birch Hill and that the pipe from the well to Birch Hill be installed under the condition that Pennichuck would give the Town of Conway the irrevocable option to purchase at a reasonable price at a future date. The motion carried 4-0-0.

Mr. Sires next read aloud a letter from Birch Hill resident Deborah Howe. A copy of same is attached hereto. Mr. Weathers noted that several other letters were received from Birch Hill residents as well.

BIRCH HILL – STREET LIGHT

Birch Hill resident, Ray Shakir, advised that there is a street light at the entrance to Birch Hill which was being paid for by a Birch Hill citizen and now the citizen no longer is paying for it and the light is out. Mr. Shakir stated it is the only light on the entire road and it lights the entrance to that road. Mr. Shakir next stated that he called and town and was advised that the development does not meet traffic criteria for the light. Mr. Shakir stated he feels the residents deserve the light and requests this one light be paid for by the town.

Birch Hill resident, Dan Jones, advised that several residents actually pay for the light and the bill is \$15 a month. The light is back on now.

Mr. Dickinson questioned if Mr. Shakir had approached the Birch Hill Commissioner on this issue.

Public Works Director, Mr. DegliAngeli, explained the Board of Selectmen's Lighting Policy. Mr. DegliAngeli advised that this light does not meet the criteria per the policy. Mr. DegliAngeli further advised there have been other requests where traffic volume was greater and, also, the accident history was checked in this location and there are no more accidents.

The Board briefly discussed the matter and agreed to reagenda this matter for two weeks.

At 5:57 p.m. the Board took a brief recess. The Board reconvened at 6:10 p.m.

APPROVAL OF REQUEST FOR DOT BRIDGE AID FUNDING:
TASKER HILL BRIDGE

Public Works Director, Paul DegliAngeli, advised the Board regarding an opportunity to make application for funding to help pay for the replacement of the Tasker Hill Bridge. The bridge replacement cost is in the \$360,000 range and the application for funding is an 80/20 split with the town's portion being 20%. Mr. DegliAngeli further advised the work would not be done until 2009 but he is looking for authorization to commit funds to the capital plan. There was brief discussion by the Board. **Mr. Hounsell moved, seconded by Mr. Webster, that we modify the Capital Improvement Plan in such a way as to grant authorization and commit \$75,000 to the replacement cost of the Tasker Hill Bridge contingent upon us receiving 80% match. The motion carried 4-0-0.**

TOWN MANAGER REPORT

MS1 – Mr. Sires reviewed the MS1 committal with the Board.

CVACC – Mr. Sires reported the Conway Village Area Chamber of Commerce will be holding the businessperson of the year dinner. David Emerson has been named the businessperson of the year. The Board is invited to attend the dinner.

PSNH – Mr. Sires advised that he met with representatives of Public Service of New Hampshire. The representatives advised that increases will be forthcoming. Mr. Webster requested a review of the lights we are responsible for and the Board agreed.

Monument at Whitaker Woods – Mr. Sires reported the Town received a communication from a citizen, Faith Schrader, regarding the monument at Whitaker on Kearsarge stating she would like to see it moved.

Zoning Ordinance Concern – Mr. Sires advised the town received written correspondence from a citizen, Loren Davis, who was concerned that he could not buy a utility trailer at Home Depot and had to go to another town. Mr. Davis stated concerns regarding the Conway Zoning Ordinance in this letter. Mr. Sires advised that he would write to Davis and clarify same to him.

Town Manager Goals – Mr. Sires distributed a copy of his goals to the board and reviewed same. The Board agreed they would wait until a meeting when Mr. Martin was present to discuss same.

Sherman Farm Corn Maze – Mr. Sires reported the town had been invited to attend the opening of the Sherman Farm Corn Maze and he did attend same.

BOARD REPORTS AND COMMENTS

Birch Hill Boil Order – Mr. Dickinson commented that he appreciated what Cranmore and the school district did for the Birch Hill residents during the boil order. Mr. Dickinson suggested that the Town Manager send a letter thanking Ben Wilcox of the Cranmore Health and Fitness Center and also Dick Klement and Cheryl Kovalik for the leadership on the School Board for providing facilities for use by the Birch Hill residents during the boil order. The Board agreed letter should be sent.

Budget Surplus – Mr. Hounsell questioned when there would be discussion regarding the surplus. Mr. Sires advised this would be mid to late October.

Tree Farm Award – Mr. Weathers reported the Town and Conservation Commission received the Tree Farm of the Year award on Saturday, September 22, 2007. Mr. Weathers further advised that the Town of Conway is the first community in the state of New Hampshire to receive this award as it is usually given to a private landowner. Mr. Weathers advised the Town was presented with a plaque for the award. The Board agreed the plaque should be hung in Town Hall and not at the Whitaker Meeting House.

Water and Sewer in Conway Village – Mr. Hounsell reported that he attended a meeting last Tuesday in Conway Village to talk about plans for water and sewer extension. Mr. Hounsell next questioned when the Infrastructure Committee was scheduled to meet next. Mr. Dickinson advised October 18th.

PUBLIC COMMENTS / MEDIA QUESTIONS

There were no public comments or media questions.

NON PUBLIC SESSION / RSA 91-A,II(e) / PENDING LITIGATION

At 6:26 p.m. **Mr. Webster moved, seconded by Mr. Dickinson, to go into non public session under RSA 91-A,II(e) to discuss pending litigation. The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:31 p.m. a motion to seal the minutes was made and carried in non public session.

ADJOURN

Mr. Hounsell moved, seconded by Mr. Webster, to adjourn the meeting.
The meeting adjourned at 6:32 p.m.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary