

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

July 27, 2010

The Selectmen's Meeting convened at 4:03 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.

CONSENT AGENDA

Mr. Weathers moved, seconded by Mr. DiGregorio, to accept the agenda. The motion carried unanimously.

- A. Signing of Documents
 - 1. Intent to Cut
Tax Map/Lot 284-7

Mr. Drinkhall moved, seconded by Mr. DiGregorio, to approve the Intent to Cut for Tax Map/Lot 284-7. The motion carried 4-0-1 with Mr. Weathers abstaining.

- 2. Intent to Excavate
 - Tax Map/Lot 207/14-4
 - Tax Map/Lot 207/14-5

Mr. Weathers moved, seconded by Mr. Drinkhall, to grant the Intents to Excavate for Tax Map/Lot 207/14/-2 and 207-14-5. The motion carried unanimously.

- 3. Timber Tax
 - a) Warrant/Timber Tax Levy - Map/Lot #'s 262-9, 207-5 & 295-6
 - b) Certification of Yield Taxes Assessed-Map/Lot 262-9
 - c) Certification of Yield Taxes Assessed-Map/Lot 207-5
 - d) Certification of Yield taxes Assessed- Map/Lot 295-6

Mr. Weathers moved, seconded by Mr. Drinkhall, to approve the Warrant/Timber Tax Levy for Tax Map/Lot's 262-9, 207-5 & 295-6 and the Certifications of Yield Taxes Assessed for Tax Map/Lot 262-9, 207-5 and 295-6. The motion carried unanimously.

- 4. Other
 - a) DRA Application for Reimbursement to Towns and Cities in which Federal and State Forest Land is situated 2010

Mr. Martin briefly reviewed the DRA Application with the Board. **Mr. Dickinson moved, seconded by Mr. Weathers, to approve the DRA Application for**

Reimbursement to Towns and Cities in which Federal and State Forest Land is situated 2010. The motion carried unanimously.

B. Consideration of Bills:

1. Ratification of Manifest dated 7/22/10

Mr. Weathers moved, seconded by Mr. Drinkhall, to ratify the manifest dated 7/22/10. The motion carried unanimously.

2. Manifest dated 7/29/10

Mr. Drinkhall moved, seconded by Mr. DiGregorio, to approve the manifest dated 7/29/10. The motion carried unanimously.

3. Payroll dated 7/29/10

Mr. Weathers moved seconded by Mr. Drinkhall, to approve the payroll dated 7/29/10. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- A.. NH Intertribal Native American Council/Saco River Intertribal Pow Wow/Hussey Field, N Conway/7/31/10-8/1/10 (pending insurance)

Mr. Dickinson moved, seconded by Mr. Weathers, to approve the Special Event Application for the NH Intertribal Native American Council/Saco River Intertribal Pow Wow scheduled for 7/31/10 to 8/1/10 pending receipt of an insurance certificate. The motion carried unanimously.

CONSIDERATION OF MINUTES

The Board considered the minutes of 5/4/10. Mr. Drinkhall asked for additional information in the minutes of 5/4/10 at a previous meeting. It was agreed by the Board the following paragraph would be added to the minutes of 5/4/10 as paragraph 3 on page 4 under the heading of Discussion of Garage Special Town Meeting: 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. **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to approve the minutes of 5/4/10 as amended. The motion carried unanimously.**

With regard to the minutes of 6/29/10, Mr. Drinkhall offered the following amendment to page 6, paragraph 2 - the name Bob Holmes should be changed to John Holmes. **Mr. Drinkhall moved, seconded by Mr. Weathers, to approve the minutes of 6/20/10 as amended. The motion carried 4-0-1 with Mr. DiGregorio abstaining.**

CONSIDERATION OF UNANTICIPATED REVENUE LESS THAN \$5,000/RSA 31:95-B, III (b) - A) \$337.30 DONATION BY FRIENDLY'S TO THE DARE PROGRAM OF THE CONWAY POLICE DEPARTMENT

Lt. Chirs Perley of the Conway Police Department joined the meeting. Lt. Perley advised that on June 28, 2010, Friendly's Restaurant had the 2nd annual DARE

fundraising night. 20% of food and ice cream sales were donated and, also, cash donations were made. It was a successful evening with many interested people. Lt. Perley stated he wants to publicly thank Friendly's and their staff. **Mr. Drinkhall moved, seconded by Mr. Weathers, to accept the \$337.30 donation by Friendly's to the DARE program of the Conway Police Department. The motion carried 5-0-0.**

REVIEW AND CONSIDERATION OF LETTER TO
DRA REGARDING WARRANT ARTICLE 23

Mr. Martin reviewed a proposed letter to the New Hampshire Department of Revenue Administration regarding Warrant Article 23 with the Board. (See attached). Mr. Sires explained the warrant article passed in April of 2010 and it appropriated money. This project will not happen now as the money was not raised. **Mr. Drinkhall moved, seconded by Mr. DiGregorio, to sign the letter to the New Hampshire of Revenue Administration. The motion carried unanimously.** Chairman Martin signed the letter.

LEGISLATIVE FLOOR PROPOSAL

Crow Dickinson reviewed a proposed floor policy amendment with the Board. (See attached). Mr. Dickinson advised that the LGC has asked him to request the Board of Selectmen's support so they can get this on the floor. Mr. Dickinson advised this will then be brought to the floor at the LGC meeting scheduled for September 17, 2010. There was a brief discussion by the Board. **Mr. DiGregorio moved, seconded by Mr. Drinkhall, to support Crow's floor policy position. The motion carried unanimously.**

TOWN MANAGER REPORT

Lighting Public Hearing – Mr. Sires questioned when the Board would like to hold the Public Hearing regarding the proposal to turn off streetlights. Mr. Sires advised the public comment period ends 8/13/10. The Board briefly discussed and agreed to hold the Public Hearing on 8/24/10. Mr. DiGregorio commented that some signs are missing and advised that people should not take the signs down and, if they want to comment on a particular pole, to please note the pole number.

Budget Workshop – Mr. Sires reviewed that a budget workshop was previously discussed. Mr. Sires questioned if the Board would like to schedule this during a regular meeting or have a separate meeting time for just the budget workshop. The Board and Mr. Sires briefly discussed scheduling the budget workshop. It was agreed by the Board to schedule the workshop at the regular meeting scheduled for August 10, 2010.

PUBLIC WORKS UPDATE

Public Works Director, Paul DegliAngeli, joined the meeting.

Garage – Mr. DegliAngeli reviewed that at the last meeting of this Board, the Board agreed to not proceed with the garage floor as bid as they wanted to have a complete slab as part of the rehab. The alternate one has now been amended and is part of the contract. \$35,510 for the slab and excavation under. This brings the total renovation value currently to \$185,910 and this includes the floor. Mr. DegliAngeli

questioned if, since we are entirely removing the existing floor, perhaps the town should get a price for radiant heat instead.

Mr. DiGregorio questioned how the radiant would work with the roof. Mr. DegliAngeli reviewed that radiant heat does get up to the roof. Mr. DegliAngeli further reviewed that the slab is radiating heat and so all surfaces inside the garage will be warm.

The Board asked about the price to add the radiant heat. Mr. DegliAngeli reviewed that the cost since we are removing the slab, is approximately \$11,000.

Mr. Dickinson questioned if we go with the radiant, will the fans also be used in the garage. Mr. DegliAngeli advised that we do not need both. Mr. Weathers questioned that if going with the radiant, what is the cost difference between the installation and materials – radiant versus the fans. He understands the fans are no cost but there is a cost for adapting the fans to the building. Mr. DegliAngeli advised the difference is \$11,000 and it is a trade off – labor for installation and material costs. Mr. Drinkhall stated it makes no sense not to go with the radiant as a savings will be realized in a short time. Also, in a worst case scenario, if we have a large storm, the roof of the garage could be shoveled if necessary. Mr. DiGregorio stated he would agree if it was a well insulated building – he is concerned because it is not an insulated building and questioned if you can get the room up to temperature. Mr. DiGregorio further questioned if a radiant slab is going to keep the building warm enough for the employees to work in without insulation. Mr. DegliAngeli stated if using the fans, we are heating the air and with radiant the heat is radiating and heating surfaces. Mr. DegliAngeli further stated that if going with radiant, we should have more tubing on the perimeter of the building and we would not need that if it was a well insulated building. Mr. DegliAngeli next reviewed that the Board has time to think about what they want as ripping up the floor is not the first thing they will be doing on the garage.

Mr. DiGregorio next questioned if the boiler size is based on a lack of insulation and will we also have enough capacity to change the manifold if we had to go with some of the overhead heaters. Mr. DegliAngeli replied in the affirmative if he means that slab doesn't keep up with heating needs. Mr. DegliAngeli added the boiler is sized to heat an uninsulated building.

Mr. Dickinson questioned if it would be prudent to get the heaters from the school anyway if we go with radiant heat. Mr. DegliAngeli replied in the affirmative and advised that we can put them in inventory. Mr. DegliAngeli next pointed out that the car shop concrete will not be replaced and is on a different zone and this will have one of the heaters. The employee lunchroom will have a baseboard. Mr. DegliAngeli further added the benefit of the radiant with the door opening in the garage is that it will keep everything warm.

Mr. Dickinson questioned if the Board has the authority to change to radiant at this time. The rest of the Board replied they do have the authority and further explained that this Board authorized up to \$228,000 for the garage.

Mr. Drinkhall next stated that he would like to make some points, one being that having the backup heat for other type of heat (radiant) because of the shelter roof is a good thing and we may need it later. The other thing is that, as has been said, is what would be the overall cost by the time we finished. In his opinion, and not as a matter of

policy, by the time we are done with all the upgrades to the garage, it should last 20-30 years. Mr. Drinkhall added that he believes this would include several things that would make the radiant heat work better. Mr. Sires added that during discussions over the last few years regarding building a new garage or putting money into this one, we had outside engineers come in and provide estimates and the estimates were \$400,000 to \$450,000 depending on what all was done. The decision to build the new garage was based on this information. The discussion was - does it make sense to put \$450,000 into the existing garage to get 20 plus/minus years out of it or spend \$6,000,000, or maybe less, to build a new one. The Board at that time said it makes sense from a financial standpoint to build a new one, and so this was always the working number.

Mr. Martin stated he is strongly and pleasantly surprised about the radiant heat. During construction meetings, we were told higher numbers for radiant by certain people at those meetings and he is pointing out that this is substantially less than the numbers discussed previously. Mr. Martin further added that the free fans from the school are a good idea. Mr. Martin next stated we have \$228,000 put aside for this project and questioned if the fans could be put in for \$11,000 and have both systems in place. Mr. Martin stated the bid now is \$186,000 and this is with the fans in place from the school and questioned if, for \$11,000 more, we can add radiant and leave the fans in place –or does the \$11,000 not include the fans. Mr. DegliAngeli advised the fans are not included in the \$11,000. Mr. DegliAngeli advised that to put in both systems would cost more than \$11,000 and he can't really recommend we do this now. He can recommend that we have the ability to be able to hang them (the fans) if needed. Mr. DegliAngeli advised the radiant issue was brought forward to see if the Board was interested and he can go back to the contractor and work out what the Board would like.

Mr. Dickinson stated we need to request all fans from the school. Mr. DegliAngeli advised that we have requested five fans. We can use one for the car shop and put the others in storage.

Mr. Drinkhall stated that Mr. DegliAngeli is the expert and if he says the radiant will work, he can't see not going for it at this time. **Mr. Drinkhall moved, seconded by Mr. DiGregorio, that we go with the radiant heat including the fact that we take the fans and have them as a backup should we need them in the future. The motion carried unanimously.** Mr. Dickinson questioned if this would bring the price to \$197,000. The Board agreed approximately.

Boat Ramp – Mr. DegliAngeli reported that with regard to the boat ramp at Conway Lake, we did a repair to this earlier this morning. It is a temporary fix. The issue is we need to extend the boat ramp as it is not long enough. The trailers are getting bigger for bigger boats and the prop wash is creating holes off the end of the ramp. Further, this has been a hot, dry summer and the lake is low. The real solution to this is to extend the boat ramp. Our fix made this morning should hold this for the season. When we lower the lake in the fall we can fix this problem if the Board would want it fixed. Mr. Martin questioned if the state has to help with this issue. Mr. Dickinson commented the state can help and they will supply concrete blocks. Mr. Dickinson stated we will also have to get a permit to do the work. Mr. Dickinson further added the boat access program of Fish and Game should be able to help out with funds, however, unfortunately, the government has drained their funds. Mr. Martin suggested maybe we can get funds for this next year. Mr. Dickinson stated he thinks we should fix the boat ramp. There was further brief discussion. **Mr. Weathers moved, seconded by Mr. Drinkhall, to make application to Fish and Game to see if any**

funds or expertise are available to assist the Town of Conway to fix the boat ramp. The motion carried unanimously.

River Road Bridges – Mr. DegliAngeli reviewed that the State came to the Town previously to talk about fixing bridges on River Road. The State wants to replace the piers with steel. The Town received notice today that there is a Preconstruction Meeting scheduled for Friday, August 6, 2010. Mr. DegliAngeli advised that, usually, construction will start about a week after the meeting. It was advised that Mr. DegliAngeli will attend the meeting. Mr. DegliAngeli advised that for construction projects they usually need areas for staging. This will compete with the canoe liveries; however, this is not our road and, not our river. Mr. DiGregorio questioned if they will be doing all three bridges at once. Mr. DegliAngeli advised we will find out more information at the meeting scheduled on August 6.

TOWN MANAGER REPORT (continued from earlier in meeting)

Mid Year Financial Report – Mr. Sires distributed and reviewed town financial statements for the first half of the year and briefly reviewed same with the Board.

Regarding revenues, Mr. Martin commented that the state has hit automobile owners with an \$11 surcharge. Mr. Martin stated that this is the state and not the town and Town Clerk, Rhoda Quint, has been good about notifying people of the increase.

Kearsarge Metallurgic – Mr. Sires reported that the EPA has asked that our town counsel write a letter to them advising of the town's inquiry regarding the Kearsarge Metallurgic site. Mr. Sires further advised that the State and the EPA asked to have a meeting at the end of the month in Concord. The Board requested that we inquire as to whether they can meet here instead of Concord.

Vacation – Mr. Sires reported that he would be out of the office for the next three days.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Drinkhall reported that he attended a contentious Planning Board meeting. Mr. Martin stated that he should tell the Planning Board members that the issues are Board of Selectmen related issues and the place for that discussion to happen is at this Board's meetings. Mr. Martin went on to state there is no reason Mr. Drinkhall should be berated at the Planning Board meetings. Mr. Drinkhall stated he can handle being berated, but not the interruptions when he is trying to speak.

Yard Sale – Mr. Dickinson thanked Mr. Sires and Town Planner, Tom Irving, for assisting Randy Davison with his problem regarding yard sales and for giving him good direction on how to proceed. Mr. Sires stated he was given assistance to guide him through the process.

Hussey Field – Mr. Weathers advised that he is meeting with the Recreation Department on Thursday to stake out the limited use area for the upcoming Pow Wow special event. The area delineated will be for foot traffic only. This pertains to any event held in Hussey Field.

Road Scholar – Mr. Martin advised that Public Works Employee, Tim Shackford, received the status of Senior Road Scholar with the New Hampshire Technical Center Road Scholar program. On behalf of the Board, Mr. Martin congratulated Mr. Shackford for his efforts.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Nate Giarnese of the Conway Daily Sun asked about the preconstruction meeting regarding the bridges on River Road and if this is to start construction. The Board advised the State will have the preconstruction meeting and the work will start shortly thereafter.

NON PUBLIC SESSION RSA 91-A:3:II (c) / TAX MATTER

This matter was carried to the next meeting.

NON PUBLIC SESSION RSA 91-A:3 II (e) / LITIGATION
MATTER - O'ROURKE V TOWN OF CONWAY

At 5:27 pm **Mr. Drinkhall moved, seconded by Mr. Dickinson, to go into non public session under RSA 91-A:3 II (e) to discuss a litigation matter.** The non public session included Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

At 5:46 pm., **Mr. DiGregorio moved, seconded by Mr. Dickinson to return to public session. The motion carried by unanimous roll call vote.**

Mr. Drinkhall moved, seconded by Mr. Weathers, to seal the minutes of this non public session. The motion failed 0-5-0.

ADJOURN

At 5:48 pm the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary