

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

July 13, 2010

The Selectmen's Meeting convened at 4:08 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, Larry Martin (Chair), C. David Weathers, Howard C. Dickinson, Bob Drinkhall, and Michael DiGregorio; 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.

CONSENT AGENDA

- A. Signing of Documents
1. Tax Abatements:
    - a. Map/Lot 202-17

**Mr. Weathers moved, seconded by Mr. Drinkhall, to approve the tax abatement for Map/Lot 202-17. The motion carried unanimously.**

2. Elderly Exemption(s)  
(None)
3. Raffle Permit(s)  
(None)

- B. Consideration of Bills:
1. Ratification of Manifest dated 7/8/10

**Mr. Drinkhall moved, seconded by Mr. Weathers, to ratify the manifest dated 7/8/10. The motion carried unanimously**

2. Manifest dated 7/15/10

**Mr. Drinkhall moved, seconded by Mr. Weathers, to approve and sign the manifest dated 7/15/10. The motion carried 5-0-0.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. White Mountain Milers/Running Events/Tuesdays-6/6/10-8/10/10

Mr. Martin reviewed that application for the White Mountain Milers running event in Whitaker Woods held on Tuesdays from 6/6/10 through 8/10/10. **Mr. Martin moved, seconded by Mr. Weathers, to approve the special event application for the White Mountain Milers running event. The motion carried 5-0-0.**

- b. New England Mountain Bike Assoc/Bike Riding Event – 8/1/10

Mr. Martin reviewed the application for the New England Mountain Bike Associations Bike Riding Event in North Conway on 8/1/10. **Mr. martin moved,**

**seconded by Mr. DiGregorio, to approve the application for the New England Mountain Bike Association Riding Event. The motion carried 5-0-0.**

c. Ski & Snowboard Liquidation Ctr/Ski & Snowboard Sale 8/7–8/21/10

Mr. Martin reviewed that application for the Ski & Snowboard Liquidation Center's Tent Sale event in North Conway from 8/7/10 through 8/2/10. **Mr. DiGregorio moved, seconded by Mr. Weathers, to approve the special event application for the Ski & Snowboard Liquidations Center's tent sale. The motion carried 5-0-0.**

#### CONSIDERATION OF MINUTES

Consideration of the minutes of 5/4/10 was held to the next meeting.

With regard to the minutes of 6/15/10, **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to approve the minutes of 6/15/10.** Mr. Drinkhall stated that on page 7, paragraph 5, line, 12<sup>th</sup> line down, the word "gage" should be changed to "cage". The motion carried 4-0-1 with Mr. DiGregorio abstaining.

#### REVIEW OF BUDGET COMMITTEE LETTER REGARDING THE GARAGE

Budget Committee members, Jim LeFebvre, Bill Masters, Ray Shakir, and Doug Swett were present at the meeting.

Mr. Martin asked for Board comments. There were none.

Mr. Martin asked for public comments. Chair of the Budget Committee, Jim LeFebvre, stated the letter provided to the Board from the Budget Committee (see attached) asks the Board of Selectmen to reconsider their vote regarding the garage. Mr. LeFebvre stated he thinks we could enter into an agreement with Kennett to use their facility that has a lift. Mr. LeFebvre next reviewed CRF funds. Mr. LeFebvre stated the committee feels we can go to the voters next year and ask for \$300,000 to build a new garage.

Mr. DiGregorio stated he understands the issues. Mr. DiGregorio pointed out the Budget Committee overall voted to support the garage; however, it did not have the full support of the committee. Also, they are now here at the eleventh hour asking to stop the repairs and go again for the garage next year and we cant guarantee the voters will vote in favor. Mr. DiGregorio stated if the garage had the full support of the Budget Committee this year, it may have passed with the voters. Mr. LeFebvre stated it took the library five times before the voters agreed to the addition. We are asking you to go again to the voters for the third time, and not for a bond but for a vote. Mr. DiGegorio stated he does not agree that we should keep going for a bond every year. They are sitting here with a theory of what could happen next year. Mr. LeFebvre stated there were two members of the Budget Committee that did not support the garage article and it was because of minor differences, but the fact is they (the committee) supported it. Mr. LeFebvre stated he feels that by going for the bond this is what hurt the article. Mr. LeFebvre next stated that the Budget Committee as a group supported the letter presented and believes the Budget Committee as a group supports going for an article for the garage next year.

Mr. Martin stated he has a problem going with a regular article and not a bond due to the impact to the taxpayer. There was next a discussion on the tax impact of the bond article versus the regular warrant article.

Mr. LeFebvre stated if the garage is so desperate to replace or repair, then let's go for the replacement and not leave it to our successors in the next 30 years. Mr. Martin stated he would have agreed to that before the block test but now we have the test and they advised it can last 30 years. Now we can put money away for the future.

Mr. Drinkhall commented that we will also have to do the roof at some point and that we are spending money on heat for the garage. We are wasting at least \$2-5,000 a year due to the lack of insulation.

Mr. Masters questioned if the expenditures planned for the garage will cover the cost to bring this building up to compliance with all federal and state standards. Mr. DegliAngeli advised that the project we opened bids for today would not comply with codes for structure and energy efficiency. Mr. Masters questions if new building would have been in compliance and Mr. DegliAngeli replied in the affirmative. Mr. Masters states he understands we have to do something and we have been confronted year after year but is it efficient from a taxpayer point to sink money into the old building when we know we have to put in more money in the next 5-10 years. Mr. Masters questioned the life of the structure. Mr. DegliAngeli advised if we make these investments it will be good for the next twenty years. The blocks could last for forty years. Mr. Martin pointed out that these are all points discussed over the last 1 ½ years. We are doing the will of the people as they said no new garage. There was next brief discussion on simple majority for a regular warrant article versus the majority required for a bond article. Mr. Drinkhall stated the voters did vote in majority but not enough for the bond. Mr. Martin pointed out the bond article did not win by legal majority.

There was further brief discussion. Mr. Martin questioned if anyone on the Board wished to reconsider the vote taken on the garage repairs. No one asked for reconsideration.

Mr. LeFebvre thanked the Board for taking time today to discuss the matter. Mr. Martin thanked Mr. LeFebvre for presenting the matter today.

#### REVIEW OF GARAGE BIDS

Mr. DegliAngeli distributed and reviewed bids for the garage with the Board. (See attached). Mr. DegliAngeli reviewed the lower bidder didn't bid for a complete removal of the floor and a new floor. Mr. DegliAngeli reviewed the bid amounts. Mr. DegliAngeli reviewed the repairs will not meet energy code.

Mr. Dickinson reviewed that bidder, CBI, proposed to tear up the concrete and put in new concrete and bidder, Glen Builders, only proposed putting on a coating on the floor. Mr. DegliAngeli advised that we are looking for a new price from Glen Builders for the floor. Mr. DegliAngeli explained the coating is a thin set. The other contractor was not comfortable with just a coating and bid for replacing the floor. Glen Builders will now be supplying a price for a new floor. We will get the new price by Thursday.

Mr. DiGregorio questioned if we could use our own heavy equipment to do just the floor ourselves. Mr. DegliAngeli advised there will not be enough time in this construction season due to the projects we have planned.

There was next further discussion regarding the Alternates. Mr. DegliAngeli explained the alternates to the Board. **Mr. DiGregorio moved, seconded by Mr. Weathers, for base bid plus 1, 2 and 4 – 1 to be modified for full concrete floor.** There was further brief discussion. **The motion carried 3-2-0 with Messrs. DiGregorio, Weathers and Martin voting in the affirmative and Messrs. Drinkhall and Dickinson in the negative.**

#### DISCUSSION OF CONWAY BYPASS PLANNING

Mr. Sires reviewed there is a CDRC meeting scheduled for July 27, 2010. Mr. Sires next reviewed that back in September there was an Intermodal Transportation Meeting and discussion was held with NHDOT Commissioner, George Campbell, and Executive Councilor, Ray Burton, on the impact should the northern sections of the bypass not be built within a reasonable time after the southern section.

Mr. Sires next reviewed that it was expected that Commissioner Campbell was going to be here for the CDRC meeting but Don Lyford has now advised that he will not be attending. However, this will still give the community time to come up with what they want and have discussion regarding same.

Mr. Sires next reviewed that an impromptu meeting was held last week with Councilor Burton and he brought Don Lyford with him. A couple Selectmen attended as well as Paul DegliAngeli and himself. At the meeting the subject was brought up -- does it make sense to go forward with the bypass not knowing what will happen next.

Mr. Dickinson stated we can't keep up with existing infrastructure and then they will be adding more.

The Board discussed the fact they could have this meeting and then present what we want to them at another meeting.

With regard to the southern section of the bypass, Mr. Dickinson stated that all would be resolved if they just build a roundabout. Mr. DegliAngeli agreed. The Board held discussion on a southern section roundabout and also discussed roundabouts for Route 153 and 113/302. There was discussion of the upcoming CDRC meeting. There was suggestion to meet with the community first and then make recommendations. **Mr. Dickinson moved, seconded by Mr. Drinkhall, that this Board go on record that, if they are going to build the southern terminus, to support the building of three roundabouts – at the southern bypass/southern terminus, Route 153 and Route 113/302.** Mr. Weathers questioned –are we mandating this. Mr. Dickinson stated if we vote for it, yes we are mandating it. Mr. Dickinson stated he wants them (the state) to know this information when they come here for the meeting. The Board held discussion. Mr. Weathers stated he would like to meet with the CDRC and talk with the local community and he is hesitant on taking action on this before having further discussion. Mr. Dickinson stated we have been talking about a roundabout for a long time, he is fed up. The roundabout is cheaper to build and maintain and he thinks this makes a lot of sense. Mr. DiGregorio stated he is not prepared to tell the state anything right now and would like to go to the meetings and get more educated on the issues. As for roundabouts, he likes the idea but is not prepared to vote on this because he doesn't have enough background on this as to how it will effect discussions with the state. Mr. Dickinson stated we need to give them direction – you need direction to encourage certain things. **The motion carried 3-1-1**

**with Messrs. Drinkhall, Dickinson and Martin voting in the affirmative, Mr. Weathers in the negative and Mr. DiGregorio abstaining.**

Mr. DegliAngeli stated he feels it would be an absolute mistake to only build a portion of the bypass. He explained if they only do the work on the south it will impact the north and then they won't have any money for the next phase. Mr. Weathers stated that Don Lyford advised in the ten year plan the state has no funding for the other two portions of the bypass.

**Mr. Dickinson moved that if we go with any bypass segment, we recommend the state have the money for the whole bypass.** There was no second to Mr. Dickinson's motion.

There was further discussion regarding the upcoming meeting with state officials. It was agreed that further discussion on this matter would be held by the Board subsequent to that meeting.

#### .RECREATION UPDATE

Recreation Director, John Eastman, and Assistant Recreation Director, Mike Lane, joined the meeting.

Mr. Eastman distributed information regarding programs to the Board and reviewed same. (see attached).

Mr. Eastman next advised on fencing that was donated by Home Depot for Whitaker Woods. Mr. Eastman further advised Home Depot also donated pavers; however it is not known what we will be using these for as yet but we will find placed to use them for walkways, etc.

Mr. Eastman advised that for the summer program they have had 130 kids and have a well trained staff. They also took 90 kids to Storyland. The School District helped out with an additional bus for the trip.

Mr. Eastman next reported on the Fourth of July activities. Mr. Eastman stated that Lynore Wagner did a great job with the parade and, also, the staff and counselors worked hard as well. Mr. Eastman stated that having the parade in Conway is a good location as there is more parking and viewing area for the parade. Mr. Eastman commented that the police were very helpful as well. Mr. Sires advised that he heard no complaint and lots of positive comments. The Board indicated they would like to draft a letter to send to the police for their help with the Fourth of July activities. Mr. Eastman next advised that Frank McCarthy posted colors in Schouler Park on the Fourth of July. Mr. Eastman next reviewed stage, sound, lights and the band costs and advised that the money is all raised from town businesses and the Rotary. The Town budget covers the cost of the fireworks only. Mr. Eastman commented the show was good in North Conway and the band as well. Mr. Eastman commented the only thing he would change was the amount of toilets and feels we need about 10 more for the Fourth of July. Mr. Eastman next advised there are pictures and video from the Fourth of July on the Conway Rec web page [www.conwayrec.com](http://www.conwayrec.com) and on their Facebook page. Mr. Eastman next commented that the parks personnel also did a great job with cleaning up, etc.

Mr. DiGregorio stated he would like to say great job to John Eastman for what he did for the Cal Ripken Tournament that just took place. Mr. DiGregorio commented the tournament brought many people to the Town for the week. Mr. DiGregorio further commented that the fireworks on the Fourth of July were great too. Mr. DiGregorio stated thank for everything they do at the Rec Department.

Mr. Sires reported that Parks Commissioner, Phil Haynes, indicated he is done with the Parks Commission. Mr. Sires stated we will need to get someone else for the position. Mr. Martin suggested sending a letter to Mr. Haynes for his years of service. The Board agreed.

Mr. Martin commented he felt it was a great job done with the Fourth of July and on behalf of the Board thanked the Rec Department. It was suggested that a letter be sent to John and staff.

Mr. DiGregorio asked about if there is any talk of letting kids come to the Conway Rec program from other towns. Mr. Sires advised we are maxing out right now with kids in the program. Mr. Sires further advised that we do let kids attend the program from the towns of Eaton and Albany and those towns pay for the program. .

Mr. DiGregorio asked if there have been any issues with ducks or geese at Echo Lake. Mr. Eastman advised that he has not heard anything regarding this issue. Mr. Eastman advised that Echo Lake is a state park. He will however, speak with the swim instructors.

#### REVIEW OF NHMA LEGISLATIVE POLICY RECOMMENDATIONS

Mr. Sires reviewed that the NHMA Legislative Policy Recommendations packet is included in the Board's agenda. Mr. Sires asked the Board review and make recommendations. Mr. Martin advised this would be placed on the August 10, 2010 agenda.

Regarding the LGC meeting concerning the Legislative Policy Positions, **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to appoint Crow Dickinson to be our representative at the NHMA.** Mr. DiGregorio confirmed that Mr. Dickinson would bring the Board's position whether he agreed or not. The Board agreed. **The motion carried 4-0-1 with Mr. Dickinson abstaining.**

Mr. Dickinson next reviewed a floor policy proposal with the Board. (See attached). Mr. Dickinson asked the Board to support the idea so this can be discussed at the Legislative Policy meeting. Mr. Dickinson advised he would need to have this to them by August 13, 2010. Mr. Martin advised this matter will be placed on the July 27, 2010 agenda.

#### TOWN MANAGER REPORT

Kearsarge Metallurgic Site – Mr. Sires reported the Town is continuing to investigate the process for the transfer of the property. As we go deeper into the process, it looks as though the town would have to hold the property for ninety (90) days. Mr. Sires suggested invites the DES and the EPA to a meeting to have discussion where we are with this and, also, to discuss liability. The Board agreed. Mr. DiGregorio suggested we speak with our insurance company as well. Mr. DiGregorio questioned if

we should ask our insurance representative to be here at the same time as DES and EPA. Mr. Sires advised the would inquire with the insurance company if they think they should be at the meeting as well.

Town Manager Evaluation – Mr. Sires distributed a copy of information concerning his evaluation to the Board for review. Mr. Martin requested that Selectmen get information back to him regarding the evaluation by July 24, 2010. Mr. Martin further advised that the Town Manager Evaluation will be schedule for the August 24, 2010 agenda.

### BOARD REPORTS AND COMMENTS

Time Warner Cable – Mr. DiGregorio reported he had a meeting with Time Warner Cable and Valley Vision. They are still working on the issues concerning the contract. Mr. DiGregorio further advised he also had a meeting with the school regarding cable.

Mr. Dickinson stated he has been speaking with people from the Town of Jackson and they are interested in viewing Valley Vision. Mr. DiGregorio reviewed the Jackson residents need to speak to their Selectmen and ask them to buy into it for \$5,000. Mr. Dickinson suggested to the newspaper reporter, Casey Conley, that a story be put in the newspaper regarding this issue. Mr. DiGregorio pointed out that the Town of Bartlett is now viewing Valley Vision and this was never reported in the newspaper.

Mr. DiGregorio next stated that the current cable contract expired in April and he is uncomfortable going forward without a contract while negotiations continue and questioned if we should ask for an extension of the existing contract while we work things out. Mr. Sires advised that out attorney is going to contact Time Warner. **Mr. DiGegorio moved, seconded by Mr. Dickinson, that we have our attorney write some language up extending the existing contact. The motion carried 5-0-0.**

Budget Committee – Mr. Drinkhall reported the Budget Committee held a meeting recently. The discussion at that meeting was presented earlier in today's meeting concerning the garage.

Light Poles – It was reviewed that Mr. Drinkhall helped with posting the notices of proposed shut off on light poles in town. Mr. Drinkhall asked that we get information out to the public again regarding how to respond to the postings. Mr. Sires explained the signs are self-explanatory and further reviewed that this is a proposal at this point for certain lights to be turned off. Mr. Sires reviewed the Board of Selectmen is looking at turning off the lights and signs are posted on the poles. Through August 13, 2010, citizens can comment on the poles with tags. Citizens can e-mail, call, or write to Town Hall with any input. After the month of public comments, the Board of Selectmen will hold a public hearing to gather further feedback from the community. Mr. Dickinson reminded everyone they should include the pole number when providing any comments to the Town regarding any pole proposed to be shut off and, also, for any pole that was previously shut off.

LED Lights – Mr. Martin reported the LED lights have been ordered for Schouler Park. Mr. Sires reported that the Town has also purchased some LED lights for the Recreation Department sign as well.

State of Economy – Mr. Dickinson advised fellow Board members that he distributed copies of newspaper articles in their mailboxes regarding the state of the economy. Mr. Dickinson asked the Board to review the articles.

Political Signs – Mr. Dickinson reported that he has already pulled up two political signs that were not in the right places. Mr. Dickinson advised that he has provided a copy of the RSA to the Board. Mr. Dickinson stated that last year he took the signs back to the Democratic or Republican parties if they were in the wrong places. Mr. Sires pointed out that it is the States' responsibility to get the signs out of the State right of way. Mr. Dickinson stated he would like to volunteer to do this. Mr. DiGregorio stated that some of the signs Mr. Dickinson is pulling up may be legal such as a sign in an island which is state owned property. This Board can't appoint someone to break the law. Mr. DiGregorio reviewed the law regarding State rights of way with the Board. The Board did not appoint Mr. Dickinson. Mr. Dickinson questioned if he can put illegal signs at the town garage. Mr. Sires stated we can make space available for anyone who thinks they are removing illegal signs legally or they can also keep the signs at their house.

Hussey Field – Mr. Weathers advised that he went to Hussey Field to look at the area where the canoe liveries want to use. Mr. Weathers stated the beach is public and is used as a bathing area and is only 35' wide. There is not enough room to get 200 plus canoes and kayaks in there while people are bathing. There is also an area of vegetation after the beach area. Mr. Weathers stated he does not see where there is room for the for the canoe company's request.

Conway Daily Sun Article – Mr. Martin stated he appreciates Bob Drinkhall's adamancy and how he goes after things. However, in today's Conway Daily Sun there was a story about Selectman, Mr. Drinkhall, going before the School Board with issues. Mr. Martin stated this was not the official position of the Board of Selectmen and that Mr. Drinkhall went before the School Board as a citizen of Conway. Mr. Drinkhall agreed.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

Casey Conley asked for an explanation of the bids regarding the garage project. Mr. Sires advised he would email information to Mr. Conley tomorrow.

Mr. Conley next asked for clarification on the motions regarding the bypass. Mr. Conley questioned if the bypass is built the Board would like to see roundabouts. The Board replied in the affirmative. Mr. Conley questioned if the Board took no position on if the bypass should be built. The Board replied in the affirmative.

#### ADJOURN

At 6:37 p.m., the meeting was adjourned at the call of the Chair.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary