

Minutes of Meeting  
CONWAY BOARD OF SELECTMEN

February 3, 2009

The Selectmen's Meeting convened at 4:07 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, Larry Martin, (Chair), C. David Weathers, Mark Hounsell, Howard C. Dickinson and Bob Drinkhall; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

PLEDGE OF ALLEGIANCE

Chairman Martin 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 February 5, 2009.

APPROVAL OF MINUTES

The Board agreed to carry consideration of minutes to the next meeting.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no special event applications before the Board for consideration.

4:05 PM - BOND HEARING IN ACCORDANCE WITH RSA 33:8-A, TO RECEIVE  
PUBLIC COMMENT ON A PROPOSED EIGHT HUNDRED THOUSAND DOLLAR  
(\$800,000.00) BOND ARTICLE ON THE 2009  
OFFICIAL BALLOT, FOR THE PURPOSE OF CONSTRUCTING A NEW  
TOWN SERVICE GARAGE

At 4:08 p.m. Chairman Martin read aloud the Public Hearing notice as was posted and opened the hearing.

Chairman Martin commented this is not a want item (the garage) for the Board of Selectmen and this is a proposal for the voters. The Board of Selectmen have not predetermined that this will happen. The Board has analyzed this matter and saw the need for a new garage and the financing opportunities are there and have moved this forward to this public hearing.

Town Manager, Mr. Sires, read a draft of the bond article as proposed for the Town Warrant and advised there could be some changes to the wording. The proposed article read as follows: "BOND ARTICLE: To see if the Town of Conway will vote to raise and appropriate the sum of \$1,000,000 (gross budget) for the construction and

original equipping of a new PUBLIC WORKS SERVICE GARAGE, and to authorize the issuance of not more than \$800,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Board of Selectmen and other municipal officials to issue and negotiate such bonds or notes and to determine the rate of interest thereon; furthermore, to authorize the withdrawal of up to \$200,000 from the Buildings Maintenance Capital Reserve Fund created for this purpose. A 3/5 ballot vote required. The Board of Selectmen recommend this appropriation. The Budget Committee this appropriation." [sic]

Public Works Director, Mr. DegliAngeli, reviewed a list of frequently asked questions which included timing, reasons to replace the structure, materials, type of structure, size of structure, timing, etc. Mr. DegliAngeli also reviewed sketches of the proposed garage including a floor plan and what the garage would look like from the outside. Mr. DegliAngeli further reviewed the town had a walk through of the existing garage and invited the public, Selectmen and Budget Committee to the visit to receive questions.

Mr. Martin questioned if the proposed garage would be built so that snow would slide off. Mr. DegliAngeli advised that it will not have enough pitch for the snow to slide off and had been designed this way to hold snow and this is for insulation purposes.

Mr. Dickinson stated the drawings show six doors/six bays. Mr. DegliAngeli advised can put trucks on both sides of garage.

Mr. Drinkhall discussed snow coming off the roof and how it can curl and cause damage to windows, etc., if it does not slide off of the roof. Mr. Drinkhall questioned if this will cause a problem. Mr. DegliAngeli advised the building has been designed for the snow load and we have other roofs in town similar such as the Recreation Building, etc and there is not problem.

Mr. DegliAngeli discussed timing advising that 1993 was the first time he saw a record of deficiencies in the building. We have known about this for some time now. At that time the Board planned for this over time; however with inflation the price for the garage has doubled.

Mr. Sires discussed bonding for the garage and reviewed a bond financing options sheet with the Board and public.

Chairman Martin asked for public comments.

Bob Barriault stated he agrees the garage needs work. Whether it is still functional is for someone else to decide but he agrees this should be presented to the voters. Mr. Barriault further stated that 10 years also makes more sense as you are saving on interest payments. Further, from a timing standpoint this is okay so long as the first payment is not until 2010. Mr. Barriault further went on to state that when presenting this to the voters it is important to know what the total financial commitment is. He understands there are also other things that are needed i.e. removal of the building, etc and questioned if this is included in the cost and, if not, we need an estimate of these costs.

Mike Valladares stated the Budget Committee is having a public hearing on this matter tomorrow night. Mr. Valladares questioned if the Board of Selectmen will be having another public hearing on this matter. The Board of Selectmen advised they will not be holding another public hearing.

Mike Valladares questioned how much has been spent on engineering. Mr. DegliAngeli advised \$65,000.

Mr. Valladares advised the cost factor is what he is having a problem with and question this proposed garage costs as opposed to another building built in town that was \$400,000 less. Mr. DegliAngeli advised this proposed garage is a public building and we are required by law to have a design stamped by professionals. The Town went through the RFQ process and had eleven responses. This was shortlisted to three based on qualifications and we gave them the concept. The firm we selected had the most experience and we then negotiated with them, got their scope of services to get their least cost and that is how they were chosen. Mr. DegliAngeli next explained pre-engineered versus standard buildings.

Mike Valladares next questioned if the lunchroom in the proposed garage will require outside services to clean. Mr. DegliAngeli advised that employees currently keep the lunchroom they have clean themselves.

Mike Valladares asked about floors in the breakroom and other rooms. Will they be concrete, tile or carpet? Mr. DegliAngeli advised the flooring in the breakroom will be vinyl commercial tile glued to concrete; however, this could be taken out as a cost saving measure.

Mike Valladares next stated he checked around at other garages, the state etc., and never recalled losing any time or productivity for losing power. Mr. Valladares questioned why we need to spend \$50,000 for a generator when the likelihood of saving any productivity is not likely. Why spend the money with the economy like it is. Mr. DegliAngeli stated he has heard this question from many regarding the \$50,000 for the generator. \$50,000 is for a generator and all associated electrical work which powers the garage and service garage. This was planned during the time when the Town was going through the emergency planning process and we planned to use it if we ever lose power. We don't know how often we will use it. We ask what happens if we need it. We planned for this during the statewide emergency management training. Mr. DegliAngeli next referred to the ice storms that recently occurred in the southern part of the state and also the ice storms in this section of the state several years ago. We design for not if, but when it happens. If we lose power, we lose power for base radios, pumps for fuel, etc. What we designed was one complete set to run the service garage and storage garage. Mr. Sires reiterated the Town has planned for if we need this and we hope we not to, but it would be there if anything should happen. Mr. Sires next reviewed that the Town has been trying for grant sources for this as well.

Mr. Valladares next stated that if there is no sprinkler, we should have a fire truck read in case of an electrical fire inside. Mr. Valadares stated what is practical, what is safe, what can we afford. Mr. Valladares stated need to know this to see the garage fly but also need to make it economical and this is what he is trying to point out.

Mr. Valladares next questioned how much is in the building fund. Mr. Sires advised there is \$216,000 and the Board of Selectmen have said up to \$200,000 could be used if needed. Mr. Sires reviewed there has also been conversation with the Board of Selectmen that if something should happen during the year. Mr. Sires further reviewed there would not be a bond payment due until 2010. Further, if bids come in for less we won't have to bond for the \$800,000 and the Board could adjust the bonding amount.

Mr. Hounsell pointed out that the firehouse is really close and suggested a Siamese connection and that there are options to reduce costs.

Mr. Drinkhall explained how the bond number was reached and also spoke to the wording of the article. Mr. Drinkhall explained he doesn't expect to use the \$200,000. Mr. Drinkhall further explained he tried to revote on the \$200,000 in the article but was unsuccessful.

Mr. DegliAngeli advised the design was sent to two different firms and pricing came back within 7% of each other for the proposed garage and this is where the \$1,000,000 figure came from for the building.

Mr. Valladares questioned if there is a safety valve if this article doesn't pass this year to put more funds away to build the garage in the future. It was explained that that if this article fails the \$200,000 in the article will stay in the CRF.

Bob Barriault suggested that if the bond article does not pass and the Town still has the \$200,000, if you add \$150,000 more to that account the cost to the taxpayer would be no more than if you did the bond.

Mr. Drinkhall next stated that he had looked at the garages built in Fryeburg and other towns and, granted it was not apples to apples, but he felt we could do ours for less than proposed.

Mr. Sires reviewed that the building costs have gone up in the last couple of years. If the bond passes, we can get this done.

Mr. Barriault questioned incidental costs for building the garage. Mr. Sires first advised that no additional staff is anticipated with or without the new garage in the near future. Mr. DegliAngeli advised \$200,000 for site work and we have decided to do this work in house. We have the machines and workforce and are scheduling this as part of the upcoming season's work. This won't have the same cost as paying another entity. There will still be costs such as pavement, etc. Further, there will be costs regarding the paint, lead paint versus not lead, and we need to send the paint out for testing. Also, we will need a different disposal and removal method if it is lead paint. If the paint is lead we will have to subcontract this out. Mr. Drinkhall questioned the costs for the removal if lead paint is found. Mr. DegliAngeli advised the cost is approximately \$30-35,000. Mr. DegliAngeli next advised that the Town will not demo the old garage until the new garage is built.

Bob next questioned if the Town will have to do a soil test to determine if there is contamination. Mr. DegliAngeli advised that currently there is an underground storage tank and it is tested and up to code on these issues. Mr. Hounsell questioned how old

the tank is. Mr. DegliAngeli advised it is fairly new but older than 18 years. Two years ago it went through certification and upgrade.

There were no further public comments and the public hearing was closed at 5:12 p.m.

Mr. Martin stated he wanted to correct a statement made in the paper today that said we could heat the garage with waste oil. This is incorrect. A waste oil furnace runs 24-7. Mr. DegliAngeli advised that we recycle waste oil at the transfer station.

Mr. Martin next advised the press was present at the walk through earlier today at the garage and took pictures.

Mr. DegliAngeli stated that someone had questioned why we wouldn't put in fire protection anyway and wouldn't it be an insurance savings. Mr. DegliAngeli advised that he did check on this regarding insurance and it would not save the town money.

Mr. DegliAngeli further reviewed what the Town uses the garage for – this is a service and working garage and they service vehicles for school, police and the Town.

There were no further comments. Discussion concluded at 5:18 p.m.

#### DISCUSSION OF SKATE BOARD PARK LETTER

Mr. Sires reviewed he received letters from two students last week regarding their request for a skateboard park. The Board asked this matter be put on the agenda for this week.

Mr. Hounsell stated he felt the letter from Mr. Blake was well written and should be read aloud at today's meeting. Mr. Hounsell read Mr. Blake's letter aloud concerning his request for a skateboard park.

**Mr. Hounsell moved, seconded by Mr. Drinkhall, that we ask the Town Manager to prepare a response for our review next week to both Thomas Blake and the Alec Thurston. The motion carried 5-0-0**

At 5:25 p.m., Mr. Hounsell left the meeting.

#### BUDGET

Mr. Sires reviewed a copy of the draft warrant to date with the Board. Mr. Sires further reviewed the Budget Committee's public hearing on the budget is scheduled for February 11, 2008. Lastly, Mr. Sires reviewed the final day to receive petitions is February 10, 2009.

Mr. Sires distributed a copy of a petition received from Mr. Raymond Shakir regarding a budget spending cap and reviewed same. Mr. Martin questioned if the petition is legal. Mr. Sires explained the petition will go on the warrant but this will also be forwarded to town council for review. The Board questioned the school language on the petition. Mr. Dickinson stated we may find out they needed a separate petition for the school.

Mr. Sires next reviewed a copy of the Default Budget with the Board. Mr. Sires advised this information was submitted to the Budget Committee at their meeting held last night.

#### DISCUSSION OF HB445 METHADONE CLINICS

Mr. Dickinson advised a hearing is scheduled Thursday, February 5, 2009 on HB445 that gives towns final authority to site a methadone clinic. He and Dan Bacon will be going to the hearing. Mr. Dickinson next presented a draft letter to the Board for review regarding this matter and explained he would like to take it to the meeting with him on Thursday. Mr. Martin referred to language in paragraph three of the proposed letter and questioned where it stated "certified drug dealer". The Board agreed this language should be change to say certified methadone dispenser. Mr. Dickinson stated that HB445 will give some local control over the siting of methadone clinics. Mr. Dickinson next stated that he does not have a problem with a hospital helping people who have problems in the valley but when you have a for profit clinic bringing people in to the Valley that becomes a different problem. **Mr. Dickinson moved, seconded by Mr. Drinkhall that the Chairman sign the letter as amended to be presented at the hearing on Thursday. The motion carried 4-0-0.**

#### TOWN MANAGER REPORT

North Country Council – Mr. Sires reported the Town received a letter from the North Country County. In reviewing the letter, they have taken it upon themselves to be the lead agency for stimulus package. Mr. Sires reviewed the Town has submitted information directly to Senator Shaheen through the NHMA and to Congresswoman Shea-Porter. Mr. Sires reviewed that given our history with the NCC the Board may want to think about they feel about a member based organization taking this control. The Board felt a letter should be written to the NCC. Mr. Sires stated that we are not members and we should write the letter to the Governor. **Mr. Drinkhall moved, seconded by Mr. Weathers, to write a letter to the Governor and copy North Country Council. The motion carried 4-0-0.**

Teen Center Funding – Mr. Sires distributed information to the Board regarding two days vs. three days for the Teen Center and for fees, if charged, and reviewed same with the Board. Mr. Sires also reviewed information for swim lessons and fee increases for same.

Bond Public Hearing – Mr. Sires reviewed the Budget Committee's Public Hearing on the Bond for the proposed garage is scheduled for tomorrow evening.

Non Profit Budget Reviews – Mr. Sires reviewed that the Board of Selectmen and Budget Committee are scheduled to meet with non profit agencies to review budgets on Saturday, February 7, 2009 starting t 9:00 a.m.

Councilor Raymond S. Burton – Mr. Sires reported Councilor Burton will be at Town Hall on Monday for a meeting. Mr. Sires asked for two Board members to be present. Mr. Drinkhall advised he would be present. It was then decided that either Mr. Martin or Mr. Dickinson would also be present depending upon their schedules.

Petitions/Due Date – Mr. Sires reported the deadline for receiving petitions for articles to appear on the warrant is February 10, 2009.

Budget Committee Public Hearing – Mr. Sires reviewed the Budget Committee Public Hearing on the Budget is scheduled for Wednesday, February 11, 2009 in the Auditorium at Kennett High School.

Letter to Governor Lynch – Mr. Sires distributed a new draft of the letter written to Governor Lynch to the Board regarding the state budget. The Board reviewed same. **Mr. Dickinson moved, seconded by Mr. Drinkhall, that we approve this letter and we all sign the letter. The motion carried 4-0-0.**

#### BOARD REPORTS AND COMMENTS

Resolution Warrant Article – Mr. Dickinson questioned if the resolution warrant article was on the draft warrant. It was confirmed that the resolution article has been placed on the draft warrant.

Conservation Commission – Mr. Weathers reported the Conservation Commission has a meeting scheduled for Wednesday, February 11, 2009 and it is open to the public.

Holiday and Board Schedule – Mr. Martin reminded everyone February 16, 2009 is a Holiday and Town offices will be closed. Mr. Martin further stated the Board will not meeting on February 17, 2009 unless it is determined necessary otherwise.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

Andrea Osmun of the Conway Daily Sun requested copies of the letter received regarding skateboard parks.

#### ADJOURN

At 5:55 p.m. the meeting adjourned by call of the Chair.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary