

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 8, 2009

The Selectmen's Meeting convened at 4:04 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), C. David Weathers, Howard C. Dickinson, Robert Drinkhall and Michael DiGregorio; Town Manager, Earl W. Sires; and Recording Secretary, Holly Meserve.

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.

APPROVAL OF BILLS

The Board reviewed and approved the manifest dated 12/10/09.

APPROVAL OF MINUTES

The Minutes of November 3, 2009 should be amended as follows: page 1, under Consideration of Minutes, first paragraph, second to last line, should read "Mr. Drinkhall moved, seconded by ~~Mr. Drinkhall~~ Mr. Weathers, to approve...".

Mr. Drinkhall moved, seconded by Mr. Weathers, to approve the minutes of October 20, 2009 as written; October 27, 2009 as written and November 3, 2009 as amended. The motion carried (5-0-0).

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION

There were none.

PUBLIC HEARING – CHAPTER 113 – SOLID WASTE

Paul DegliAngeli appeared before the Board.

§131-13.B: Mr. DegliAngeli stated that the tipping fee for mattresses, box springs and upholstered furniture will increase from \$5 to \$20. Mr. DiGregorio asked if we receive a lot of those. Mr. DegliAngeli answered in the affirmative and stated that we receive more than any other community as we are less expensive, we are a destination area with a lot of hotels and motels and we are a Regional Facility by default.

Mr. DiGregorio asked if this could cause them to show up on the side of the road. Mr. DegliAngeli stated that he hasn't seen that and the reason is because our neighbor is more expensive. Mr. DegliAngeli stated that mattresses are a problem for the landfill and there has not previously been an alternative and now there is. Mr. DegliAngeli stated if we are going to incur a \$20 cost per mattress then we cannot charge \$5.

Mr. Drinkhall asked if this change would equal our cost, lessen our cost or be a greater cost. Mr. DegliAngeli stated that he is looking at a few companies and currently this is the mean. Mr. DegliAngeli stated that this is a good starting point. Mr. DegliAngeli stated at this rate we are the least expensive community. Mr. Sires stated that this is not \$20 per set, but \$20 per piece. Mr. DegliAngeli agreed. Mr. Sires stated that they want to get these items out of the landfill and either we pay for it out of the budget or we assign a fee to the people who are getting rid of it.

§131-13.C: Mr. DegliAngeli stated that we currently charge \$3 per tire and that will be increasing to \$5 per tire. Mr. DegliAngeli stated there is no change to the ordinance required; this is just to inform the Board.

§131-13.H: Mr. DegliAngeli stated appliances containing refrigerants will increase from \$5 each to \$15 each. Mr. DegliAngeli stated that the vendor currently providing the service charges \$13 each; therefore, there is a shortfall in the revenue this year.

§131-13.J: Mr. DegliAngeli stated we implemented an electronics recycling program recently and we did not charge for these items as there were federal funds as an incentive and those funds went directly to the vendors. Mr. DegliAngeli stated that that funding now ceases to exist; therefore, we are proposing an additional charge for these electronic devices. Mr. DegliAngeli stated that there is a shortfall. Mr. DegliAngeli stated that we will continue to take phones and calculators free of charge. Mr. DegliAngeli stated that these items do not go into the landfill.

Mr. Dickinson asked how you stop people from dumping a DVD without paying. Mr. DegliAngeli stated that it is on the honor system and they are asked to declare such items when entering the facility.

Mr. Sires stated in regard to the process of adopting the change, we are legally a Regional District with Eaton and Albany and this requires two public hearings. Mr. Sires stated that that the other Districts need to be notified. **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to establish a second public hearing to present the changes as discussed tonight and to notify the other Towns. Motion unanimously carried (5-0-0).**

Bart Bachman of the Conway Daily Sun asked if mattresses are currently being deposited into the landfill. Mr. DegliAngeli answered in the affirmative. Mr.

Bachman asked what the idea behind the additional fee is, and what is going to be done with that money. Mr. DegliAngeli stated it will be used to pay the company who picks these items up. Mr. DegliAngeli stated that they grind them and separate their parts. Mr. Bachman asked if they recycle mattresses. Mr. DegliAngeli answered in the affirmative.

REVIEW OF DECISION IN VERIZON/FAIRPOINT TAX APPEAL CASE

Tom Holmes, Tax Assessor, appeared before the Board. Mr. Holmes reviewed the case background. Mr. Holmes stated that the decision is in our favor and the Court determined that the appellant did not meet the burden of proof against his methodology. Mr. Holmes stated that the appellants are appealing that decision to the Supreme Court.

The Board adjourned for a 15-minute recess to discuss Union Negotiations.

PERSONNEL MANUAL REVISION

Mr. Sires stated that he is proposing two revisions.

Sick Leave use: Mr. Sires read the following proposal to Section XXIV, Sick Leave, of the Personnel Manual, "With prior approval of the Town Manager, sick leave may be used when an employee must attend to the health needs of parents, step parents, children, or step children that do not reside within the household of said employee".

Mr. Dickinson moved, seconded by Mr. Weathers, that Section XXIV, Sick Leave be amended to include the addition of "With prior approval of the Town Manager, sick leave may be used when an employee must attend to the health needs of parents, step parents, children, or step children that do not reside within the household of said employee".

Mr. DiGregorio asked how this is policed. Mr. Sires stated that he would look into that. Mr. Martin stated that he doesn't see a difference in adding this line to this paragraph from a policing point of view from the previous policy as they can already do this with one of their household members. Mr. Drinkhall asked what the sick leave limit is. Mr. Philbrick answered ten sick days a year and they can bank any unused hours up to 480 hours which can be used for long term disability for themselves as there is a 90-day blackout period before long term disability starts.

Mr. Drinkhall asked what that adds to the cost of the Town with lost productivity. Mr. Sires stated that this is something we can try and can change if need be. Mr. Martin stated that prior approval from the Town Manager is a key part. **Motion unanimously carried (5-0-0).**

Appendix D: Merit Matrix: Mr. Sires stated we have talked to staff and we would like to amend the merit matrix for the calendar year 2010 only. Mr. Sires stated that it would revert back to the existing matrix in 2011. Mr. Sires stated that the maximum amount to be earned would be 2% rather than 5.5%. **Mr. Dickinson moved, seconded by Mr. Drinkhall, to approve the merit matrix as presented. Motion unanimously carried (5-0-0).**

Insurance Benefit: Mr. Sires stated that it is the recommendation that the insurance benefit be based upon the \$500 deductible plan with \$45 co-pay. Mr. Sires stated that this would change the individual maximum deductible from \$30 to \$45. **Mr. Drinkhall moved, seconded by Mr. Weathers, to approve the change in the Insurance Benefit as presented. Motion unanimously carried (5-0-0).**

REVIEW AND CONSIDERATION OF PROPOSED 2010 BUDGET

Mr. Sires stated there is a 4.9% increase in the budget, however, it is less than 3% overall if you take out capital reserve.

Mr. Drinkhall stated that he thinks they need to work the figures. After a brief discussion, the Board decided to review the budget line by line.

Executive: Mr. Drinkhall asked if executive mileage could be reduced. Mr. Dickinson stated that he objects and it should remain at \$1,000. Mr. Dickinson stated that it is such a small figure; there is no rationale to do this. Mr. Dickinson stated if we trim out to the very penny there is no way to move things around. Mr. Drinkhall stated that we cut things as little as \$80 last year.

Mr. Drinkhall moved, seconded by Mr. DiGregorio, to reduce the Executive Mileage from \$1,000 to \$750. Motion defeated with Mr. Dickinson, Mr. Weathers and Mr. Martin voting in the negative and Mr. Drinkhall and Mr. DiGregorio voting in the affirmative (2-3-0).

After a brief discussion, the Board agreed to meet on Monday, December 14, 2009 at 4:00 pm to review the budget line by line.

Mr. Weathers left at 5:35 pm.

TOWN MANAGER REPORT

There was discussion regarding the bypass and the GACIT package.

BOARD REPORTS AND COMMENTS

Mr. DiGregorio stated that he and Mr. Sires will be meeting with representatives of Time Werner on Thursday, December 10th at 4:00 pm to discuss franchise fees.

Mr. Drinkhall stated that the Garage Committee reviewed the plans with Mr. DegliAngeli. Mr. Drinkhall stated that Mr. DegliAngeli will be providing a summary to the Committee on December 17th. Mr. DiGregorio stated that he assumes at some point they are going to come up with a number and there is going to be a backup plan if that number fails. Mr. DiGregorio stated that something has to be done to that building safety wise.

Mr. Sires stated that the Town's Risk Management Consultant has stated as long as we are working towards a new building and there is a reasonable expectation of it being done he is okay, however, if it is less likely to be constructed then we have to look at the safety issues for the existing building.

Mr. Dickinson asked what the deadline for public warrant articles is. Mr. Sires answered early part of February. Mr. Sires stated that he would review those dates at the next regular Selectmen's meeting.

PUBLIC COMMENT/MEDIA QUESTIONS

Mr. Bachman asked if the change in the merit matrix was a cost saving measure. Mr. Sires answered in the affirmative. Mr. Bachman asked how many employees are Non-union Personnel. Mr. Sires stated that it is those staff members under the Town Manager and the Board of Selectmen, which includes Town Hall, the Recreation Department and the Public Works Foreman's.

Mr. Bachman asked if merit is based on performance and comparison with years of experience. Mr. Sires stated that the comparison is with 30 other towns in New Hampshire. Mr. Sires stated depending on your current pay to that benchmark and your performance you can achieve between 0% and 5.5% percent each year. Mr. Sires stated that the 2010 year is being limited to 2%. Mr. Bachman asked what the savings is for one year. Mr. Sires stated for 2010 it will be between \$15,000 and \$20,000, but it doesn't become annualized until 2011.

Mr. Bachman asked what the reason for the health deductible change is. Mr. Sires stated that it is a cost saving measure. Mr. Bachman asked if this is a one-time change similar to the matrix. Mr. Sires answered in the negative and stated that this would be on-going.

ADJOURN

The Board adjourned without objection at 5:50 pm.

Respectfully submitted,

Holly L. Meserve
Recording Secretary