

COMMISSIONERS MEETING
MINUTES
March 19, 2008

The Commissioner's convened at 4:00 p.m. in the training room at the Wastewater Treatment Plant, 104 Sawmill Lane North Conway, NH. The following were present: Chairman James Umberger, Commissioner Michelle Seavey, Commissioner Robert Porter, Superintendent David Bernier, Chief Patrick Preece and Recording Secretary Kristine Cluff.

Chairman Umberger called the meeting to order at 4:00 p.m.

Commissioner Umberger made a brief statement reminding everyone the Annual Meeting is March 26, 2007 at John Fuller School. Voting for Article #1 is from 4:00 p.m. to 7:00 p.m. and the business meeting starting at 7:00 p.m. Annual Reports are available at the Precinct Office and will be available tomorrow at the local Post Offices.

Motion of Commissioner Porter seconded by Commissioner Seavey to take the agenda out of order. Motion carried by voice vote 3-0-0.

PRECINCT BOUNDARIES – DOUGLAS BURNELL, H.E.B ENGINEERS

Mr. Burnell updated the Board on the current Precinct boundaries as being on the Saco River on the Westerly side; Easterly side is a little vague as it has been perceived to be a straight line from Redstone up to Hurricane Mountain following the common land which is not a straight line. Mr. Burnell has revised Easterly line to follow the original deed documents. The Northern boundary is reasonably well defined by the Settlement Line and runs along the upper end of Hurricane Mountain Road and into Bartlett. The Southerly boundary runs up toward the Scenic Vista near the Elks Club and cuts across Eagles Way in to the new high school. It crosses over near the old Pines Motel across Route 302/Eastman Road around Wal-Mart comes up along East side of the Railroad Tracks up against the nature conservancy and then follows Mt. Cranmore land up to Hurricane Mountain Road and the Settlers Line on the upper end of Hurricane Mountain Road and into Bartlett. There is a slight jog in Northern boundary line to keep the Precinct out of Chatham. The Settlers Line goes to the last house on Mount Surprise Road which was formerly the Lees property (i.e. Wendell & Jean Lees). It goes cross country to what is defined as the "Old Farm" of the Deborah Hill property on Route 16.

Tim Anderson questioned when the Precinct went to the legislature in 1987 and ratified everything the Precinct had done previously would this not include these boundaries. Superintendent Bernier explained it does not include the boundaries. Mr. Burnell explained they have spent a lot of time going back to old boundaries and property documents. As a rule, it is best if you can follow a boundary by following property documents. Karen Umberger questioned if this includes all the homes going up Hurricane Mountain Road and it does. Also, Chief Preece noted there is still a 90' gap between North Conway Water Precinct and Conway Village Fire District on the southern end in the area of the Scenic overlook. Superintendent Bernier and Mr. Burnell will continue to finalizing the Precinct boundaries.

ANNUAL MEETING – KEN CARGILL/RICHARD HANSEN

Moderator Cargill was not available for the meeting. Richie Hansen, Supervisor of the Checklist was in attendance and stated he has a crew of people for the checklist, ballot clerks, etc. A crew will rope off and define the visitors section.

MINUTES

Commissioner Seavey moved, Commissioner Porter seconded to approval the public minutes of March 5, 2008 as written. Motion carried by voice vote 2-0-1 with Commissioner Porter abstaining as he was not present on March 5, 2008.

FIRE DEPARTMENT

Chief Preece presented his biweekly report on the following:

- Membership - stands at 43 with no new application pending
- Personnel – Chief thanked the call firefighters for their hard work over past couple of months with propane issues, carbon monoxide issues, and two structure fires.
- Training – Mark Ewing and Ryan Smith have received their Haz Mat Technician certification.
- Emergency calls – 72 call month of February for a total of 277 to date.
- Apparatus/Trucks – DOT inspections will be completed in the next couple of weeks, Engine One repair to rear compartment and Tank One has a leak in water piping under truck will be located and repaired shortly.
- Equipment – new telephone recorder is installed and working properly, rescue bay door is fixed and Aims Gas meter is repaired.

Commissioner Porter questioned if the department would need an additional telephone line that is not recorded. Chief Preece stated no because the fax line is not recorded.

OLD BUSINESS

Architectural Study

Chief Preece stated this is moving forward and he is currently reviewing the Town of Conway's qualifications for a garage. Chief Preece had a company review his proposal and they were happy with it. The revised proposal is more what the Board was originally looking for.

Goals for Superintendent and Fire Chief:

Chief Preece presented the Board with a typed copy of his original goals. Commissioner Umberger had a question regarding the review of the disaster drill held at the high school and noted there are a few areas where the department could do some training. Commissioner Umberger stated the Board was all set with the Superintendent's goals.

NEW BUSINESS

Maine Spaniel Dog Trials

Robert MacDonald of Conway requested to use the fields behind the 1785 Inn for the Maine Spaniel Trials May 16 – May 18, 2008. **Commissioner Seavey moved, Commissioner Porter seconded to allow the Maine Spaniel Trials to held on May 16, 2008 – May 18, 2008 at Well #4/#5 fields behind the 1785 Inn. Motion carried by voice vote 3-0-0.**

Groff versus International Ski & Sports Liquidators

Superintendent Bernier briefed the Board on the lawsuit of the Groff's. The Groff's own the house in the field behind Up Country Saloon going out to Well #2. They have had issues with the public use of the roadway. The activities that take place in that location are not conducive to a public water supply. **Commissioner Porter moved, Commissioner Seavey seconded sending the lawsuit documents of Christopher and Chrystal Gross to Precinct General Counsel for review. Motion carried by voice vote 3-0-0.**

Commissioner Seavey's Last Meeting

Commissioner Umberger thanked Commissioner Seavey for her service to the Board and the taxpayers of the Precinct.

SUPERINTENDENT'S REPORT

Superintendent Bernier presented his biweekly report on the following:

- Hydrant mapping – reviewed and edited fire hydrant mapping and sent updates to CDM
- Washington Avenue – reviewed and edited draft layout of water and sewer layout
- Route 16/302 Intersection – reviewed and updated the water system improvement plan for the intersection
- Kearsarge Estates Generator – researched security grant for the emergency generator installation
- Annual Report – reviewed final draft and authorized it to be printed
- Zorzy Easement – spoke with Attorney Dewhurst the importance of getting this finalized for the bidding process
- Locust Lane – reviewed subdivision at the end of Locust Lane
- Water Department Amendment at Annual Meeting – updated the board the extra costs associated with plowing costs for the winter and the possibility of amending the budget \$10,000.00 at the annual meeting.
- Variable frequency drive compressors – met with representatives regarding the cost savings by switching to variable frequency drive compressors and non purging air dryers. Possibly consider taking \$21,000.00 from the Sewer Capital Reserve to fund this.

Commissioner Seavey questioned if there is enough in the Capital Reserve to fund this as we are already looking at \$222,000.00 for the Artist Falls upgrade. Commissioner Umberger is concerned about reimbursing the fund and would the funds be put back into the fund the following year. **Commissioner Porter moved, Commissioner Seavey to authorize the withdrawal of \$21,175.00 from the Sewer Capital Reserve Fund for the replacement of the air compressors to the variable frequency drive compressors. Motion carried by voice vote 3-0-0.**

SIGNATURE DOCUMENTS

Re-signing of the Duprey Easement (Contract #5), Contract 6, Railroad Crossing

Commissioner Seavey moved, Commissioner Porter seconded to authorize the Superintendent, after review of all final title work, engineering consultations and verifications with Precinct Counsel, to sign out of session the Right-of-Way Certificate which is to be submitted to the United States Department of Agriculture Rural Development and any other related documents to secure grant funding for the Depot Road & Neighbor's Row Water and Sewer Improvement Project in accordance with the vote of the Precinct Legislative body on Article 2 at the March 29, 2006 Annual Meeting. Motion carried by voice vote 3-0-0.

Commissioner Seavey moved, Commissioner Porter seconded to authorize the Superintendent, after review of all final title work, engineering consultations and verifications with Precinct Counsel, to sign out of session the Right-of-Way Certificate which is to be submitted to the United States Department of Agriculture Rural Development any other related documents to secure grant funding for the Contract 006 Water and Sewer Improvement Project in accordance with the vote of the Precinct Legislative Body on Articles 2 & 3 at the March 28, 2007 Annual Meeting. Motion carried by voice vote 3-0-0.

Commissioner Seavey moved, Commissioner Umberger seconded to resign the Easement Agreement between Whitman Woods Associates Limited Partnership, Ricker Grove Housing Partnership and the North Conway Water Precinct, and to ratify and confirm all the terms thereof, which originally signed by the Commission on November 29, 2007. Motion carried by voice vote 3-0-0.

Superintendent Bernier explain the purpose of this article is to get every signature on the same document. Commissioner Umberger questioned if we can go out to bid now and the answer is yes.

Commissioner Seavey moved, Commissioner Porter seconded to approve and sign the amended Crossing Agreement with the State of New Hampshire, with corrected valuation station locations and plan references, relative to the crossings of the railroad corridor associated with the Contract 006 Water and Sewer Improvement Project. Motion carried by voice vote 3-0-0

Commissioner Umberger stated since this is the last item that Sheehan, Bass, Phinney + Green was working on, we should notify them their services are no longer needed. Superintendent Bernier will draft a letter to Sheehan, Bass, Phinney + Green.

Mt. Washington Valley Mutual Aid Agreement:

Chief Preece passed out a revised Mount Washington Valley Mutual Aid Agreement for the Board's review. The revision is at the request of Fryeburg's Town Counsel to include the Maine State Laws. This new agreement also covers Saco Valley which covers Chatham. The Chief's Association felt individual signature pages for each entity would be easier than trying to circulate document as in previous years. This will be reviewed at the first meeting in May.

SIGN CHECKS

Commissioner Seavey moved, Commissioner Porter seconded to sign accounts payable and payroll checks out of session. Motion carried by voice vote 3-0-0.

PUBLIC COMMENT

Karen Umberger questioned how we are doing on Contract #6 easements. The Zorzy easement will be completed shortly. Tim Anderson question if Contract #6 is still moving forward. Superintendent Bernier explained this is a bidder's climate because there isn't much construction going on. It is anticipated to start at Dinsmore Road and depending on the contractor; Kearsarge Street may be started at the same time.

Having nothing further to discuss at this meeting, **Commissioner Seavey moved, Commissioner Porter seconded to adjourn this public meeting at 5:26 p.m. Motion carried by voice vote 3-0-0.**

Respectfully,



Kristine M. Cluff
Recording Secretary