

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

August 24, 2010

The Selectmen's Meeting convened at 4:02 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.

CALL TO ORDER

Chairman Martin called the meeting to order at 4:02 p.m. Chairman Martin next advised he would be turned over the seat of chair for this meeting to Selectman, Bob Drinkhall. There were no objections. Mr. Drinkhall took the seat as Chair for this meeting.

PLEDGE OF ALLEGIANCE

Mr. Drinkhall led the Board in the Pledge of Allegiance to the Flag.

CONSENT AGENDA

A. Signing of Documents

1. Intent to Cut Wood or Timber
Tax Map/Lot 257-1&2
Tax Map/Lot 293-4

Mr. Weathers moved, seconded by Mr. DiGregorio, to approve the Intents to Cut Wood or Timber for Tax Map/Lot 257-1&2 and 293-4. The motion carried unanimously.

2. Raffle Permit(s)

- North Conway Firefighters Association
Drawing 9/6/10 at North Conway Fire Dept

Mr. Weathers moved, seconded by Mr. DiGregorio, to approve the Raffle Permit for the North Conway Firefighters Association for the 9/6/10 drawing. The motion carried unanimously.

3. Tax Abatements:

- Tax Map/Lot 264-13
Tax Map/Lot 265-161.313
Tax Map/Lot 265-161.335

Mr. DiGregorio moved, seconded by Mr. Dickinson to approve the abatement applications for Tax Map/Lot 264-13, 265-161.313 & 265-161.335. The Board briefly reviewed the applications. The motion carried unanimously.

B. Consideration of Bills:

1. Ratification of Manifest dated 8/19/10

Mr. Martin moved, seconded by Mr. DiGregorio, to ratify the manifest dated 8/19/10. The motion carried unanimously.

2. Manifest dated 8/26/10

Mr. Weathers moved, seconded by Mr. Martin, to approve the manifest dated 8/26/10. The motion carried unanimously.

3. Payroll dated 8/26/10

Mr. Weathers moved, seconded by Mr. Martin, to approve the manifest dated 8/26/10. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

A. MWV Old Car Club/MWV 20th Annual Old Car Show at North Conway Grand Hotel, North Conway - 9/12/10

Mr. Martin moved, seconded by Mr. Weathers, to grant the application for the MWV Old Car Club 20th Annual Old Car Show at North Conway Grand Hotel on 9/12/10. The motion carried unanimously.

CONSIDERATION OF MINUTES

The Board considered the minutes of the meeting of 7/27/10. **Mr. Martin moved, seconded by Mr. Dickinson, to accept the minutes of 7/27/10.** Mr. Drinkhall offered the following amendment: Page 3, last sentence, the number \$185,190 should be changed to \$185,910. **Mr. Martin amended the motion, seconded by Mr. Dickinson, to accept the minutes as amended.** The motion carried unanimously.

4:05 PM PUBLIC HEARING: STREET LIGHT PROJECT

There were approximately 30-40 members of the public present.

Mr. Diinkhall reviewed the background information regarding the street light proposal with the Board and the public.

At 4:10 p.m. Mr. Drinkhall opened the meeting to public comments.

Rhoda Quint advised she is the Town Clerk/Tax Collector for the Town of Conway. Ms. Quint stated that, with all due respect, she would like to state the work the Board of Selectmen have done to lower taxes is commendable. However, she does not feel the savings of \$15,000 for shutting off street lights is worth the cost. Ms. Quint stated she would also like to state that as the Town Clerk, there are many things people don't like to pay for and lights are not one of them.

Bill Jones of Birch Hill stated that Birch Hill has two lights that are both are paid by the homeowners. There is a third light that is paid for by the town. This light he and his wife paid for prior to the town paying for the light. Mr. Jones stated with regard to budgets, he just feels to take this kind of step to reduce lighting in town, having dark streets in this day and age is not the way to go. Mr. Jones further added that he agrees with Ms. Quint regarding the effort put into this by the Board; however, he is not in favor of it.

Bob Gilette of Ossipee advised that he is an Ossipee Planning Board member and, also, a representative of the New Hampshire Chapter of the Dark Sky Association.

Mr. Gillette advised the Dark Sky Association encourages people to rethink street lighting.

Mr. Martin questioned if it is okay for an Ossipee resident to speak at this public hearing. **Mr. Dickinson moved, seconded by Mr. DiGregorio, to allow him to speak. The motion carried unanimously.**

Mr. Gillette stated that it is not their purpose to suggest which street lights are appropriate but to work with towns to share experience and perspective on the subject from one town to another. Mr. Gilette advised that New Hampshire has about 65,000 streetlights at a cost of \$10,000,000 to local taxpayer a year to operate. There is 20,000 megawatts of power output from one major power plant per day and accounts for 12,000 tons of greenhouse gasses a year. Only the Town of Hanover has a comparable number of lights to Conway. Mr. Gilette advised that towns surrounding are reminded of the amount of lights in Conway when they see the glow on the horizon. This is wasted energy from streetlights. Mr. Martin interjected that some of glow that is seen is from commercial lighting, probably 50% of it. Mr. Gilette agreed that the glow is not just from streetlights. Mr. Gillette next stated that towns that have completed the lighting process have reduced their lighting 20-30%, accept for the Town of Bow, who cut off all lights. Mr. Gillette next stated that it is natural that concerned citizens don't want to cut off lights, but there is no evidence that streetlights contribute to deterring crime or preventing crime. Further, most people in New Hampshire live without streetlights. Mr. Gilette next stated that in certain situations, people can adopt a light and, if a person really wants it they can keep and pay for the light themselves. This is a potential solution for someone who wants to keep their light. Mr. Gilette next stated that some concerns are regarding a town's liability should they turn off a streetlight that this might increase the town's liability should an accident or crime occur where a streetlight used to be located. However, there are no state or federal regulations requiring street lighting. In the first place and so there is no legal basis for a finding of negligence if there is no streetlight out there. Most of our towns and most of our residents do not have streetlights. Mr. Gillette next stated congratulations to the Town of Conway for going through this process.

Mr. Martin stated the glow is not from streetlights in North Conway as all of North Conway streetlights are dark sky lights. The glow is from commercial lighting.

Bill Jones commented that the glow contributed by his bulb lights the flag and he is proud of it.

Crawford Butler stated he lives on Muster Road. Mr. Butler further added he does not know if he lives in an urban or rural area and he welcomes the lights. Mr. Butler further added that he lives near Washington Street and welcomes street lights. Mr. Butler next stated that he thanks the Board of Selectmen for doing all this work and for trying to save money on property taxes. Mr. Butler next added that in the Muster Avenue and Hillside Avenue area they plow to the pavement and this is hard on the equipment and he feels it uses up payroll dollars. They put in a beautiful road on Muster a few years ago but when the snow plow goes through you can see sparks on the road and suggested the Board may want to revisit that issue.

Ray Shakir advised he is a North Conway resident and is in favor of shutting off lights appropriately. He doesn't subscribe to the current emotional propaganda and doesn't believe there is anything sinister hiding behind every rock. If anything, what we should do is revisit the criteria to make sure any lights kept lit are fair and reasonable. If

they can't meet the criteria they should be shut off. We should make sure all lights lit are lit for a purpose and the ones that don't fit fair and logical criteria should be shut off.

Marie Gray advised she lives at 27 Muster Road. Ms. Gray stated thank you to the Board for the work they have done. Ms. Gray next questioned if the Board would be considering answering the 12 questions sent by letter to the Town. She would like the questions answered publicly. (A copy of the letter is attached hereto). Mr. Drinkhall next proceeded to read aloud the questions and answers to each. (See attached).

Bill Marvel stated he came to the meeting because he felt the meeting would be filled with people concerned with their lights. Mr. Marvel stated there are people out there who are concerned with the proliferation of streetlights. Mr. Marvel further added that people somehow feel safer with streetlights –he feels like a walking target. Mr. Marvel next stated that people he knows support what the Board of Selectmen are trying to do. The people that support this are the people who don't come to the meetings and this is why he attended.

Bernard Gambino stated he lives on Muster Road in Conway. There is a cemetery that people roam around in in the middle of the night. Mr. Gambino next stated he feels this is a liability issue. If you didn't have lights it would not be –but if you did have lights and then shut them off, he feels this would be a liability issue. Mr. Sires stated the Board is acting in their capacity and are going through the process and they are allowed. However, as we all know, legal arguments can always be made by lawyers who have different views. Mr. Gambino next stated they do have characters walking around the neighborhood and he would not see them if there were no lights.

Mr. Drinkhall stated with a light on all the time you wouldn't notice anything. With a sensor light you would notice something right away.

Mr. Gambino stated people on Muster walk their dogs at night and, also, he feels the lights are needed especially in winter with snowplowing, etc.

Linda Teagan stated she lives in North Conway. Ms. Teagan stated she wanted to commend the Board of Selectmen for holding the line and trying to reduce the budget. This is difficult as it is so easy to say yes to people. With regard to the lights, Ms. Teagan suggested that if there is a shut off that maybe there is also an appeal process for same. Ms. Teagan next stated that looking at the numbers, housing, revenue to the state, etc. she commends the Board of Selectmen for trying to get control of the budget. This is the beginning of some very difficult decisions and she thinks this is going in the right direction.

Bill Albrecht advised he lives on Sunset Hill. Mr. Albrecht stated that when he and his wife returned to this community, they picked Sunset Hill because it had streetlights. He would agree that streetlights don't deter crime but that doesn't mean they don't add to safety. Mr. Albrecht next stated that he runs and his wife walks in their area, and from a safety perspective, it's not that he feels safer, he is safer. Mr. Albrecht next stated that he does agree with what Ray Shakir stated and hopes there is a possibility of a compromise and that the Board of Selectmen look at this again. Mr. Albrecht stated he thinks that all appreciate the job of the Board of Selectmen and if they make the decision to shut off all streetlights we will have to accept that decision. Mr. Albrecht asked that the Board take a look at all the lights and then make a decision.

Jean Nickels advised that she lives on Heath Road. She appreciates the streetlights. They shine in the window and she is glad they are there.

Mr. Drinkhall next advised that an individual can take over a light for as little as \$16.95 to a high of \$80 a month for PSNH and, for NHEC, \$11.35 to \$67.86 with most running at \$19.36 per month. So anyone who currently doesn't have a light that wants one could have one put in and, as well, if we do end up turning any lights off people have the option as well of paying for the light.

Jim LeFebvre stated the Board and the Budget Committee have tuff decisions this year. We face a major deficit in this country and somewhere we have to draw the line. This is difficult and, somewhere, we have to start the process.

Fran Donohue stated he lives on Hillside Avenue and wanted to reiterate what the last gentleman said. Mr. Donohue also stated he does not know what the town budget is, but \$15,000 is not a lot of money and he thinks there are so many other ways to make cuts. He wished the Board luck.

Mr. Dinkhall stated the budget was \$92,000 for lights. This is one line item. With the lights we have shut off and the ones proposed, we would reduce that line 22%. Mr. Drinkhall next stated that we took as little as \$100 from other lines in years past. We have to make cuts somewhere and, no matter where you cut, someone will come out against the cut.

Mr. Donohue suggested the Fourth of July parade could be cut. The Board reviewed the budget amount for this item and advised that it is also partially funded by donations. Mr. DiGregorio questioned if Mr. Donohue wanted to cancel Fourth of July activities. Mr. Donohue replied in the negative.

Mr. Donohue next questioned what kind of budget the Recreation Department has. Mr. Drinkhall advised that an attempt was made to cut this budget by \$40,000 and the amount was put back in by the public at the Deliberative Portion of Town Meeting. Mr. DiGregorio stated the past couple of years the Board has tried to make cuts and the problem is that it affects someone and they come out to the meeting for it. There are other things the Board has cut behind the scenes that people may not be aware of such as our buildings. This Board took \$500 here, \$1000 there, last year so as not to hurt the taxpayer. Mr. DiGregorio further stated Mr. Drinkhall has now proposed to shut off certain streetlights and he supports some of them but not all. The reality is we have to start somewhere.

Sara Hoffman stated she lives in North Conway and truly understands and thanks the Board for what they do for the town. Ms. Hoffman asked that the Board consider the middle of the road and please don't turn all lights off. She always thought this was a liability. She feels the responsibility is on the town for safety. She strongly hopes that the Board looks at all again and the weigh out.

Bill Jones advised that he served on the Budget Committee in the past and went through the budget process. After all the hard work the Budget Committee, Board of Selectmen, and staff puts into the process, things get voted back in at the Deliberative Portion of Town Meeting. If we want and need, we have to pay for it. Mr. Jones added we need to get more to attend the Deliberative Portion of Town Meeting such as the crowd here today so you know you have to pay for want to want. The Board members agreed with Mr. Jones and impressed upon the audience the importance of the Deliberative Portion of Town Meeting.

Anna Peare next spoke and advised that she provided signed petitions to the town regarding saving the streetlights. Mr. Peare stated she wants to know why the lights on the North-South Road are on during the day. Mr. Drinkhall stated that some lights are a flat fee. Mr. Martin advised that the lights on the North-South Road are on a meter. Ms. Peare stated she felt it was a waste of electricity to have them on all day.

Ms. Peare next questioned if the town checked into the Municipal Energy Reduction Fund. She went online and the Town was not on the list –they are not on the program. Mr. Drinkhall pointed out that all money, whether it comes from the state, federal, etc., is still tax dollars. Ms. Peare stated the town should look into LED lighting. Mr. Sires stated there is a round of funding coming up and we are looking into this. The Town has also looked into LED.

Ms. Peare next stated that with regard to Hobbs and Kennett Streets, there are a ton of kids and walkers in this area.

Jennifer MacPherson next questioned what the cost savings is to put on a timer to shut off the lights at midnight. Mr. Drinkhall explained that it would be a 20-25% savings but with an initial cost of \$25.00 per light to do this. Mr. Martin explained that right now we are paying a flat fee for the lights proposed for shut off. It is the same if the light is on for one hour or 24 hours. If we install timers from PSNH, there is a 20-25% savings per month but with the cost of \$25-30 per light to do this, it would take a couple of years to recoup. Mr. Martin stated he does not feel it is necessary to turn off all the lights proposed and thinks we should relook at our criteria –maybe for every three lights. Ms. MacPherson stated that her street needs lights.

Mr. Dinkhall next stated there are very expensive neighborhoods who chose not to have any lights.

Mr. Drinkhall next stated that other towns are laying off, etc. We are looking at streetlights for a cost savings. If anyone has any ideas for cost savings, please let the Board of Selectmen know.

Chris Cluff stated she thinks the Board needs to go back at look at the criteria. Ms. Cluff further added that the Board should also look at where it is dangerous and where it is not. Mr. Drinkhall stated this has been looked at through the Lighting Committee. Ms. Cluff stated she feels that the Board has now heard public comments and they should revisit it again.

Ms. Cluff next questioned where the pole signs are now. The Board advised the public comment period posted on the signs has ended and the signs have been cleaned up.

Maureen Seavey stated there is a light proposed to be shut off at the end of Seavey Street on a dangerous corner. She believes this light should stay on.

Mr. DiGregorio stated he went to all the streets at nights where the proposed lights are to be shut off. Mr. DiGregorio stated that he feels Maureen Seavey is right about the particular corner she mentioned. Mr. DiGregorio further added he doesn't know if the Board will shut off all the lights proposed, but he would like to keep certain ones on.

Mr. Weathers state he too drove every street. Particularly in Conway, there are a number of lights in his opinion that should stay on for safety reasons. Mr. Weathers

stated he understands the elderly have a sense of security with lights on. Mr. Weathers further added that certain streets like Quint Street have nine lights but the adjacent street has none. Mr. Weathers stated he is not in favor of voting on this matter tonight and that we should revisit this before turning lights off.

Bob Gillette stated he would like to clarify costs of turning a light off versus removing lights and midnight service. Mr. Gillette advised the cost depends on the size of the light and the power it uses. Most lights owned by a utility, 2/3 of cost is going to be energy and 1/3 is for maintenance and costs for the equipment. If you put a light sensor/timer on the light that goes off at midnight, you save half the energy save about and the energy you save about 20-30% of the operating costs versus 100%. This is potentially something that could be much more widely used -turning off every other light at midnight and that's not going to affect safety.

Rhoda Quint questioned what the cost is to shut off the lights. Mr. Drinkhall advised there is no cost to shut off the lights. Mr. DiGregorio pointed out that there is a cost to turn a light back on if we need to after the shut off. Mr. Martin pointed out that if a light is turned off and the homeowner wants it back on, there is no charge to the homeowner.

David Nichols stated that the road where it comes to 90 degrees, we should not shut the light off.

Jennifer MacPherson stated with regard to the Save our Streetlights petition, there are 250 people who could not be here today. Ms. MacPherson requested the Board take this into consideration before making a decision.

Mr. Drinkhall closed the public hearing at 5:20 p.m.

The Board thanked the public for attending the meeting today.

Town Planner, Tom Irving, next gave a presentation regarding the lights proposed for shut off, which included a synopsis of the public response received prior to this hearing and the police response. (A copy of the maps summarizing same are available at Town Hall). Mr. Irving also reviewed criteria for shut off, i.e. not commercial, sidewalk area, etc.

Mr. Martin questioned where and when this Board put forward the criteria not to look at commercial. Mr. Sires reviewed the motion made by the Board previously. Mr. Martin stated he feels the town should take the criteria, evaluative, and look at this again. Mr. Irving stated he did not feel we missed anything. Most commercial also has sidewalks. Mr. Drinkhall re-reviewed the motion made by the Board and stated that it was followed to the "T".

Mr. Dickinson briefly discussed former and present lighting precincts in Town. Mr. Martin reviewed the town voted to dissolve the North Conway Lighting Precinct in the 1980's and to take over lights and plowing.

Mr. Drinkhall reopened public comment at 5:45 p.m.

Jennifer MacPherson stated the presentation by Mr. Irving should have been shown before public comments as it shed a lot of light on the matter. Ms. McPherson questioned if some of Hobbs Street is commercial, then why is it slated for shut off. Mr. Irving explained the area is in an industrial district and not commercial.

Ms. MacPherson asked about the ornamental lights and if the town could recoup money for same. She stated they look great during the day but they are not useful at night. Mr. Drinkhall advised the town did not pay for the lights. The funds for the lights came from federal money.

Mr. Martin stated that with regard to the lights on the strip that were turned off previously, the town only received 2 or 3 complaints. The savings to turn off these lights is \$5,000-\$6,000 a year. Mr. Martin further added that the Town did not take down the lights as we may want them back on again someday. Ms. MacPherson stated she thinks there is enough light on the strip without the lights.

Mr. Drinkall closed public comment again at 5:50 pm.

Mr. DiGregorio stated he would like to submit a list of lights he thinks should be saved to Tom Irving.

The Board next briefly discussed how much time they have to make decision regarding this matter.

Mr. Martin stated he has had many discussions on this matter and it has been a tough one. He was going to fight not to turn off any lights but he doesn't think this is the right road to go. Mr. Martin added he thinks we need to turn some lights off and that he needs to relook at the criteria we set for this matter. He can't comfortably make a decision tonight, he would like to relook at this matter. Mr. Martin next stated that every other light on Hobbs Street could be an option. Mr. Drinkhall suggested Board members come up with a list of the lights they feel should be shut off and, also, the lights they feel should be kept on. Mr. Martin stated he definitely thinks the light at the Seavey Street curve should stay on and there are some others as well. He also thinks we should let people know if we are shutting off a light to give them the option of paying for the light if they so choose. Mr. Drinkhall stated that Conway Village Fire District wrote a letter to keep all of the lights on. Mr. Drinkhall suggested a letter to tell them they can pay for the lights and also suggested we have conversation with them in this regard. Mr. Martin pointed out that the lights in the Intervale Lighting Precinct and the Kearsarge Lighting Precinct are paying for their own lights and he also wants to let people know we didn't suggest any of these because they are in separate precincts. Mr. Dickinson stated we could say we are shutting off all the lights in the Conway Village district and see if we get a response from them. Mr. Weathers pointed out that would be another way of saying that North Conway Water Precinct is not responsible for lights but that Conway Village Fire District is. Mr. Drinkhall stated that we also say the same thing to North Conway and maybe someone will put in a warrant article for same. Mr. Sires pointed out that we all use services in both Conway and North Conway. Mr. Weathers stated that he does think that some lights should be shut off; however, after hearing comments tonight, we should rethink this subject and talk about it again at the next meeting. Mr. Drinkhall agreed and added he is not ready to make a decision this evening. The Board agreed to have Mr. Sires gather the information from the Board as to which lights they feel should stay on and which lights turned off. The Board should direct this information to Mr. Sires.

Mr. Martin thanked the public for coming to the meeting this evening. Mr. Martin stated this Board would take a hard look at this matter. Further, he does not think we will turn off all of the lights that have been proposed, but maybe some.

Mr. Drinkhall questioned if audience member, Bill Masters, received answers to all the questions he submitted. Mr. Masters replied that he felt the group was satisfied with the answers given.

Rhoda Quint questioned if part of the decision making process will include Tom's data. Ms. Quint further clarified she is asking will someone who called to say all lights should stay on – will this be weighed in the decision making process as well or is it just people who called regarding a specific light. There was discussion with the Board. The Board agreed all public input will be part of the decision process.

RECESS

At 6:19 p.m. the Chair called a brief recess of the meeting. The Chair reconvened the meeting at 6:23 p.m.

CANDIDATE FOR 1ST CONGRESSIONAL DISTRICT MARK WHITMAN JR

Mark Whitman addressed the Board and advised that he is an Independent Candidate for the 1st Congressional District of New Hampshire. Mr. Whitman gave a brief bio of himself to the Board, advised of his ideas on government and the state of affairs today. Mr. Whitman also advised that he is running as a write in candidate.

The Board encouraged Mr. Whitman to contact Valley Vision to make a recording for airing to get his message out.

INVESTMENT POLICY

Mr. Sires advised that review of the Town's Investment Policy is an annual action. Mr. Sires reviewed the Investment Policy before the Board today is the same as last year with only one change. The Town Treasurer reviewed the policy and recommended deleting references to specific accounts. **Mr. Martin moved, seconded by Mr. Weathers, to ratify this Investment Policy. The motion carried unanimously.**

DISCUSSION OF LETTER FROM THE TOWN OF ALBANY REGARDING RUMBLE STRIP FOR ROUTE 16

Mr. Drinkhall reviewed a letter from the Town of Albany with the Board regarding rumble strips on Route 16. (See attached).

Mr. Martin moved, seconded by Mr. DiGregorio, to write a letter of support. Mr. Dickinson stated that if we write a letter he thinks it should be sent to Councilor Burton, etc and also to the Conway Daily Sun. Mr. Martin stated he is not in support of rumble strips as they are unsafe to motorcyclists and bicyclists. Mr. Martin further added it is his understanding the state is removing rumble strips in certain areas and now Albany wants to extend them up here. Mr. DiGregorio questioned where the strips would stop –he assumes Albany wants them up to Beep Beep. He can't see bringing them up past the Kancamaugus Highway. Mr. Sires advised that he spoke with Public Works Director, Paul DegliAngeli, and Paul pointed out that the DOT would not be ready to do this work because the pavement is not ready. Mr. Sires also brought up the noise issue caused by rumble strips. The Board next discussed whether it makes sense or not to continue the strips as there are low speed areas such as in Conway Village. Mr. Sires advised that he can refer this to Mr. DegliAngeli and ask him to report back. Mr. Martin stated he doesn't support the strips on Route 16 at all, not just coming up through

Conway –he is not in favor of having them in Albany either. Mr. Weathers stated that Route 16 does have a history of accidents, although he does not have the statistical data. He would like to see a letter saying no, the Town of Conway, is not in favor of rumble strips due to noise issues, etc. Mr. Weathers stated he would have to see proof that they are warranted. Mr. Dickinson stated he hopes the Board will be voting after this motion again to respond with a letter. There was further brief discussion and the motion **failed 0-5-0**.

Mr. Dickinson offered the following motion: **To write a letter thanking them for their letter but at the present time we are not interested in participating in this program.** There was no second to Mr. Dickinson's motion.

Mr. Weathers moved seconded by Mr. Dickinson, that we send a letter to the DOT with a copy to Albany that we are not in favor of having rumble strips within the state highways within the Town of Conway. Mr. Dickinson stated he feels we should send copies of the letter to all persons the Town of Albany sent their letter to as well. The Board agreed. Mr. Martin next stated he felt the motion confuses the original request made by Albany. Mr. Martin added he felt we need to include any additional rumble strips on Route 16. Mr. DiGregorio stated he feels Conway should take no position on what Albany does. Mr. Drinkhall stated he feels this Board needs to look into this matter further to get statistics. Mr. Martin offered the following amendment to the motion: to include we are not supporting the additional rumble strips north of where they exist now on Route 16. There was further discussion by the Board. **Mr. Weathers amended the motion, seconded by Mr. Dickinson, that we send a letter to the DOT with a copy to Albany that we are not in favor of having rumble strips within the state highways within the Town of Conway and to include we are not supporting the additional rumble strips north of where they exist now on Route 16.** There was discussion by the Board. Mr. DiGregorio stated he did not support the amendment. A vote was taken and the motion carried 3-2-0 with Messrs. Martin, Dickinson and Weathers voting in the affirmative and Messrs. DiGregorio and Drinkhall voting in the negative.

TOWN MANAGER REPORT

Groundwater Withdrawal Meeting - Mr. Sires distributed notice of a public meeting with the members of the Legislature's Groundwater Commission concerning the Role of Municipalities in Regulating Groundwater Withdrawals scheduled for September 14, 2010 at 6:30 pm at the Technology Village in Conway.

Next Meeting – Mr. Sires reviewed the next meeting of the Board of Selectmen is scheduled for Tuesday, September 14, 2010. Mr. Martin requested the Town Manager's evaluation be placed on the next agenda.

BOARD REPORTS AND COMMENTS

Meeting Chair – Mr. Martin commented that it was an excellent job by Mr. Drinkhall tonight and thanked him for chairing tonight's meeting.

Candidates Meeting – Mr. Martin suggested setting a meeting date for all candidates running for office this year so that it can be done all at once. Mr. Weathers stated that if we do this he feels the candidates should give presentations on their thoughts and not debating amongst them. Mr. Dickinson stated he did not agree with having them in and that they should go to Valley Vision on their own. Mr. Drinkhall pointed out that the Board has always allowed them to come and speak at meetings and

now we would be changing this if we decide otherwise. Mr. DiGregorio stated he felt there is a difference between someone running for local office and state offices. Also, to have the candidates come to meetings takes too much time. Mr. DiGregorio agreed that anybody running for office in our area can go to Valley Vision. Mr. Martin stated he agreed that we should direct the candidates to Valley Vision but that we could also keep a list and announce when they would be on Valley Vision and suggested that Mr. Dickinson report on this under his Board report. Mr. DiGregorio questioned if this included local candidates and the Board all agreed in the affirmative.

Noise Ordinance – Mr. Drinkhall advised that a noise ordinance is coming up for discussion at the next Planning Board meeting. Mr. Drinkhall asked if this Board had any comments on same. Mr. Drinkhall advised some concerns are you can't mow the lawn on Sunday at 8:00 am, you can't begin any day before 7:00 am, etc. Mr. Drinkhall further advised that this would go to the police to enforce. Mr. Drinkhall advised this proposed ordinance is for noise pollution. There was discussion by the Board regarding the hours set forth in the proposal, etc. Mr. Martin stated he felt this Board should take a formal position to give Mr. Drinkhall direction for when he goes to the Planning Board meeting as the Board of Selectmen's representative on this matter. Mr. Drinkhall next reviewed the proposed ordinance with the Board. (A copy of same is attached hereto). Mr. Martin discussed the time frames contained in the proposed ordinance and felt they were not reasonable. **Mr. Martin moved, seconded by Mr. Dickinson, that we support the Planning Board initiative for the noise ordinance.** Mr. Dickinson discussed loggers and others who start work early in the a.m. Mr. Dickinson further added that he did not feel we need an ordinance for something the Police Department can talk with people about and ask them to stop if unreasonable. Mr. DiGregorio stated he is absolutely opposed. He feels this is the government sticking its nose in where natural intelligent people can solve problems. Mr. DiGregorio questioned if this falls under the purview of the Planning Board. Mr. Drinkhall replied in the affirmative. Mr. Sires added that the Board of Selectmen would be the Board to deal with enforcement. Mr. Martin questioned if we send this back to the Planning Board with a no recommendation and can the Board of Selectmen put that they do not support this when it goes to town meeting. It was agreed they could. A vote was taken and the **motion failed unanimously.**

Mr. Dickinson moved, seconded by Mr. Martin, that the Board of Selectmen do everything they can to discourage the passage of this so called noise ordinance being considered by the Planning Board. The Board discussed whether they needed this motion or whether they had already stated a position in the last motion. Mr. Drinkhall questioned if the Board wanted him to get in touch with the Police regarding the proposed ordinance for a position. The Board agreed that would be okay. There was further brief discussion. A vote was taken and the **motion carried unanimously.**

Planning Board Policy Position relative to amending RSA 674-54: Mr. DiGregorio reviewed the letter from Planning Board representatives regarding a request to support the NHMA policy position relative to amending RSA 674:54 which permits municipalities to require that development of property for governmental uses, excluding transportation and telecommunications, be subject to local land use regulations.

Mr. Drinkhall explained this has gone before the legislature before and did not pass. The request for support is sponsored by the Planning Board and he and Ted Sares worked on this together. Mr. DiGregorio stated that, to him, this could stop the building of a school, town garage, etc. Mr. Drinkhall stated it would not stop the building; they would just have to adhere to the regulations in effect. Mr. DiGregorio

stated you can get mired down in red tape and, in legalities. He does not feel there is a need for someone else to oversee projects in the town that are overseen and under the Board of Selectmen. Mr. Martin stated he sees this as a backdoor attempt to stop what we did for the garage. This is a way of saying that in the future any plans have to come before the Planning Board before you do anything. Further, in the planning process, sometimes our hands are tied financially. Mr. Martin asked Mr. Drinkhall what his reason is for supporting this proposal. Mr. Drinkhall stated that he has supported this for three or four years. Why should the town, county or state be able to do what a private business can not do. Mr. DiGregorio stated that the private sector and government work under different financial circumstances. Sometimes projects are planned years in advance. He doesn't believe this Town could have done the garage or renovations to the school or build a new school without more red tape if this was enacted. This would tie up projects for another year. Mr. DiGregorio added he does not believe we need another piece of government overseeing this area. **Mr. Martin moved, seconded by Mr. Weathers, to see the Board of Selectmen support the letter written by Ted Sares, Planning Board member, and Bob Drinkhall, Planning Board Representative, as written on August 12 2010.** The motion failed 1-4-0 with Mr. Drinkhall in favor and Messrs. DiGregorio, Martin, Dickinson and Weathers voting in the negative. Mr. Dickinson confirmed that he will speak against the proposal and vote against it as well at the policy conference. The Board agreed.

Meeting Chair – Mr. Drinkhall thanked Mr. Martin for allowing him to make the presentation regarding the lighting project and to Chair the meeting today.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

ADJOURN

At 7:45 p.m. Mr. Weathers moved, seconded by Mr. Martin, to adjourn the meeting. The motion carried unanimously.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary