

Adopted: As Written
March 4, 2009

Commission Meeting
Minutes
February 18, 2009

The Commissioner's meeting convened at 10:00 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 Robert Porter, Commissioner John Santuccio, Superintendent David Bernier, Chief Patrick Preece and Recording Secretary Kristine Cluff.

Chairman Umberger called the meeting to order at 10:00 a.m.

Chairman Umberger stated Candidate filing period has closed and the following have signed up to run: Robert Porter, Commissioner, Maureen Westrick Forbes, Treasurer, Karen Umberger, Clerk and Richard Hansen, Supervisor of Checklist. No one has signed up for the Moderator's position.

The Bond/Budget Hearings on the 2009 Warrant and budgets will be held on Thursday, February 26, 2009 at 7:00 p.m. at the Precinct Office. Annual Meeting is March 25, 2009 at John Fuller School. Voting on Article 1 commences at 4:00 p.m. through 7:00 p.m.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to take the agenda out of order to accommodate Attorney Michael Brooks for signature of the Kennett Company and Conway Village Fire District Easements relative to the pump station for the Conway Village Fire District Water Interconnection. Motion carried by voice vote 3-0-0.

The Precinct is included in this process because the pump station is in the North Conway Water Precinct. The addendum was created by Precinct Attorney Stephen Judge as two of the three parties had already signed the documents. The only change is to #7 relative to the respective agencies on responsibility of liability. This agreement and addendum pertains only to water. This letter of agreement allows CVFD to get out to bid and proceed to have all parties sign the addendum.

Motion of Commissioner Porter seconded by Commissioner Santuccio to sign the easement agreement as presented and the addendum prepared by Precinct Attorney Stephen Judge. Motion carried by voice vote 3-0-0.

Superintendent Bernier explained the request to move the meter vault came from the Precinct to ensure the vault was not in the middle of the road. Attorney Brooks explained this is Phase I of four phases. Phase I is water, and Phase II is sewer. Commissioner Porter questioned if we are going to bring an article forward and Superintendent Bernier explained he plans to give a brief update at the annual meeting. Commissioner Porter questioned what time frame CVFD has to accomplish something. Attorney Brooks suspects they will have an article before their voters for Phase II (sewer) at their annual meeting.

Minutes

Motion of Commissioner Porter seconded by Commissioner Santuccio to accept the public minutes of February 4, 2009 as written. Motion carried by voice vote 3-0-0.

Fire Department

Membership:

43 Members: We have one new member his name is Josh Cleveland, no experience, we still have two members on leave at this time. Commissioner Umberger questioned if he is allowed to respond to calls. Chief Preece noted he can respond to calls but cannot leave school to answer a call.

Personnel:

FF I Class is just about complete; they are in the final stages of the class and doing review and make up. They should take the exam sometime next month.

Training:

Snow machine training at Mt. Cranmore went well and driver training on Engine four is ongoing.

Department Activities:

Lt. Jerry Cluff spent three days waxing the new truck and I would like to thank him for all of his hard work.

Emergency Calls:

The fire department has responded to 3 calls for the month of February.

The fire department has responded to 104 calls year to date.

Apparatus / Trucks:

Tank One made it to Delmont S.D. will update you at the meeting on the results of the sale of the truck. Chief Preece stated that South Dakota is going to purchase the truck and the money will be wired to the broker in a couple of days. The purchase price was \$45,000.00 and we will owe the broker ten percent and will receive a check in the amount of \$40,500.00. Chief Preece would like to see a warrant article to place these funds in the New Equipment Capital Reserve and the Board agreed.

Equipment Issues:

We have a 5" intake valve leaking on engine four, we are in the process of rebuilding the valve in house, if we cannot fix the valve it will cost \$1450.00 to replace. The valve is 12 years old and is the spare valve. Commissioner Porter would rather spend \$1,450.00 from the budget to obtain a new valve since it is twelve years old and on its second repair.

Purchase for New Equipment:

The quote for the new station air compressor \$9,250.00 this is for three phases and water separator and removal of the old one. This will be a turnkey project and on a warrant article.

Seavey Street:

After the last meeting with Ed Bergeron, Chief Preece went out and met with a local contractor and the Precinct can put up a building on the Seavey Street for considerably less than Mr. Bergeron's quote. Chief Preece doesn't have the electrical side but a cold storage building could be done for \$142,390.00. Obviously, if the Board of Commissioners chooses this alternative, we would have to go out with an RFP and follow the procurement policy. Chief Preece spoke with Superintendent Bernier and it was agreed Precinct staff could do the site work and save the Precinct considerable dollars. Both Superintendent Bernier and Chief Preece will be available to oversee the project. Superintendent Bernier stated staff can take the old building down, dispose of the old building debris, prep for the slab and get it to grade. Chief Preece stated the Town of Conway will have to charge us some disposal costs for the old building debris and we will look at the cost to have it trucked north. Superintendent Bernier stated if Chief Preece goes for the Seavey Street Project this year he would forego funding the Fire Equipment Capital Reserve Fund for \$165,000.00 as previously discussed. This essentially, would not increase the tax burden.

Commissioner Porter questioned if any thought has been given to moving something down here. Chief Preece explained this is for seasonal equipment. This building stores forestry truck, lawn mowers, hose tester, boats, and these items are easier to pick up in the village. It makes more sense to maintain these on Seavey Street. These items are not quick to respond and you would be delaying the response time. This equipment responds to special needs calls and won't impact what is done down at the Precinct. All that is needed down at the Precinct is one heated bay for a pumper.

Commissioner Porter questioned if this building at Seavey Street is going to an asset or liability appearance wise in the village. It will definitely be better than what is there and it will be designed to be more aesthetically pleasing. However, it will have manual doors and no bathroom. We would probably stub in provisions for a bathroom at a later date.

The only stimulus money available for fire departments is for upgrades to a station not building a new station. Bill Hounsell questioned if we are jumping the point, we are not looking to pursue a fire station this year. We should look at the whole picture and maybe combining that with something at the Precinct. Superintendent Bernier stated we have to keep in mind the usage at Seavey Street has to remain the same. Chief Preece agreed that a satellite station is needed on the south end to meet the ISO requirement and the Master Plan for the North Conway Fire Department includes this fire station. Bill Hounsell stated there is legislation pending with regard to use of stimulus money from a special meeting and Commissioner Umberger stated this does not include Precincts. Everyone agreed we should move forward with a special article for Seavey Street review any grants that may be or become available.

Obsolete Vehicle Schedule

By transfer the proceeds from the sale of Tank One into the Fire Equipment Fund and shifting the replacement of Engine 1 from 2012 to 2013 and moving Engine 3 out an additional year and the Chief's truck to 2016 the remainder of the schedule will stay in order. This includes the replacing Tower 2 in 2034 for 2.5 million dollars.

Superintendent's Report

- Depot Road: Shut down for winter. Made application to NHDES for \$328,000 and \$295,000 of that was eligible for SRF Funding from state. Our sewer CIP account is now in the black.
- Attended meeting in Concord with CDM and RD regarding funding of our projects, RD indicated that money is there and that only two communities thus far have requested funding therefore, the Precinct stands in good position to receive funding. In addition I asked RD if we could qualify for water grant and we ran some quick numbers which points in the direction that we may once again qualify for water grants thus the reason for Bond Article #2.

Several years ago we were told we no longer qualified for water grants because our rates and water debt was too low. Recently, the Precinct has increased the water debt with the issuance of a bond in the amount of \$1,600,000 for the water portion of Contract 6 and the short term borrowing of \$340,000 for Well #6 Large Groundwater withdrawal study. In order to qualify for water grants we need a water bill of \$400.00 and we are roughly at \$428.00.

We should look at replacing a small amount of water line on Ash Street that has asbestos lined cement, small section of water line in the vicinity of Crestwood/Wyman Avenue that is cast iron and has continual beam breaks because it is bedded in poor soils. The Town of Conway is looking to repair streets and repave them curb to curb and it is only prudent to work with the Town to move this forward. With the ability to work with Rural Development leaves more money available not taking into consideration the stimulus money. This would be one of our last major water infrastructure improvements along with

looping Duprey Road into the North South Road. We will also take into consideration a short piece of waterline between Skyline Drive and Washington Avenue on Route 16A.

- Discussed Application for the shortage of sewer monies (\$684,000.00) to complete the North end of Kearsarge Road and RD stated that they could only fund this amount for 30 years and they suggested that we apply this amount to contract 7 in order to make it qualify for a higher probability for funding.

By separating out this project would require the Precinct to have separate bond opinion at a significant expense to the Precinct. We are now including this with Contract #7 and have written the article for 50/50 grant /loan funding.

- Attended Meeting with NHDOT in Concord regarding the Kearsarge road widening project, meeting went well and it looks like we will request funding via piggy back on the southern terminus of the bypass as well as via the transportation enhancement program.

Town Manager Sires is scheduling a meeting with NHDOT officials to move this project forward. There was a short discussion about the Precinct including this in their warrant. Commissioner Umberger noted that only portion that can be done is that portion under the current contract. Commissioner Umberger questioned if the \$100,000 for bike lanes were from the North South Road all the way to Hurricane and the answer is yes. The Precinct has already provided 25% of this through the design work. Superintendent Bernier stated we are in the sewer and water business and doesn't believe we should be in the business of widening the road. Hopefully, Park will hold their numbers at least until paving time arrives sometime in August. We need to exhaust all other possibilities before consideration is given to an article on the Precinct Warrant.

The second warrant article for 5.9 million looks to address environmental issues, upgrades to the aeration system and septage receiving. We would look to bond \$1,475,000.00 on this article and CVFD would reimburse us 40% of the \$1,475,000.00. We will be looking at wind turbines and solar energy efficient systems. This would further reduce our electrical costs. There is stimulus money available for energy efficient upgrades.

- Completed minor changes to Water, Sewer and Commissioners Budgets.
- Started seeing water service freeze ups in one service location so far this winter.
- Crews remain busy with winter vehicle and equipment maintenance, replaced air compressor on old loader.
- CDM completed Well #6 Assessments of Environmental Conditions and submitted same to NHDES for approval and hopefully an informal approval of Well #6 permits. If we are successful we will begin engineering for the well building and treatment building ASAP.

Superintendent Bernier noted this will be 15% state loan forgiveness, 25% interconnection grant but it is not eligible for stimulus money. There is the three interconnect agreements to take into consideration here with CVFD, LBWP and PAC. We are very close to losing Well#2 to becoming river property- approximately 19feet from the east edge of the river. In the 1960's it was 250 feet from the river.

- Completed limited information spreadsheets for 2008 water, sewer flows and revenues, last quarter of 2008 we are down approximately 10% in revenue compared to 2007. We need to keep in mind the economy and last summer we had tremendous wet weather. At this time, we don't have any idea why the first quarter always is consistently high with unaccounted for water. Whatever is taking place occurs only during the winter months. Superintendent Bernier met with staff and has alerted everyone to be looking for illicit

- unmetered water, by passed water meters and fire systems tapped from domestic lines. The Precinct will start doing spot checks with the some of our larger accounts.
- Completed warrant articles for 2009 annual meeting.

Budgets

Commissioners Budget

The annual meeting costs were increased back to \$3500.00 to take into consideration the cost of the stenographer for the annual meeting. The 2009 proposed unemployment cost of \$447.00 needs to be type into the 2009 proposed column.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to approve the Commissioner's Budget as amended with the unemployment correction to the 2009 proposed column. Motion carried by voice vote 3-0-0.

Fire Department

Most of the increase is in salaries. Superintendent Bernier explained last year was the first year of a two year union contract and it was separated out in a warrant article and this year it is part of the budget. The expense of the union costs is not broken out. We will look into the possibility of showing the union expenses separated.

Motion of Commissioner Porter seconded by Commissioner Santuccio to approve the Fire Department Budget as presented. Motion carried by voice vote 3-0-0.

Sewer Budget

Superintendent Bernier stated there were no changes since the last budget review.

Motion of Commissioner Porter seconded by Commissioner Santuccio to approve the Sewer Department Budget as presented. Motion carried by voice vote 3-0-0.

Water Budget

Motion of Commissioner Porter seconded by Commissioner Santuccio to approve the Water Department Budget as presented Motion carried by voice vote 3-0-0.

Warrant Articles

Article 1 – requires no board action

Article 2 – Superintendent Bernier explained this is an estimate and will come up with concrete numbers with Jen Osgood and the same holds for Article #3. Both articles will be funded 50/50 grants to loans. This covers the shortage for Contract #6 and small section of water line from Skyline Drive to Washington Avenue. Contract #7 will become one of the last bond authorizations while the stimulus money is available.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article #2 on the warrant with the appropriate amount. Motion carried by voice vote 3-0-0.

Article #3 – This article is subject to 75% grant funding and Superintendent Bernier will come up with concrete number after meeting with Jen Osgood. SRF language will be added to this warrant article.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article #3 on the warrant with the appropriate amount. Motion carried by voice vote 3-0-0.

Article 4 – We have to do this project as we are obligated to put water up Mechanic Street. Superintendent Bernier will try to make this grant eligible. Commissioner Umberger stated as this is written, it reduces the tax burden by 50% for this new construction.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 4 to the warrant. Motion carried by voice vote 3-0-0.

Article 5 – This is our yearly obligation on long term debt.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 5 to the Warrant.

Article 6 Commissioners Budget

The unemployment number needs to be inserted in the 2009 proposed budget in the amount of \$447.00.

Moved by Commissioner Porter seconded by Commissioner Santuccio to post Article 6 as \$115,893.00. Motion carried by voice vote 3-0-0.

Article 7 Water Budget

Move by Commissioner Porter seconded by Commissioner Santuccio to post Article 7 as the Water Budget of \$884,682.00. Motion carried by voice vote 3-0-0.

Article 8 Sewer Budget

Moved by Commissioner Porter seconded by Commissioner Santuccio to post Article 8 as the Sewer Budget of \$ 1,454,669.00. Motion carried by voice vote 3-0-0.

Article 9 Fire Budget

Moved by Commissioner Porter seconded by Commissioner Santuccio to post Article 9 as the Fire Budget of \$468, 573.00. Motion carried by voice vote 3-0-0.

Article 10 Fire Hydrants Kearsarge Road

Moved by Commissioner Porter seconded by Commissioner Santuccio to Post Article 10 in the amount of \$21,000.00 on the warrant. Motion carried by voice vote 3-0-0.

Article 11 \$15,700.00 to replace the costs of the furnace in the water garage - Make sure the account name is correct.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to Post Article 11 in the amount of \$15,700.00 on the warrant Motion carried by voice vote 3-0-0.

Article 12 \$6,000 to Water Vehicle Capital Reserve Fund – make sure the account is correct.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to Post Article 12 in the amount of \$6,000.00 on the warrant. Motion carried by voice vote 3-0-0.

Article 13 25,524.00 to reimburse capital reserve fund for the generator repairs –Superintendent Bernier would like to fund this from Sewer Infrastructure Capital Reserve and not sewer fees and revenues.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post to the warrant with the change in funding. Motion carried by voice vote 3-0-0.

Article 14 \$6,000 to Sewer Vehicle Capital Reserve Fund – Superintendent Bernier would like to fund this from the sewer infrastructure fund not sewer fees and revenues.

Moved by Commissioner Porter seconded by Commissioner Santuccio to Post Article 13 in the amount of \$6,000.00 on the warrant, to be funded from the Sewer Infrastructure Fund. Motion carried by voice vote 3-0-0.

Article 15 \$134,700.00 to replace rubber tire loader – Superintendent Bernier noted this is our primary piece of equipment for removing snow from hydrants. The trade is amount is estimated it may be slightly higher or lower. Plowing hydrants is a tax venue and it is appropriate to fund as a tax article.

Motion by Commissioner Porter seconded by Commissioner Santuccio to the warrant with the proper numbers. Motion carried by voice vote 3-0-0.

Article 16 \$15,000.00 flashing on roof at WWTP

This will be installed on the areas where the ice builds up.

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 16 to the warrant. Motion carried by voice vote 3-0-0.

Article 17 \$165,000 cold storage building for NCFD

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 17 to the warrant. Motion carried by voice vote 3-0-0.

Article 18 \$9,250.00 Air Compressor at NCFD

Motion of Commission Porter seconded by Commissioner Santuccio to post Article to the warrant. Motion carried by voice vote 3-0-0.

Article 19 deposit proceeds of \$40, 500 for the sale of Tank One sale to the capital reserve fund

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 18 to the warrant. Motion carried by voice vote 3-0-0.

Article 20 \$5,000.00 for the Library

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 19 to the warrant. Motion carried by voice vote 3-0-0.

Article 21 \$6,250.00 for the Outing Club

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 19 to the warrant. Motion carried by voice vote 3-0-0.

Article 22 Discontinue the Storage Building Expendable Trust

Motioned by Commissioner Porter seconded by Commissioner Santuccio to post Article 20 to the warrant. Motion carried by voice vote 3-0-0.

Article 23 Ratify Joseph Santoro as the Auditor for 2009

Motioned by Commissioner Porter seconded by Commissioner Santuccio to place Article 21 on the warrant. Motion carried by voice vote 3-0-0.

Article 24 hire upon credit of Precinct

There is confusion on this article because the Precinct had previously adopted this until rescinded and the bylaws state it must be on the warrant. However, Attorney Dewhurst rewrote this article last year to remain in effect until rescinded. The article will be take out of the warrant.

Article 25 adjourn No action necessary by the Board.

Bill Hounsell questioned if the Board is going to have an article for the intergovernmental sewer agreement with Conway Village Fire District.

There could be something like “the Board of Commissioners is aggressively working on an article to enter into a Governmental Agreement for the purposes of sewer contingent on all data and documents are brought back to the voters”. Commissioner Umberger does not feel comfortable with this and when we did the water interconnection agreement we held a special meeting and keep this separate from everything else. We need t hold hearings to explain what we are doing. We do not know if Conway Village Fire District is going to bring forth an article in their warrant. We need at least a work session about the importance of this matter. Mr. Hounsell thought it we had an article, then CVFD would have the inclination our people are okay with the interconnect agreement. Commissioner Umberger feels we need to be honest and open on this – we did this with Birch Hill and the school. Commissioner Umberger won’t support an article on the warrant at this time. Commissioner Porter would like to see something in the warrant to tell the voters what we are considering and not have CVFD put a lot of work into this and our voters say no. We need something to keep this going. Commissioner Porter would rather found out now rather than later if our voters are not in favor of this interconnection. Superintendent Bernier feels it would pay to keep the ball rolling with the joint engineering; CVFD has authorized the study and willing to pay for it and thinks it would be remiss not having all the information available. Superintendent Bernier plans on briefing our voters at the annual meeting. The engineering firms just started working on this last week. We need to educate the people that this is a worthwhile endeavor and win/win situation for the taxpayers.

Enter Non Public

Motion of commissioner Porter seconded by Commissioner Santuccio enter non-public for a personnel matter under RSA 91-A: 3, II (a) – 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. Motion carried by roll call vote – Umberger – aye, Porter – aye and Santuccio- aye.

Reentered Public Session at 12:48 p.m.

Adjourn

Commission Meeting February 18, 2009

Adopted: As Written
March 4, 2009

Having no further business to come before this meeting, **Commissioner motioned Commissioner Santuccio seconded to adjourn this public meeting at 12:50 p.m. Motion carried by voice vote 3-0-0.**

Respectfully,

A handwritten signature in cursive script that reads "Kristine M. Cluff".

Kristine M. Cluff
Recording Secretary