

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

JUNE 2, 2009

The Selectmen's Meeting convened at 4:00 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, Larry Martin (Chair), C. David Weathers, Howard C. Dickinson and 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.

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 June 4, 2009.

CONSIDERATION OF MINUTES

The Board considered the minutes of 3/24/09. Mr. Drinkhall offered the following amendment: Page two, paragraph five, the name Cindy White should be Syndi White. **Mr. Drinkhall moved, seconded by Mr. Weathers, to accept the minutes of 3/24/09 as amended. The motion carried 4-0-1 with Mr. DiGregorio abstaining.**

Consideration of the minutes of 3/31/09 and 4/7/09 were carried to next meeting.

DISCUSSION OF LARGE GROUNDWATER WITHDRAWAL

Bill Hounsell and North Conway Water Precinct Superintendent, David Bernier, were present for discussion.

Bill Hounsell advised he was here today to discuss the upcoming large groundwater withdrawal hearing scheduled for June 9 at 6:30 pm at the Technology Village. It is going to be a subcommittee of a larger commission created by act of legislature to study large groundwater withdrawals and the permitting processes. Mr. Hounsell explained the purpose of these meetings is to gather input from feelings of the citizens about water rights. Mr. Hounsell encouraged the people of the Mount Washington Valley to get out and attend the hearings.

Mr. Hounsell and Mr. Bernier discussed permitting, wells, groundwater withdrawals and the impacts of same with the Board.

NORTH CONWAY / CONWAY VILLAGE INTERCONNECT UPDATE

Mr. Bernier advised there have been holding a series of meeting with Conway Village Fire District (CVFD) and North Conway Water Precinct (NCWP). He, Paul

DegliAngeli and the Engineers for both CVFD and NCWP have been gathering data and are very close with coming up with a draft report as to whether or not NCWP has the capability of bringing in CVFD. Mr. Bernier stated that what he can say at this time is that CVFD its current flows and its projected flows through the 2030 and the NCFD current flows and projected flows through year 2030 have sufficient capacity in its existing wastewater treatment plant with a minor upgrade to one aspect of the treatment with is the second anoxic zone which allows the process to remove nitrogen from the wastewater, the nitroglide process. They have talked about what the costs of this could be which may be around anywhere from 250,000 to 500,000 and they would have adequate capacity then to 2030. Mr. Bernier advised he will next meet with NHDES officials. Mr. Bernier further advised he would also like the commissioners and public to look at this and have a comfort level with allowing CVFD to come into NCWP and to know if could they rerate the existing wastewater facility without any major components to get to an additional 500,000 gallons of water, which is essentially what CVFD is asking for over the next 20 years. Mr. Bernier stated he hopes to have further answers after meeting with the NHDES.

DISCUSSION OF STATE AND FEDERAL REVENUE

Mr. Sires reviewed information regarding stimulus funding and information on the funding concerning the Kearsarge Road bike path with the Board.

Mr. Sires next distributed information to the Board regarding the general revenue picture, legislative bulletins from the LGC and other information.

Mr. Sires reviewed that Rooms & Meals remains in the Senate budget as voted by the House frozen at 2009 levels. Mr. Sires stated we have known that and have plugged that into our forecasting so far.

Retirement contributions are as we discussed in the past with respect to reductions in state share over the next 3 years; however the senate finance committee has eliminated the proposed in increases employee contribution.

Mr. Sires next reviewed the state still plans on some court closures however not in our area at this time.

LCHIP funding is being reduced over the next 2 years.

With regard to Highway funding the finance committee voting to adopt a modified plan which increases vehicle registrations, license, fees, and dedicate a portion of these to the DOT highway and bridge betterment account.

The gas tax increase is in house budget and is supported by NHMA. This will result in additional highway revenues to municipalities in future years.

The finance committee rejected house proposals for a capital gains tax, gaming tax & state tax and support tobacco tax, short term elimination of the business enterprise credit against the business profit tax, and establishment of lotteries at the race tracks and two locations in the North Country.

With regard to school funding - school building aid is in the senate budget; however catastrophic aid which reimburses districts for special education costs is funded at only \$65 million, which is less that 75% of the actual cost. Mr. Sires explained this is a general overview of what is going on.

Mr. Sire further reviewed that the NHMA is urging towns to call their senators to discuss revenue sharing. Mr. Sires suggested designating a Selectman to do so and advised this would need to be done this afternoon or this evening. Mr. Dickinson volunteered to Call Senator Jeb Bradley to discuss restoring revenues to the towns. The Board agreed. Mr. Dickinson excused himself from the meeting to make the call to Senator Bradley.

Bill Hounsell advised they have been aggressively pursuing money for bike lanes as requested by the town and have been working with Counselor Burton on same. There was discussion regarding same with the Board. Mr. Hounsell advised that the report now is that it does not look very good at this point. There was further lengthy discussion regarding the bike lanes, how much the cost would be to do after the fact, grant funding, etc. Mr. Sires questioned if the Board was still amenable to continuing to look for grant funding for the bike lanes. The majority of the Board was in favor of continuing to look for grant funding. Mr. Martin asked the Board for reaffirmation of same. **Mr. Drinkhall moved, seconded by Mr. Dickinson, to reaffirm the past decision that we would not fund the bike path on Kearsarge Road and if funds can be found from alternate means we are in favor. The motion carried unanimously.**

Mr. Dickinson next reported on his telephone conversation with Senator Bradley regarding the revenue sharing issue. Mr. Dickinson advised that all Republican senators have signed on to support the return of revenue sharing and do not know where others have a problem. As far as Jeb Bradley is concerned, we have his total support.

AGENDA CHANGE

A Board member suggested an agenda change. The Chair agreed and advised the non public session should be moved up the agenda. **Mr. Drinkhall moved, seconded by Mr. Weathers, to amend the agenda and take item 12 "NON PUBLIC SESSION: RSA 91-A:3-II(e)/LITIGATION MATTER" and move it number 9. The motion carried unanimously.**

NON PUBLIC SESSION: RSA 91-A:3-II(e)/LITIGATION MATTER

Selectmen, Howard C. Dickinson stepped away from the room. **Mr. Drinkhall moved, seconded by Mr. Weathers, to go into non public session under RSA 91-A:3-II(e) to discuss a litigation matter.** The non public session included the Town Manager, Earl Sires, Town Attorney, Peter Malia, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote (4-0).**

Upon return to public session, it was agreed the minutes of the non public session would not be sealed.

In public session Mr. Sires stated the Board of Selectmen had signed a settlement agreement regarding an ongoing lawsuit with the town and same will be on file at the Clerk's office. Mr. Sires advised Attorney Malia is available for comments should there be any questions regarding same. Mr. Sires further commented it was in the best interest of the town to settle the lawsuit at this point. Mr. Sires reviewed the settlement amount and, also, that the amount will be split with the LGC paying half. Mr. Sires further advised the plaintiff in this matter will also have development rights and can get a building permit.

TOWN MANAGER REPORT

Town Manager Goals – Mr. Sires provided the Board a list of goals and reported on the status of same.

CDBG Advisory Committee – Mr. Sires reported he will be attending a CDBG Advisory on Thursday, June 4, 2009. Mr. Sires advised this is an all day meeting.

BOARD REPORTS ND COMMENTS

Valley Vision – Mr. DiGegorio distributed a Valley Vision monthly report to the board for review. Mr. DiGegorio advised there is also back up info available for this report if anyone would like to review same.

Gas Tax – Mr. Drinkhall commented this Board has not taken a stance on the gas tax. Mr. Drinkhall stated he thinks he is against the gas tax but would like to hear from the other Board members on this issue. Mr. Dickinson advised that he is against the gas tax and feels a letter should be written to the Governor. Mr. Weathers stated that he does not have enough information on the matter but also feels it could hurt us but on the other hand it is a revenue generator for the State. Mr. Weathers stated he had mixed feelings on the issue. Mr. DiGregorio stated they should leave the tax rate alone and cut spending. Mr. Martin stated he supports sending a letter as 10-15 cents can break the backs of people. **Mr. Dickinson moved, seconded by Mr. Drinkhall, that the Board authorize staff to draft a letter to the Governor thanking the Governor for taking a strong position on the gas tax and prepare same for the Chair's signature. The motion carried unanimously.**

Oil Purchasing – Mr. Drinkhall questioned oil purchasing for the town. He stated heating oil is on the way up in price and questioned what we should be doing at this point. Mr. Sires advised he will take a look at this issue; however, another problem is event if we want to lock in we don't have the funding to do so.

Conservation Commission – Mr. Weathers reported the Conservation Commission will meet June 10 at the Whitaker Meeting House. The Redstone cell tower is on the agenda for discussion.

Schouler Park Grass – Mr. Martin commented the grass in Schouler Park is struggling but may come back again.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Jim Lefebvre, Chair of the Conway Budget Committee, advised the Committee met with the DRA and the DRA gave a presentation. Mr. Lefebvre advised he will be working with the Town Manager, Mr. Sires, next to have the structure of the town explained as there are new members on the committee.

Mr. Dickinson commented on the census and stated he is concerned about the count. He read an article that on a particular date in April 2010 anyone in Conway will be counted as Conway for the purpose of the Census. Mr. Martin asked that staff look into this matter. Keith Osmun stated that they categorize for this – if you are at a hotel, they factor this in when counting.

Andrea Osmun of the Conway Daily Sun requested a copy of the Town Manager Goals and information packet on legislative issues that was distributed. Mr. Sires provided a copy of same to Ms. Osmun.

ADJOURN

There being no further business, the meeting was adjourned at the call of the Chair at 6:28 p.m.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary