

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

February 9, 2010

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, Bob Drinkhall, and Mike 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 February 11, 2010.

CONSIDERATION OF MINUTES

The minutes of the 12/1/09 regular meeting and 9/15/09 non public meeting were considered. **Mr. Drinkhall moved, seconded by Mr. Weathers to approve the minutes of 12/1/09 regular meeting and 9/1/09 non public as written. The motion carried unanimously.**

Consideration of the minutes of 12/22/09 was carried to the next meeting.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

The Board reviewed a Special Event Application for the Mount Washington Radio Local Home Show at the Ham Arena scheduled for May 8 and May 9, 2010. **Mr. Dickinson moved, seconded by Mr. Weathers, to approve the special event application for the Mount Washington Radio Local Home Show at the Ham Arena on 5/8-5/9/10. The motion carried unanimously.**

PUBLIC HEARING / BOND HEARING IN ACCORDANCE WITH RSA 33:8-A,  
TO RECEIVE PUBLIC COMMENT ON A PROPOSED BOND ARTICLE ON  
THE 2010 OFFICIAL BALLOT, FOR THE PURPOSE OF CONSTRUCTING  
A NEW TOWN SERVICE GARAGE

Chairman Martin reviewed the public hearing notice regarding the Bond Hearing on the proposed Bond Article for the 2010 Article for the purpose of constructing a new town service garage and opened the hearing at 4:15 p.m.

Mr. DegliAngeli reviewed the recommendations and the plan that was decided on by the Garage Committee for the proposed new town service garage. Mr. DegliAngeli

reviewed the plan is for 6 doors (3 on each side), 3 long work areas for servicing trailers school buses, etc., and the building will have posts and not a full span. Mr. DegliAngeli went on to give further details of the proposed garage to the public.

Dan Bacon asked about the heating system and questioned if there are any type of ceiling fans. Mr. DegliAngeli advised no fans because a radiant heat system is proposed. Mr. DegliAngeli reviewed there has also been much discussion about a secondary system because of the doors being open.

Dan Bacon next asked about the life expectancy of the proposed garage. Mr. DegliAngeli advised 60 years.

Mr. Bacon next asked about the bond. Mr. Martin advised it has not been finalized yet. Mr. Drinkhall next commented the newspaper did not fully disclose what was approved at last week's meeting. Mr. Drinkhall reviewed the proposed article is for \$600,000 total. There is \$200,000 from the Capital Reserve Fund and not less than \$100,000 from a grant and then we need to raise the balance. Mr. Sires reviewed that he did speak with the DRA today and they advised if it is either a bond or a loan we will still have to raise the money from the grant as well. Mr. Sires next reviewed the article is written as per DRA guidance. Mr. Sires read aloud the language from the DRA.

Mr. Bacon stated he thinks the taxpayers should come out and support this article and that the town has been diligent. He will support it and he thinks everyone should also come out and support it.

Mr. Dickinson stated that there has been a good deal of talk about going for grant money and asked Mr. Bacon if he thinks the town should go for the grant money. Mr. Bacon stated he felt the town should bond \$450,000 and then take the rest from the capital reserve and then get it done

Ray Shakir advised he is speaking today as a member of the public and not for the Budget Committee or Garage committee of which he is a member. Mr. Shakir advised he is not in support of the \$650,000 and doesn't think the building will cost that much. Mr. Shakir further added that he doesn't think the town should go for the federal grant as it is full of strings and delays. Mr. Shakir further added he thinks we should lower the asking price so we get voter approval. Mr. Shakir next stated that he objects to the heating system proposed for the garage as he feels it is too expensive and, also, he thinks we can get heaters donated from other parts of town.

Mr. Dickinson questioned what figure Mr. Shakir would like to see for the proposed garage. Mr. Shakir advised \$550,000 with no federal money.

Doug Swett questioned what the elimination of fire equipment does to our insurance rates. Mr. DegliAngeli stated that building does not have to be by code and this is not required by insurance. Mr. DegliAngeli further added this is a steel building.

Mr. Swett stated he thinks voters turned this down last year due to money. Mr. Swett further stated that this needs to be put in plain terms to the public and also make it understood that if it is turned down this year we will need to spend \$125,000 to fix the present building. Mr. Swett reiterated that we need to make it simple for the people to understand. Mr. Swett further added that he feels we should stay away from government money as you are playing with Davis-Bacon, etc.

Mr. Sires spoke about the federal money stating that it does add provisions. Mr. Sires further added that he did receive information today regarding the grant and we are in the hopper for money as of today. Mr. Sires next suggested that we write the article so that we can take the money or not take the money.

There were no further questions or comments and the Chairman closed the public hearing at 4:42 p.m.

Mr. Weathers stated that we do have to do something about the garage. He is not an advocate of spending money but something does need to be done as there are heating costs, safety issues, etc.

Mr. Dinkhall stated the savings per year would be in the \$3,000-\$5,000 range for heating if the new garage is built.

Mr. DiGregorio stated that if we used Mr. Shakir's scenario of \$550,000 and also \$200,000 out of capital reserve don't we have to state this in the warrant article. Mr. Sires advised that yes it would have to state this in the article as per the DRA. Mr. Sires further added that we wouldn't have to use any more money that we would need. We would only use as much as we have to for the garage. Mr. DiGregorio stated that he remembers the Garage Committee minutes stated that the committee thought the project would be in the area of \$600,000 and that is where we came up with the \$650,000 which includes contingent costs.

Mr. Martin reviewed that last week the Board voted for \$650,000. \$200,000 of Capital Reserve Funds, not less than \$100,000 from grants, and to raise the balance of \$350,000. Mr. Sires stated that if this is the way then you would only do the project if you get at least \$100,000 from the grant. Mr. Martin stated he agreed that if we make it simpler, it is more palatable.

Mr. Dickinson questioned if we can do two articles. A Bond for \$600,000 or maybe \$550,000 and authorize the use of \$200,000 for the administrative expenses for the garage. Mr. Sires stated he does not think that the DRA would allow for same. Peter Malia advised that we can't do this but also questioned if this Board could do a fall back article.

Mr. Drinkhall reviewed the votes made at the last Garage Committee meeting for the Board and public.

Mr. DiGregorio stated he would support the article the way it is written and thinks we should take the federal money if it is available.

Mr. Drinkhall stated that the highest figure he can conceive is \$600,000 but thinks it can be done for \$550,000. Mr. Drinkhall stated we could vote for the \$600,000 or go for the \$650,000. Mr. Drinkhall further added that if we could fund this this year and save financing money and simplify it for it to pass this year this could be the best scenario.

**Mr. Dickinson moved, seconded by Mr. Weathers, to reconsider the language reflected in Article 11. The motion carried 5-0-0.**

Mr. Drinkhall questioned how the Board felt about funding this all in one year. Mr. Martin asked what \$350,000 would do to taxes in one year. Mr. Sires advised it is approximately \$.07 on the tax rate. Mr. Sires reminded the Board there may also be federal money coming in to play. Mr. Dickinson added that interest rates are also down and a bond would be in the best interest of the taxpayers now. Mr. Dickinson further reviewed that we have paid off other bonds and it would be a bad time not to bond. Mr. Drinkhall reviewed the article failed in 2009 and, also that if this is a bond article this year it needs to pass by 3/5. By voting on this without bonding it would make it simpler to pass. Mr. DiGregorio discussed the difference between \$600,000 and \$650,000 and also pointed out that we had a committee who recommended a certain dollar figure. Further, he would imagine that Mr. Drinkhall would be directly involved should the garage be built and he wouldn't let a nickel be overspent. Mr. Digregorio added that he would support \$650,000 and added that we are not going to overbuild and that the price should be accurate and we need to stop going back and forth.

Mr. Weathers questioned Paul DegliAngeli that if this is awarded, will the contractor be reporting back to him or a committee. Mr. DegliAngeli advised that typically it is him but if this Board would like him to step aside he would do so. Mr. DegliAngeli further advised that all projects in this town have come in at or under budget. This Board could take all decisions to a committee if they would like. Mr. Weathers stated that he can't imagine a contractor wanting to take direction from a whole committee.

Mr. Martin next reopened the discussion for public questions and comments at approximately 5:10 p.m.

Mr. Swett questioned who is going to be on site representing him while this garage is being built. Mr. DegliAngeli advised it would be him. Mr. Swett next stated that we are talking about \$600,000 and the town doesn't hesitate to spend this on a road.

There being no further questions or comments, Mr. Martin closed public comments at 5:15 pm

**Mr. Dickinson moved, seconded by Mr. Weathers, that the bond article read to see if to see if the municipality will vote to raise and appropriate the sum of \$600,000 gross budget, and that the other number be changed to \$400,000.** Mr. DiGregorio commented he would not support this article at the amount of \$600,000. **A vote was taken and the motion carried 3-2-0 with Messrs. Drinkhall, Dickinson and Weathers in favor and Messrs. DiGregorio and Martin voting in the negative.** Mr. Sires next clarified if this is the official motion to place this on the warrant and, also to leave in the line that grant funding may or may not be used. The Board agreed this is the intent.

PUBLIC HEARING/ SOLID WASTE - TO DISCUSS CHANGES TO  
CHAPTER 113 OF THE CODE OF THE TOWN OF CONWAY  
PERTAINING TO SOLID WASTE DISPOSAL

Selectman, Crow Dickinson, left the meeting room and was not present for this public hearing.

Chairman Martin, reviewed Public Hearing Notice to discuss changes to Chapter 113 of the Code of the Town of Conway pertaining to Solid Waste and opened the Public Hearing at 5:17 p.m.

It was noted that this was the second hearing on this matter as is required by the Solid Waste Ordinance. It was further noted that notices were sent via certified and are regular mail to the towns of Albany and Eaton as they are part of the Mount Washington Valley Solid Waste District. It was further noted that no representatives from either town were present at this public hearing.

Public Works Director, Paul DegliAngeli, reviewed the proposed changes to the Solid Waste Ordinance. (A copy of the proposed changes is attached hereto).

Chairman Martin asked for public questions or comments. There were no questions or comments from the public and Chairman Martin closed the public hearing at 5:22 p.m.

**Mr. Drinkhall moved, seconded by Mr. Weathers, that we accept the changes as read by Paul DegliAngeli.** Mr. Martin noted that Mr. Dickinson was absent for the vote. **The motion carried unanimously 4-0-0.**

Mr. DegliAngeli next discussed the idea of the single stream recycling option with the Board. Mr. DegliAngeli reviewed that this is a convenience and a cost savings to the customer. Mr. DegliAngeli advised that we will be looking into this idea and will report on this further to the Board in the future. Mr. DegliAngeli further explained there will still be recycling but, for instance, aluminum and glass, etc may be comingled. This recently became an option in our area and we are going to take a look at this. Instead of seven separate bins we may only have one for glass, tin, aluminum, etc.

#### CONSIDERATION OF BUDGET AND WARRANT ARTICLES

The Board reviewed a copy of the draft warrant dated 2/9/10 and discussed the following articles:

Article 16/Kearsarge Rd. Pedestrian Way/Bike Lane - Mr. Drinkhall suggested that the words by local property be inserted before the word taxes at the end of the last sentence. **Mr. Drinkhall moved, seconded by Mr. DiGregorio to accept the article as amended.** Janice Crawford of the MWVCC stated she felt there was some confusion as she thought we were going to seek a grant and the remainder would be put to the taxpayers. Bill Hounsell stated it is up to the people to decide and we should ask the voters to decide do they want to raise the difference in the warrant article. Mr. Sires reviewed the minutes from the meeting of the discussion on bike lane held in September of 2009 with the Board. The Board held a discussion on same. Mr. Hounsell asked the Board to amend the motion tonight or that they will amend it at town meeting. Mr. Hounsell questioned if it is voted on now by the Board of Selectmen will it say recommended by the Board of Selectmen and the Board replied in the affirmative. Mr. Hounsell questioned if they change the article on the floor will the Board of Selectmen revote on the article. The Board replied in the affirmative. There was next a brief discussion regarding changing articles on the floor of Town Meeting. Mr. Sires next reported on grant funding for this matter and advised that although we were ranked third for this project they have changed the way they tier the projects this year and other than

that we haven't heard anything further on the project. Mr. Martin moved the question. **The motion carried 4-1-0 with Mr. Weathers in the negative.**

Article 12/Operating Budget - Mr. Sires first discussed the issue of Capital Reserve Funds and explained that we now have to put Capital Reserve Funds into Warrant Articles now and we have to adjust the operating budget by \$680,000. Ms. Philbrick discussed the budget and explained the changes to the Library, Police, Recreation, Public Works and Capital Reserve Funds. (See attached sheet for changes).

Mr. Martin questioned what the changes to the CRF's do to the Default Budget. Mr. Sires advised he discussed this with the DRA. They refrain from giving direct advice to municipalities on the Default Budget. It is up to the Budget Committee to calculate and arrive at it on their own. Mr. Sires reviewed the Budget Committee is meeting tomorrow to calculate the Default Budget.

There was further review of the adjustments made to the budget. \$14,379 added to police retirement and \$680,500 taken out for the CRF's. It was next reviewed that the new bottom bottom line figure was \$8,923,038. There was next review of the projected Default Budget figure of \$9,247,446; however, as reviewed earlier, the Budget Committee will set this amount. - **Mr. Dickinson moved, seconded by Mr. Drinkhall to recommend the numbers as presented. The motion carried 5-0-0.**

Article 31/To accept and maintain Robert Morrell Drive - **Mr. Drinkhall moved, seconded by Mr. Martin, to support the warrant article.** Mr. Drinkhall questioned if the road is up to code. Mr. Martin replied in the affirmative. Mr. DiGregorio stated he does not agree with the policy that we force someone to build a road up to code and don't accept it afterward. Mr. DiGregorio advised he supports this article to accept the road because it was built the right way. **The motion carried 5-0-0.**

Article 13/Two-Year Collective Bargaining Agreement between the Town and AFSCME - **Mr. Drinkhall moved, seconded by Mr. Weathers, to approve article 13. The motion carried 5-0-0.**

Article 14/Capital Reserve Fund for Police Vehicles - **Mr. Drinkhall moved, seconded by Mr. Dickinson, to accept Article 14. The motion carried 4-1-0 with Mr. Weathers voting in the negative.**

Article 15/Maintenance of Town Buildings and Facilities Capital Reserve Fund - **Mr. Weathers moved, seconded by Mr. Drinkhall to accept Article 15. The motion carried 5-0-0.**

Capital Reserve Fund Warrant Articles – Mr. Sires presented a list of additional proposed warrant articles regarding Capital Reserve Funds for the Board to review and consider. (A copy of same is attached hereto). The Board agreed to insert the articles into the warrant and proceeded to vote on the articles as follows: Infrastructure Reconstruction Capital Reserve Fund article – **Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve the article for the Infrastructure Reconstruction Capital Reserve Fund. The motion carried 5-0-0.** Highway Equipment Capital Reserve Fund article - **Mr. Weathers moved, seconded by Mr. Drinkhall, to approve the article for the Highway Equipment Capital Reserve Fund. The motion carried 5-0-0.** Solid Waste Capital Reserve Fund article – **Mr. Weathers moved, seconded by Mr.**

**Drinkhall to approve the article for Solid Waste Capital Reserve Fund. The motion carried 5-0-0.** Landfill Closure Capital Reserve Fund Article – **Mr. Drinkhall moved, seconded by Mr. Dickinson to approve the article for Landfill Closure Capital Reserve Fund. The motion carried 5-0-0.** Landfill Expansion Capital Reserve Fund article – **Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve the article for Landfill Expansion Capital Reserve Fund. The motion carried 5-0-0.**

Article 17/Mower Blade for Public Works Department - The Board briefly reviewed Article 17. Mr. Sires provided additional information to the Board regarding the mower blade. **Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve article 17. The motion carried 5-0-0.**

Article 18/Commercial Lawn Mower for the Recreation Department. - **Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve article 18. The motion carried 5-0-0.**

Article 19/PEG Expendable Trust Fund - Mr. Sires advised the amount received is \$122,038. It was agreed this amount should be placed in the article. **Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve article 19 in the amount of \$122,038. The motion carried 5-0-0.**

Article 20/The Gibson Center for Senior Services, Inc - **Mr. Dickinson moved, seconded by Mr. Drinkhall, to support article 20. The motion carried 5-0-0.**

Article 21/North Conway Community Center - **Mr. Drinkhall moved, seconded by Mr. DiGregorio to support Article 21. The motion carried 5-0-0.**

Article 22/Carroll County Transit - **Mr. Dickinson moved, seconded by Mr. Drinkhall to support Article 22.** The Board held a brief discussion on the Carroll County Transit Article. Mr. Drinkhall stated he felt this is not a time to be funding this article. **The motion failed 0-5-0.**

Article 23/Tri County Community Action - **Mr. Drinkhall moved, seconded by Mr. Dickinson to support Article 23. The motion carried 4-1-0 with Mr. Drinkhall voting in the negative.**

Article 24/White Mountain Community Health Center - **Mr. Dickinson moved, seconded by Mr. Drinkhall to support Article 24. The motion failed 1-4-0 with Messrs. DiGregorio, Drinkhall, Weathers and Martin voting in the negative and Mr. Dickinson in the affirmative.**

Article 25/Mount Washington Valley Chapter of the American Red Cross - **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to support Article 25. The motion carried 4-0-1 with Messrs. DiGregorio, Drinkhall, Dickinson and Martin voting in the affirmative and Mr. Weathers abstaining.**

Article 26/Children Unlimited, Inc. - **Mr. Drinkhall moved, seconded by Mr. Weathers, to support Article 26. The motion failed 2-3-0 with Messrs. DiGregorio, Drinkhall and Dickinson voting in the negative and Messrs. Weathers and Martin in the affirmative.**

Article 27/North Conway Day Care - **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to support Article 27. The motion failed 2-2-1 with Messrs. DiGregorio and Drinkhall voting in the negative, Messrs. Dickinson and Martin in the affirmative and Mr. Weathers abstaining.**

Article 28/Vaughan Community Service, Inc. - **Mr. Drinkhall moved, seconded by Mr. Weathers, to support Article 28. The motion carried 4-1-0 with Mr. DiGregorio voting in the negative.**

Article 29/Starting Point – It was noted the Town did not receive a petition from Starting Point. This will be removed from the draft warrant.

Article 30/Mount Washington Valley Addiction Treatment Solutions Sliding Scale Fee Program - **Mr. Drinkhall moved, seconded by Mr. Dickinson, to support Article 30 for MWV Addiction and Treatment Solution Center.** Mr. Dickinson stated this is not a methadone treatment center and he feels this article should be supported. **The motion failed 1-4-0 with Mr. Dickinson voting in the affirmative and Messrs. DiGregorio, Drinkhall, Weathers and Martin in the negative.**

Article 32/To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President. Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines “marriage”. (Submitted by Petition). - The Board held a brief discussion. It was determined no recommendation was necessary on this article as there is no financial impact.

TOWN MANAGER REPORT

Budget Committee Public Hearing – Mr. Sires reported the Budget Committee public hearings on the budget are scheduled for tomorrow evening beginning at 6:00 pm in the auditorium at Kennett High School.

BOARD REPORTS AND COMMENTS

Leanne Smith – Mr. Dickinson reported everyone appreciated the Proclamation prepared for Leanne Smith. Cranmore raised \$13,000 last Friday evening for the Smiths. Mr. Sires commented that Mr. Dickinson did a great job presenting the Proclamation and the Smith family appreciated it very much.

PUBLIC COMMENT/MEDIA QUESTIONS

There were no public comments or media questions.

ADJOURN

At 6:35 p.m., the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary