

Commission Meeting  
Minutes  
December 17, 2008

The Commissioner's meeting convened at 7:00 a.m. in the training room at the Wastewater Treatment Plant, 104 Sawmill Lane North Conway, NH. The following were present: Chairman James Umberger, Commissioner Porter, Commissioner John Santuccio, Superintendent David Bernier, Chief Patrick Preece and Recording Secretary Kristine Cluff.

Chairman Umberger called the meeting called to order at 7:00 p.m.

This meeting is in place of our regular scheduled December 24, 2008 meeting and the 4<sup>th</sup> quarter night meeting as required by the bylaws.

Motion of Commissioner Porter seconded by Commissioner Santuccio to take the agenda out of order to accommodate Doug Burnell of H.E.B. Motion carried by voice vote 3-0-0.

Doug Burnell, H. E. Bergeron

Mr. Burnell explained they tried to delineate all the taxable property in the Precinct as represented in the red colors of the boundary map. Bartlett was the challenge because Bartlett is not computerized and the Precinct bounds are supposed to meet with the Lower Bartlett Water Precinct bounds as represented in the pink color on the boundary map. Redstone was also hard to define as there is no written description for the boundaries. If a written description is found then it can be added at a later date. Mr. Burnell is hopeful something can be found that better defines the Redstone boundary. There is a 200' gap between the North Conway Precinct and Conway Village Fire District. Everyone agreed with this – it is small piece not located in either Precinct.

Kearsarge Lighting is defined on the map in yellow running north and east. The North boundary went to the Settler's Line on Hurricane. Most of this is in the conservation land then into the State forest. Dark blue lines are Precinct owned properties. The bulge in neighborhood of Well#3 is to take that well into the Precinct. The Eastern boundary was always a straight line and that was not correct.

Commissioner Porter questioned why we can't bring this up at annual meeting and Superintendent Bernier explained this has to go the State Legislature to be ratified now that we have legal boundary descriptions because of our charter.

Mr. Burnell stated that he would like to bring these boundaries into the GPS system at some point in time. It was suggested as soon as this ratified, it should be forwarded to the Town Assessor. Superintendent Bernier explained this clears up a lot of gray areas for the Precinct. We now have a good description of the last expansion in the Redstone area. Washington Avenue in Bartlett was a concern and it turned out to be exactly what the Precinct thought. This area was well depicted and described. Mr. Burnell will prepare an overlay to show where things deviated.

During the PUC Hearings for Redstone area, Dot Clough and Elaine Desjardins attended the PUC Hearings with real concerns and it is possible they may have additional information on the Redstone area. Mr. Burnell departed the meeting at 7:15 p.m.

Minutes

**Motion of Commissioner Santuccio seconded by Commissioner Umberger to accept the public minutes of December 10, 2008 as written. Motion carried by voice vote 2-0-1 with Commissioner Porter abstaining as he was not present on December 10, 2008.**

Fire Department

**Membership:**

42 Members - nothing new to report

**Personnel:**

We had a member injure his thumb at the FFI Class on Saturday and was checked out at the hospital, slipped on the ice while performing hose advancement operations. Nothing broken on the primarily look of the x-ray.

**Training:**

No changes since last meeting

**Department Actives:**

Department has been very busy answering calls. Assisted Conway with a structure fire we sent two trucks and no problems to report it went very well and it was very cold. We utilized the run card for No. Conway at the Red Jacket and it went well.

**Emergency Calls:**

The fire department has responded to 39 calls for the month of December.

The fire department has responded to 1082 calls year to date.

FYI the department responded to 974 calls we are 108 calls over last year.

**Apparatus / Trucks:**

No equipment issues to report or truck problems

**Equipment Issues:**

Nothing to report

**Purchase for New Equipment:**

Nothing to report

Commissioner Umberger asked Chief Preece if he could break out the type's calls for last couple of years. The breakdown is in the annual report and could be put on a spread sheet. Commissioner Umberger noted there seems to be a lot of fire alarm calls. Chief Preece explained a lot of these calls are CO detectors going off and 90% of these have a problem. The department ends up venting the building. Because of the advanced technology these calls impact the department more now versus the late 1980's. We did not have these types of calls before.

Fire Inspections are done to get these buildings to comply. However, they might not clean their detectors; insects get into the detector or lighting strikes and make it dependent on Mother Nature. Commissioner Santuccio questioned what apparatus is sent for a CO call and Chief Preece explained – one engine and rescue. The department now has a meter that can check the bloodstream for CO on scene. Sherri Browning questioned if the Board was asking Chief Preece if the various calls included assists and or false alarms. Karen Umberger questioned if it states in the CO manual to call the fire department or does it tell you to open up the windows. Chief Preece explained some manuals tell you to take the CO detector outside for 10 minutes. The digital detectors will show how many parts per million is in the building and if it is over 25 ppm to call the fire department. Ms Browning questioned if the department tries to work with the few companies that install CO detectors. Chief Preece explained this could be from oil, gas, monitor heaters, K-1 products, starting cars in attached garages, gas dryers

as all of these produce CO. Chief Preece explained every home has multiple CO points. A few CO detectors are hardwired. We have a gas meter that measures gas to the point of measuring the pressure to get the explosive level.

### Fees

Commissioner Umberger stated in this economic environment we need to review the proposed fee schedule. Commissioner Porter if the proposed fees are all new and Chief Preece explained we don't currently charge for inspections only for apparatus. Currently, a Permit of Assembly that has a liquor license is required to be inspected twice a year – one scheduled inspection and one spontaneous inspection during their business hours. Daycare and Foster care inspections are required by the State of New Hampshire to be done every three years. Merriman House and ER Room at Memorial and Sunbridge need to be done every year. Oil Burner Permits are a two part process – the temporary permit and the final permit. Fire Works displays are required to have the site approved and inspected and a truck on site during the fire works display. Commissioner Porter questioned what started this fee proposal and Commissioner Umberger stated the Board of Commissioners. Commissioner Porter questioned why photocopies were being charged and Chief Preece explained he makes his own copies at the station.

Chief Preece explained if the Town is sponsoring the fire works or Arts Jubilee which is a non profit the board could decide to waive fees for non profits and government agencies. However, Mt. Cranmore is a private business for profit and you would charge them. Commissioner Umberger stated we need to be careful because **these businesses also** pay Precinct taxes.

Churches need a Permit of Assembly and to be inspected once a year. Chief Preece explained to do everything the state wants there is not enough help to accomplish it. Chief Preece stated he is in the process of obtaining all the hotel, motel rooms sleep capacity and will have those numbers shortly. Chief Preece stated he doesn't have any number for the people who rent their houses out and if a property is rented out to three or more people it comes under rooms and lodging and requires an inspection. There are currently 42 properties within the Precinct that comes under the hotel, B&B and Inns. Chief Preece urged the Board to review the documentation provided.

### Water/ Sewer Rates

Superintendent Bernier stated he is proposing no changes to water and sewer bills but reasonable changes to service fees. Backflows are currently charged \$35.00 for initial test and \$17.50 if you have multiple tests and this would go to \$35.00 per device. Field Inspection would go to \$35.00 to cover wages, health coverage and a vehicle. Account Transfer would go to \$35.00 and if we have to go out and do a final read it would be \$50.00.

Commissioner Santuccio asked if the vehicle charge include the operator and Superintendent Bernier stated yes. It was felt these fees are extremely reasonable if they include the operator.

Karen Umberger questioned that the jump for a multiple backflow test going from \$17.50 to \$35.00 is quite a bit. She would rather see some other number for multiple testing.

Superintendent Bernier explained that Settlers Green has all multiple backflows. Superintendent Bernier explained it was originally designed so that the backflow fees would cover the cost of the meter and backflow coordinator. Superintendent Bernier explained the differential is approximately \$15,000.00. Superintendent Bernier stated he cannot find any documentation stating there would be a different cost for a multiple backflow test. Mrs. Umberger explained that she is having trouble doing this change. Commissioner Porter questioned how often are these done and it was explained high hazard businesses are done twice and year and low hazard businesses are done once a year. Example would be a restaurant is high hazard and retail establishment is low hazard. Sherri Browning questioned if on a residential service there is a primary service and irrigation service – the irrigation service is not required.

Superintendent Bernier explained most residential irrigation services are installed to avoid the sewer charges. Residential backflow devices are a passive device and are not testable. Most places install a double check valve. Irrigation services are required to have a backflow. Superintendent Bernier stated he know one company testing backflow and is currently charging \$60.00 per device. Superintendent Bernier will have the numbers for the next meeting. It was suggested to consider having an annual fee that would include the second testing. Superintendent Bernier is basically looking for a defined policy on testing backflows. Commissioner Umberger stated he reviewed the bylaws and any rate change requires a public hearing. The Board will review all rate fee changes at the next board meeting on January 7, 2008. Commissioner Porter questioned if we reviewed some of the local contractor’s rates. Superintendent Bernier explained the Precinct buys material and fuel at a reduce rate.

**Superintendent Report**

- Reviewed minor changes on CVFD and NCWP Interconnect Agreement from AG’s Office.
- Crew helped with repair to Stonehurst Village Condo waterline repair.
- Reviewed correspondence from NHDES regarding SAG funding referral.
- Reviewed Boundary Survey description with HEB.
- Discussed CVFD Meter Station with Tom Dewhurst.
- The following is a list of current and proposed service charges:

Item	Current Charge	Proposed Charge
Backflow Testing	\$35.00	\$35.00 per device
Field Inspections	\$30.00 Commercial \$27.50 Residential	\$35.00 Res. & Comm.
Field Service	\$30.00 per hr	\$35.00 per hr
Field Service Nights Weekends, Holidays OT	\$45.00 per hr	\$50.00 per hr
Acct. Transfers	\$10.00	\$35.00
Final Read & Transfer		\$50.00
Returned Check Chg	\$10.00	\$25.00
1 Ton Dump Truck	\$20.00	\$35.00 per hr
7 Yd Dump Truck	\$35.00	\$50.00 per hr
420 CAT Backhoe	\$45.00	\$60.00 per hr
316 CAT Excavator	\$65.0 0	\$80.00 per hr
IT18 CAT Loader	\$50.0 0	\$65.00 per hr
185 CFM Air Compressor	\$15.00	\$35.00 per hr

### **Encumbrances**

Superintendent Bernier explained before he can present encumbrances he needs to close out 2008 and will have a draft list shortly. Commissioner Umberger asked we be absolutely sure as to when encumbrances can be done.

### **2009 Budgets**

Commissioner Umberger questioned when the Board could have draft budgets and Superintendent Bernier will plan for the next meeting. Chief Preece stated his budget is done.

Karen Umberger questioned if all the construction is completed for this year. Park is working on a day to day basis depending on weather and temperature. They are working on the cross country portion on Dinsmore Road. They are proposing to finish this and then shut down for the winter. Northeast Earth Mechanics are shut down for the winter.

### **Public Comment**

There was no public comment at this meeting.

### **Sign Checks**

**Motion of Commissioner Porter seconded by Commissioner Santuccio to sign checks out of session. Motion carried by voice vote 3-0-0.**

### **Non Public Session**

**Motion of Commissioner Porter seconded by Commissioner Santuccio to enter non public session at 8:05 p.m. NON-PUBLIC SESSION UNDER RSA 91-A: 3, II (a) and (c) – The dismissal, promotion or compensation of any public employee or the disciplining of such employee, or investigation of any charges against him, unless affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted and RSA 91-A: 3, II (c) – Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.**

**Motion carried by roll call vote – Umberger aye- Porter – aye and Santuccio –aye.**

### **REENTERED PUBLIC SESSION AT 9:11 P.M.**

Commissioner Umberger reported the Board voted in non public session to accept the resignation of Robert Bagley effective 12/31/08 and voted in non public session to give a Cost of Living Adjustment to the non union employees of 5.6%. and require the non union employees to contribute 8.5% to their health insurance costs.

Chief Preece stated he needs some direction in call firemen line. There is no increase in the base rate and he is proposing going from 8,099.5 hrs in 2008 to 8,291 hrs in 2009 an increase of 192 hrs. It was stated amount being paid for detailed work could be changed but to pay a guy \$18.00/\$19.00 to ride around in a truck needs to be reviewed. Chief Preece reminded the Board he is now paying for the business meeting at monthly meetings. Commissioner Santuccio stated we could look at a different rate for detail work. Chief Preece stated that he would bring his staff to the next meeting and they could talk about how they are feeling towards this issue. It was suggested to look at this in perspective to maybe hiring a part time person to do work details. Commissioner Umberger stated the Board is looking for level funded budgets.

Commission Meeting 12/17/08

Adopted: 1/7/09  
As Written

For the next meeting Commissioner Umberger would like to see the different types of calls from the annual reports for the past couple of years in one spread sheet and the fire budget. Commissioner Umberger explained to Chief Preece he does not need his staff to be here – if Chief Preece can't answer the Board's questions then Chief Preece is going to have a problem. Commissioner Porter questioned how many call firemen use this second job. Chief Preece explained the board is asking to level fund the budget but the union costs are increasing.

Having no further business to come before this meeting, **Commissioner Santuccio motioned and Commissioner Umberger seconded to adjourn this public meeting at 10:47 a.m. Motion carried by voice vote 2-0-0.**

Respectfully,



Kristine M. Cluff  
Recording Secretary