

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

May 4, 2010

The Selectmen's Meeting convened at 4:05 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 May 6, 2010.

CONSIDERATION OF MINUTES

The Board considered the minutes of 2/9/10. **Mr. Drinkhall moved, seconded by Mr. Weathers, to approve the minutes of 2/9/10 as written. The motion carried unanimously.**

Consideration of the minutes of 2/16/10, 2/23/10, 3/3/10, 3/16/210 and 3/30/10 were carried to the next meeting.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

White Mountain Walfdorf School/May Faire – This event application is complete.

Preeclampsia Foundation/Preeclampsia Foundation Walkathon - This event application is complete.

**Mr. Weathers moved, seconded by Mr. DiGregorio to approve the public event application submitted by the White Mountain Waldorf School for May Faire and the public event application submitted by the Preeclampsia Foundation for the Preeclampsia Foundation Walkathon. The motion carried unanimously.**

RECREATON UPDATE

Recreation Director, John Eastman, joined the meeting.

Mr. Eastman first reported on the success of the basketball season.

Mr. Eastman next reported that Pond Hockey participation has increased. Mr. Eastman described the Pond Hockey program and also discussed ice time at the Ham Arena.

Mr. Eastman next advised the Recreation Department is busy with spring programs, tee ball, softball, etc. Mr. Eastman also talked about the teams that are involved.

Mr. Eastman next reported track will start in about a month. There are approximately 30-35 kids involved with this program.

Mr. Eastman next reported that summer programs and the swim program information will go out this Friday.

Mr. Eastman briefly discussed scholarship money for recreation programs raised by the Friends of Conway Rec.

Mr. Eastman next reported on the condition of Schouler Park. Mr. Eastman stated the condition is better than last year but not as good as you may want it to be after the winter. They have aerated and seeded the park. There are some dead spots from the ice rink.

#### FINANCIAL REPORT

Finance Director, Lucy Philbrick, joined the meeting. Ms. Philbrick distributed financial (expenditures and revenues) reports for first part of the year and reviewed same with the board

Ms. Philbrick next advised that regarding the TANS, the town got a line of credit from Laconia Bank.

#### DICUSSION OF CHATHAM ROAD

Doug Burnell and Public Works Director, Paul DegliAngeli joined the meeting. Mr. Burnell distributed a map of the Little Chatham Road area for the board to review. Mr. Burnell pointed out that Little Chatham road is located in the extreme right hand corner of the Town of Conway.

Mr. Burnell next reviewed that Little Chatham road used to be gated on the Fryeburg, Maine, side in the winter. Mr. Burnell advised that he is here to ask that the Town to gate Little Chatham Road on the Conway Side in the winter at the Fryeburg border as this section of the road is not maintained in the winter. Mr. Burnell explained that people are driving on the road late in the season and this is causing maintenance problems. Mr. Burnell explained he is the only landowner at the Conway end of the road. Mr. Burnell further advised that the road is being privately plowed and that people are using it. Mr. DegliAngeli advised that a private entity is maintaining the road without insurance or a contract with the Town. Mr. DegliAngeli further advised that the road has a designation of summer maintenance only.

Mr. Burnell next advised that he spoke with the Town of Fryeburg and they want to also start putting a gate back up on their end of the road at the town line. The Board questioned why we need another gate on the northern end if Fryeburg is putting up a

gate. Mr. Burnell explained because people on the Chatham end may still drive up the road and this would stop them.

Mr. DegliAngeli advised that the Town could abandon the road and it would go to the landowners. This may not be the best option but he wanted them to know all options. Mr. Martin questioned the advantages and disadvantages of the Town of Conway giving up the road. Mr. Weathers pointed out we are using funds for summer maintenance. Mr. DegliAngeli advised we are using very little funds. The road was graded a few years back and we did do some tree cutting about 8 years ago. Mr. Burnell advised the road does not need a lot of maintenance.

Mr. Dickinson asked what Mr. Burnell would like to see happen. Mr. Burnell advised he would like to see a gate at the Conway end in winter. Mr. Burnell advised there are a lot of summer residents and people do use the road often in the summer. There is also a steep hill and he feels this is an accident waiting to happen.

Mr. DiGregorio questioned the cost for a gate. Mr. DegliAngeli advised the Town could find a hemlock and put a pin in it. This would be natural New Hampshire materials. Mr. Burnell agreed with the suggestion. **Mr. DiGregorio moved, seconded by Mr. Weathers, that we instruct our people to go ahead and gate the other end to coincide with Fryeburg. The motion carried unanimously.**

#### PUBLIC WORKS PROJECTS UPDATE

Mr. DegliAngeli reported the North Conway Water Precinct has started a project in the area of Ash and Maple Streets and then will proceed to Ledgewood. The Town has partnered with them to do the roads and this should finish up around July. The contractor will then go to Kearsarge and head to the four corners at Hurricane Mountain Road.

Mr. DegliAngeli next reported that Conway Village Water Precinct is finishing the water project in Conway Village. The contractor will then move to the Pleasant Street area to Tasker Hill to the bridge.

Mr. DegliAngeli advised the Tasker Hill Bridge came in under budget and this is good news. The project is scheduled to start at the beginning of June.

#### UPDATE ON TIME WARNER CABLE CONTRACT NEGOTIATIONS

Mr. Sires advised that he and Mr. DiGregorio met with the Town's cable attorney and representatives of Time Warner Cable last week in Portland, Maine, to discuss the last few issues regarding the proposed Cable Contract. Mr. Sires reported that they are all settled except for a few issues. After these items have been settled, we will get a copy of the proposed contract to the Board and it will also be available for the public to review. Mr. Sires next reviewed that one issue they were discussing is how many live broadcast stations. They have ironed out the request for the additional channel. There was also discussion about the internship and they advised they don't do this anymore and so this is out. Mr. Sires next advised they asked Time Warner to fund the video instruction program and Time Warner advised they are not interested in this and this is what franchise fees are for. Mr. Sires next advised that a technician will be coming around and looking at locations for live broadcasts.

Mr. DiGregorio advised that they also wanted to review our equipment list a little closer. They want to make sure that we are not buying Rolls Royce equipment and we are not going overboard with equipment.

Mr. Sires next advised we are looking at the end of June for finalizing the proposed contract and then we will hold a public hearing. The current contract has expired but continues until the new one is signed

#### DISCUSSION OF GARAGE SPECIAL TOWN MEETING

Mr. Sires reviewed the motions made by the Board last week. Mr. Sires advised that scheduling plays a part in the first motion. Mr. Sires next reviewed the two things that staff was tasked to do. Mr. Sires first advised that he will discuss the timing for a special town meeting. Mr. Sires distributed a copy of a memo from attorney Peter Malia regarding this issue and reviewed same. (See attached). Mr. Sires next reviewed a possible schedule of what has to happen if the Board decides to proceed with a special town meeting. (See attached). Mr. Sires reviewed that even with this schedule it will be hard to say if it can all happen by the next scheduled election. Mr. Sires next advised that he also received a call from School Superintendent, Carl Nelson, today and he advised they are also considering a special town meeting but he was advised by the Secretary of State's office that they do not like adding business to the primary election.

Mr. DegliAngeli next reviewed items that would have to be done to rehabilitate the building. Mr. DegliAngeli gave a Powerpoint presentation to the Board regarding the concrete block foundation. Mr. DegliAngeli further advised the town is proceeding with the block test as requested. There was discussion with the Board regarding the block walls of the building.

Mr. DegliAngeli advised that the approximate cost of the repairs to make the garage safe will be around \$200-225,000. If the Board would like to reinforce the walls and insulate the building, this would cost an additional \$250,000 bringing the cost up to \$350,000-\$375,000.

The Board held discussion regarding fixing the garage versus a special town meeting. There was also discussion regarding how long the garage can last if putting money into repairs.

Mr. Martin called a recess of the meeting at 5:55 pm due to technical difficulties with taping the meeting. The Chairman called the meeting back to order at 6:02 p.m.

There was further discussion of the repairs that need to be made and Mr. DegliAngeli reviewed the list with the Board.

**Mr. Weathers moved, seconded by Mr. DiGregorio, that we spend up to \$200,000 to \$225,000 from the Captial Reserve Fund to make the necessary corrections for safety reasons outlined in Mr. DegliAngeli's memo, the windows, the blocking, etc., and to have the work start on or as near June 1, 2010 as possible.** Mr. Drinkhall questioned if this is pending the block inspection. **Mr. Weathers amended the motion, seconded by Mr. DiGregorio, that we spend up to \$200,000 to \$225,000 from the Captial Reserve Fund to make the necessary corrections for safety reasons outlined in Mr. DegliAngeli's memo, the window, the blocking, etc., and to have the work start on or as near June 1, 2010 as**

**possible, pending a positive result the blocks are safe prior to the start of the work.** Mr. Martin asked if there were public comments. He noted that Bill Jones was at the meeting and wanted to make comment but had to leave. Jim LeFebvre advised that Mr. Jones agreed that the Special Town Meeting is not the best option. Mr. LeFebvre advised that this is also his opinion as well. **The motion carried 4-1-0 with Mr. Drinkhall in the negative.**

#### PUBLIC COMMENT

Bill Reilly stated he would like to see a change in the parking at Seavey Street and Route 16. Mr. Reilly stated he feels that if you want to make a turn onto Seavey, it is extremely dangerous for cars or pedestrians as this is a very busy place. Mr. Reilly went on to state that as you come out of street because of way a car is parked, you can't see where people are. Mr. Reilly noted that we have reduced the spaces from 3 to 1 in the past (in front of Badger Realty) however, the one space doesn't matter. Mr. Reilly stated he feels we should remove the one space. Mr. Sires noted that there is one legal parking space at the location; however sometimes there is more than one car parked in this area. Mr. Sires questioned if the parking space could be made parallel instead of diagonal. Mr. DegliAngeli reviewed the area was reduced in parking from three space to one space. The space is striped for one car and we have not crosshatched the other two spots for no parking. However, if we do crosshatch it for no parking people will still park there and this is an enforcement issue. Mr. Weathers asked if making the space parallel would be better. Mr. DegliAngeli advised that physically and legally a parallel space won't fit – the parking space can only be so close to crosswalk.

There was discussion by the Board. Mr. Martin stated he couldn't support removing the parking space as it is the only one in front of this business. Further, he can not recall many accidents at this location. The Board was in agreement. Mr. Reilly stated that he understood. Mr. Martin thanked Mr. Reilly for coming in and having discussion with the Board on this matter.

#### TOWN MANAGER REPORT

Couches – Mr. Sires explained the cost for disposal of sectional sofas. Mr. Sires advised that if the Board would like to look at changing the cost we need to hold two public hearings. Mr. DegliAngeli advised that since we have put this fee into effect the couches keep coming in; however the mattresses have reduced. The Board held brief discussion. Mr. DegliAngeli suggested looking at all the fees in four months. The Board agreed.

#### BOARD REPORTS

EcoMaine – Mr. DiGregorio advised that he and Mr. Sires toured EcoMaine last week. Mr. DiGregorio advised that he was amazed that no smell came out of the building. Mr. DiGregorio further advised there is no trash at the facility as there is all recyclables. They have put thought into the engineering and the process at EcoMaine. Mr. DiGregorio next briefly reviewed the process of how the recyclables are put into a hopper and go through a series of machines with some human help. Also there is a small pile at the end that doesn't get taken out for recyclables and this goes over to another part of their operation for burning for energy. They also make enough energy

for their operation and some for the utility company as well. This was a very efficient operation.

Mr. Dickinson questioned if this boils down to economics. Mr. DiGregorio replied in the affirmative but stated he can also see spending a couple dollars on our part for the environmental aspect as he thinks we will get more people involved with recycling.

Mr. Dickinson questioned if we go to single sort will we have to let go any town employees. Mr. Sires advised they will be reassigned.

Mr. Weathers pointed out that storage area for recyclables at home will be cut down. You will not need seven bins and more people may recycle.

Mr. Drinkhall questioned the economics. Mr. Drinkhall stated people may bring more trash to the landfill now.

There was further discussion. Mr. Martin advised that this matter will be back on a future agenda for discussion.

Budget Committee – Mr. Dinkhall reported the Budget Committee met last night. They have two new members of the Budget Committee. One item that was brought up is that they would like to set up a meeting with DRA. This offer is open to others as well and they expect to hold the meeting in late July.

Legislation – Mr. Dickinson recommended that people read the *Union Leader* to read about what is going on in Concord. Currently in Concord they are discussing rooms and meals, capital gains, cigarette taxes and they are a long time from coming to any conclusions. On Friday he will be at a meeting and may know more on these issues. The Representatives will not make any decisions on these issues until sometime in June.

Legacy Award Ceremony – Mr. Dickinson advised he will attend the ceremony for the Legacy Award.

Conway Police – Mr. Martin commented that two Conway Police Officers, Russell McLaughlin and Bill Strong, are being honored for being heroes. Mr. Martin congratulated the officers on the awards.

Next Meeting – Mr. Martin advised the Board of Selectmen will meet next week, May 11, 2010.

#### PUBLIC COMMENT / MEDIA QUESTIONS

There were no public comments or media questions.

#### AJOURN

At 6:40 pm, the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary