

Minutes of Meeting CONWAY BOARD OF SELECTMEN

December 14, 2010

The Selectmen's Meeting convened at 4:06 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.

ADJUSTMENT TO AGENDA

Mr. Martin advised there were a few adjustments to the agenda. Under Signing of Documents, Mr. Martin added three Notices of Intent to Cut Wood or Timber for Map-Lot 203-125, 231-83 and 250-14. There will be consideration of the signing of an Equalization Assessment Data Sheet and Assessor, Tom Holmes, will be in to review and discuss same with the Board. Also, Agenda items 7 and 8 will be swapped so that the City of Nashua can go first. **Mr. Weathers moved, seconded by Mr. DiGregorio, to accept the agenda as amended. The motion carried unanimously.**

CHAIRMAN COMMENT

Mr. Martin stated that in the newspaper today there was an opinion and he would like to make a rebuttal to same. With regard to the information in the paper today regarding closing the dump, this Board labored and toiled over this issue. Mr. Martin reviewed that closing the dump on Sunday was discussed and also, the personnel also took a cut in pay. We asked employees for input on what day would be best to be off instead of disrupting their lives totally. Mr. Martin next stated the article also was saying should have laid people off and he thinks that taking out five hours was better than laying people off. Mr. Martin stated the information in the paper was wrong when it stated that when Eric was leaving that this position would be vacant. This is not true as the position will be backfilled from other departments –this position is not going away. Mr. Martin further reiterated this was an opportunity to not lay people off. Mr. Martin next stated he does not mind the paper having an opinion, but that they should state the facts correctly and should research the information first.

CONSENT AGENDA

A. Signing of Documents

1. Notice of Intent to Cut Wood or Timber/Map-Lot 226-2
2. Permit to Sell Raffle Tickets/Friends of Conway Rec/Drawing 1/26/11
3. Seasonal Decoration Permit/CVACC for Holiday Wreaths 12/15/10 to 2/1/11
4. Seasonal Decoration Permit/CVACC for Welcome Banners 2/1/11 to 11/25/11
5. Expenditures out of Capital Reserve Fund (It was agreed this item would be removed from this list for now).
6. Notice of Intent to Cut Wood or Timber/Map-Lot 203-125
7. Notice of Intent to Cut Wood or Timber/Map-Lot 231-83

8. Notice of Intent to Cut Wood or Timber/Map-Lot 250-14

Mr. Drinkhall moved, seconded by Mr. DiGregorio, to approve the Intents to Cut Wood or Timber Map-Lot 226-2, Map-Lot 203-125, Map-Lot 231-83 and /Map-Lot 250-14; Permit to Sell Raffle Tickets for the Friends of Conway Rec with a drawing date of 1/26/11; Seasonal Decorations Permit for the CVACC for Holiday Wreaths 12/12/10 to 2/1/11 and a Seasonal Decorations Permit for the CVACC for Welcome Banners 2/1/11 to 11/25/11. The motion carried unanimously.

B. Consideration of Bills:

1. Manifest dated 12/16/10
2. Payroll dated 12/16/10

Mr. Weathers moved, seconded by Mr. Drinkhall, to approve and sign the manifest dated 12/16/10 and the payroll dated 12/16/10. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no special event applications for consideration.

CONSIDERATION OF MINUTES

The Board considered the minutes of the 11/30/10 meeting. **Mr. Drinkhall moved seconded by Mr. Weathers, to amend the minutes of 11/30/10 as follows: Page 8, paragraph 4 - \$150,000 should be changed to \$135,000. Motion carried 5-0-0**

4:05: PUBLIC HEARING: \$12,000 FROM THE CONNIE DAVID WATSON FOUNDATION TO THE TOWN OF CONWAY TOWARD THE REPAIR AND STABILIZATION OF THE HISTORIC SITE OF THE ABENAKI ENCAMPMENT.

At 4:17 p.m., Chairman Martin, opened the Public Hearing, regarding \$12,000 received from the Connie Davis Watson Foundation to the Town of Conway for the repair and stabilization of the historic site of the Abenaki Encampment.

Mr. Sires reviewed the grant is for repairs to the historic cabins on the Abenaki Site.

There were no public questions or comments and Chairman Martin closed the public hearing at 4:20 p.m.

Mr. Drinkhall moved, seconded by Mr. DiGregorio, to accept the \$12,000 from the Connie Davis Watson Foundation to the Town Conway and apply same toward work at the encampment. The motion carried 5-0-0.

CITY OF NASHUA PROPOSED ACQUISITION OF PENNICHUCK

John Patenaude, Transaction Executive for the City of Nashua, and Jamie McNamee, Nashua City Attorney, joined the meeting. Mr. Martin reviewed they are in attendance tonight to discuss the proposed acquisition of Pennichuck by the City of Nashua.

Mr. Patenaude first explained this proposed acquisition will affect approximately 203 customers from the Town of Conway living in the Birch Hill area. Mr. Patenaude next advised the City of Nashua has signed a definitive merger and this information is available on the Nashua website. They also have frequently asked questions section on the webpage as well. Mr. Patenaude next advised the purpose of the acquisition is to preserve and protect water for future generations. Their goal is to protect the watershed and continue to provide water and to provide reasonable rates.

Mr. Patenaude next presented a slideshow which included the information on the acquisition, rate information, how it would be run, etc. (A copy of the presentation is attached hereto). Mr. Patenaude next reviewed the Board members will be comprised of Nashua residents and others. Mr. Patenaude stated that if there is anyone who would like to put their name forward with water experience –they should send a letter to the Mayor of Nashua for consideration. Mr. Sires questioned who will make the appointments, Mr. Patenaude advised that the Mayor will make recommendations for appointments to the Board of Alderman who will name a committee and thereafter a committee will make recommendations.

The Board and the public next held a question and answer session with the City of Nashua representatives which included the acquisition, contracts, rates, capital expenditures, water supply, North Conway Water Precinct, etc., (A copy of the DVD of this meeting is included with the minutes of this meeting).

After the question and answer session Mr. Martin thanked the representatives of Nashua for coming to Conway to discuss this matter. The Board encouraged the representatives to stay in touch with the Town of Conway and, also, requested that they contact the North Conway Water Precinct regarding this matter as well. Mr. Patenaude advised they will contact North Conway Water Precinct.

At 5:04 p.m. the Chairman called for a recess of the meeting. The meeting was reconvened at 5:12 p.m.

EXPENDITURES OUT OF THE CAPITAL RESERVE FUNDS

Mr. Martin reviewed a list of expenditures out of the Capital Reserve Funds with the Board.. (Copy attached). **Mr. Dickinson moved, seconded by Mr. Drinkhall, to sign the transfer of funds.** Finance Director, Lucy Philbrick, gave a brief explanation of the funds. **The motion carried 5-0-0.**

WELCOME TO TOWN OF CONWAY SIGNS / DANA HYLEN

Dana Hysten joined the meeting. Mr. Hysten advised he was back before the Board this evening to get the okay for the locations for the new Welcome to Conway signs.

Mr. Sires reviewed that Mr. Hysten is also looking for a letter to send to the State regarding the placement of the signs and, also, at the last meeting the Board requested staff look into the liability and maintenance concerning the signs. Mr. Sires stated that with regard to maintenance, provided nothing happens to the signs there is very little maintenance. We may need to paint them in the future and there will be some maintenance costs in the future. Mr. Sires questioned the cost for the signs. Mr. Hysten advised the signs are \$295 not including the posts. Mr. Sires next advised that with regard to liability, the town has the right to place the signs in the right of way.

The Board and Mr. Hylan next discussed sign placement. Mr. Weathers stated the sign at the Albany/Conway Town line wont fit. Mr. Hylan explained the new sign would go north of the intersection of the Kancamaugus. The state has marked the spot where the sign would go in the state right of way. Mr. Hylan advised that the site is marked with two yellow stakes so the Board could see it. Mr. Sires asked about the sign at the north end of town. Mr. Hylan advised the signed will be located across from Hurricane Mountain Road before the tracks and before the Vista. There was discussion regarding the location of the town line. Mr. Hylan advised the sign location is on the Conway side. Mr. Hylan further advised that he also called the Railroad and found the railroad corridor and how far it should be from the tracks and this is marked as well so that the Board could look at same.

Mr. Martin next read aloud the proposed letter to the State. (See attached). **Mr. DiGregorio moved, seconded by Mr. Weathers, to sign the letter.** Mr. Dickinson asked if we could move the old signs down onto Rt 153 and Brownfield Road. Mr. Sires advised the signs will stay up because they are informational. Mr. Hylan stated he thought they were coming down as they are falling apart. The Board agreed this would have to be looked at as there may be a requirement regarding the information on the present signs such as pedestrians in crosswalks. Highway Foreman, Andrew Smith, stated that we also have winter signs that we put up each year. There is a sign we put in place regarding winter parking. There was discussion by the Board. Mr. Hylan stated his original intent was to get rid of the signs. If the Town needs other signs regarding pedestrians, etc, he can look into this later. Mr. Hylan stated he did all this work to get new signs and he does not want to see the old signs up. Mr. Dickinson stated he feels that we need a sign that says watch for pedestrians in the crosswalk and that it should be closer to the village areas. Mr. DiGregorio stated that Mr. Hylan did a good job with the new Town of Conway signs and thinks he can do the same with pedestrian signs as well. Mr. Martin pointed out the other piece to the puzzle is the winter parking signs. Mr. Smith advised that the town used to remove the existing signs and put up winter parking signs. Mr. Weathers pointed out that in the past the town has also tried putting signs in the crosswalks; however, they just got flattened by cars. There was further discussion regarding the crosswalk and winter snow removal signs. Mr. Martin stated that Mr. Hylan could proceed forward and let the town work internally regarding the pedestrian crosswalk signs and the snow removal signs and see if we can't come up with a compromise. The Board generally agreed. Mr. Weathers questioned when the new signs would be placed. Mr. Hylan advised the signs would be put in when the ground thaws. Mr. Hylan next advised that he does have about \$250 in fundraising left to do. Mr. Weathers stated that between now and spring we can decide what we want to do with the pedestrians crosswalk and snow removal signs. Mr. Smith stated that he can still use the posts this winter. Mr. Hylan next read aloud a letter he prepared to the State that he would like to send with the letter from the Board of Selectmen (a copy of same is attached hereto). Mr. Hylan agreed to take language out of the letter regarding taking that the existing signs would be removed. The Board agreed they have no problem with the rest of Mr. Hylan's letter. **The motion carried 5-0-0.**

2010 EQUALIZATION – MUNICIPAL
DATA SHEETS CERTIFICATE

Tax Assessor, Tom Holmes, joined the meeting. Mr. Holmes reviewed information concerning the 2010 Equalization-Municipal Data Sheets Certificate with the Board. (Copy attached). Mr. Holmes explained this means that we meet State standards for assessing this year. **Mr. Drinkhall moved, seconded by Mr. Weathers, to sign the document. The motion carried 5-0-0.**

Mt. Martin questioned if the town should do a revaluation. Mr. Holmes advised that if assessments reach 110% over selling price, then we should look at this as this is the trigger.

REVIEW AND CONSIDERATION OF PROPOSED 2011 BUDGET

Winter Maintenance Discussion – Mr. Martin reviewed the tabled motion from the last meeting as follows: **Mr. Drinkhall moved, seconded by Mr. Weathers, that we continue with the 25% cut of \$36117 bringing the Highway Salt line down to \$108,349.** Mr. Martin asked for a motion to take the motion off the table. **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to take the motion off the table. The motion carried 5-0-0.**

Mr. Martni next questioned how much salt is left on hand. Highway Foreman, Andrew Smith, advised 600 tons. Mr. Martin questioned if it is normal practice to start with that much. Mr. Smith stated it gets split with the new year and they try to keep the shed full until the end of January. Mr. Smith stated he would like to keep this full. With the forecast now we are not looking at snow this week. However, he would like to buy more before the end of the year as there is \$44,000 left. Mr. Dickinson questioned if purchasing salt in the summer is cheaper. Mr. Smith advised that it is the same rate in the summer. The town price for salt is the state price bid. This year it is \$62.15 –this fluctuates but has been in the 60's for a couple of years now. Mr. Smith advised that the State of NH puts this out to bid and Granite State honors the price for municipalities.

There was next a discussion on the philosophy and methodology of how the Town plows and treats the roads during the winter season.

Mr. Martin again reviewed the motion on the table. A vote was taken and the **motion failed 2-3-0 with Messrs. Drinkhall and Dickinson voting in the affirmative and Messrs. DiGregorio, Weathers and Martin voting in the negative.**

Budget – Mr. Sires advised that as of now, the proposed budget is a decrease of 1% overall but a 3% increase in the police budget. Mr. Sires stated that he would like to add \$4,000 in the labor line in the Solid Waste Budget due to some tasks that need to be performed. This would be Line 1650 in the Solid Waste budget.

The Chair called a brief recess of the meeting at 6:20 p.m. The meeting resumed at 6:25 p.m.

Mr. Sires next reviewed that we had reduced all overtime in the Solid Waste budget at a previous meeting but there are times such as when they employees haul leachate that may require some additional time. Mr. Sires advised this addition would bring the total budget to \$8,822,473. **Mr. Weathers moved seconded by Mr. DiGregorio that we recommend \$8,822,473 for the 2011 budget.** There was a brief discussion as to the inclusion of the cuts made at last weeks meeting into this figure. Mr. Sires further reviewed this includes the \$50,000 reduction in the police budget. Mr. Weathers reviewed the overall town budget is down 1%. **The motion carried 5-0-0.**

Warrant Articles – Mr. Sires distributed information regarding proposed Warrant Articles and reviewed same with the Board. Mr. Sires also reviewed tax rate impact information with the Board. Mr. Sires next reviewed default budget information with the Board and also reviewed that it is the Budget Committee that will be setting the default budget. Mr. Sires next distributed and reviewed tax rate information with the Board. Mr. Sires advised that using the current assessed value and if our non tax revenues stay

around the same and if we get the \$400,000 from the State, then you are looking at an increase of approximately \$.20 or a 4-5% increase. Mr. Sires stated this is just an estimate and it also depends on if all the special articles pass.

TOWN MANAGER REPORT

Solid Waste – Mr. Sires reviewed that the Solid Waste Ordinance requires that operation changes have to go through the process of public hearings. Two public hearings are required. Mr. Sires advised the hearings can be scheduled for January and this would keep us in line with starting the new hours in February. **Mr. Drinkhllall moved, seconded by Mr. DiGregorio, to schedule the public hearings as per the ordinance. The motion carried 5-0-0.**

Streetlights – Mr. Sires reported the NHEC is done turning off streetlights as requested by the town. With regard to PSNH, we finalized their list yesterday and they have also indicated that six lights have been adopted by citizens. Also, at the last meeting the Board had asked Mr. Dickinson to contact PSNH regarding taking the light fixtures down. We received a response from PSNH via email yesterday and they are saying the PUC tariff doesn't allow them to leave the fixture up. Mr. Dickinson requested that we ask PSNH to supply the tariff information and we did but have not heard back from PSNH regarding same as of yet.

The Board asked if any of the lights that were turned off by the Town on Route 16 were adopted by anyone. Mr. Sires responded in the negative.

Mr. Sires next advised that we did have one comment from someone living on Champney Road advising that the light on her road was shut off but that she also noticed some lights that were on in North Conway during the daytime. Mr. Sires advised that this is due to a sensor in the light and we are waiting for parts for same to correct this situation. Mr. Martin pointed out that it does not cost any money for certain lights to stay on –these are the big decorative lights on North-South Road. Mr. Martin also pointed out that an older photocell would allow a light to stay on and if someone has a concern about a light staying on to please wait for a sunny day to see if reacts the same way.

There was next brief discussion on the LED fixtures that were installed. It was discussed the light is bright and clean but there is not a great deal of glow to it. Mr. Martin stated you can read a paper under it unlike under a high pressure sodium light. Mr. DiGregorio commented it is nice to drive by the lights as there is no glare coming off of it.

Sunset Hill Snow Removal – Mr. Sires reported the snow removal at the corner will be done by the Town Crew. They will wing this are back.

BOARD REPORTS AND COMMENTS

Friends of Conway Rec – Mr. Digregorio briefly reviewed the Raffle Permit signed by the Board today for Friends of Conway Rec. Mr. DiGregorio reviewed that for whoever wins, the Valley Originals will come to your house for a party. Mr. DiGregorio pointed out that tickets for this are available through the Friends of Conway Rec.

Transfer Station – Mr. DiGregorio stated that with regard to closing the dump on Sunday, he is getting calls from people who are not happy. He stated his answer to this

is that we have to do something and we can always look at this again later. Also, someone can stand up and put the money back in the budget at Town Meeting if they want. Mr. DiGregorio stated that hopefully people will adapt and accept this and if not at sometime in the future we may have to look at this issue again. Mr. DiGregorio next commented on the Teletalk section of the Conway Daily Sun and stated that the paper should make people sign their names to comments and there are much inaccuracies in this section. Mr. Weathers added that regarding the hours at the transfer station –it doesn't mean we can't tweak it and put this back in the future. Mr. Drinkhall stated he agrees with Mr. DiGregorio regarding the Teletalk section of the paper concerning unsigned comments and inaccuracies. Mr. Dickinson stated that he wants to back up Mike and others support of closing the dump. People can change this if they want by showing up at Town Meeting. Mr. Martin commented that he has had a lot of comments concerning the closing of Sundays at the dump and he has tried to relay the reasons why this was done. Mr. Martin encouraged the public to come to the Deliberative Session and vote.

Deliberative Session of Town Meeting – Mr. DiGregorio commented that if you take out staff, Selectmen, etc., that have to be at town meeting there are very few members of the public showing up and voting on the budget. Mr. DiGregorio stated the importance to have people show up at the meeting and vote. Mr. Martin reiterated that if a person does not like something in the budget they can come to town meeting and try to change it.

Ray Leavitt – Mr. Martin stated he would like to apologize to Ray Leavitt as it was thought that he cut him off at the discussion held at the last meeting concerning the police budget. Mr. Martin stated that he does not recall doing this but does apologize and he would never intentionally cut someone off.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun questioned the additional purchase of salt. Mr. Weathers stated that if we stay status quo on salt then hopefully we have enough to keep the roads status quo. If we do less salting then it will take seven times more to get it to where it should be. Mr. Steer next asked if Eric Meador is a Transfer Station Attendant. The Board advised that he is a Transfer Station Attendant. There are four attendants and each have their own jobs they do and, also, someone backs up Eric. With the proposed budget, overall they will be one less person in place, but not one less person doing the transfer station jobs.

Mr. Martin next commented that there will not be a meeting on December 21 unless needed. Also there will not be a meeting December 28. The Board will be back to the regular schedule on January 4, 2011.

ADJOURN

At 7:01 p.m., the meeting was adjourned at the call of the Chair.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary