

Adopted: 9/16/09
As Written

Commission Meeting
Minutes
September 2, 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 Santuccio, Superintendent David Bernier, Chief Patrick Preece and Recording Secretary Kristine Cluff.

Chairman Umberger called the meeting to order at 10:00 a.m. and noted the Special Meeting tomorrow night at the North Conway Fire Station to correction the procedural defect form the 2007 Annual Meeting.

Minutes

Motion of Commissioner Porter seconded by Commissioner Santuccio to accept the public minutes of August 19, 2009 as written. Motion carried by voice vote.

Fire Department
(copied from the Chief's Report)

Membership:

42 Members, no new applications

Personnel:

Ryan Smith and Ken Derouin have received their provider's licenses from The State of New Hampshire, now they can practice as an EMT.

Training:

Department training will complete company operations.

Department Activities:

The department fireworks class went very well and the department members really needed this class as well as the officer's of the department. Safety of our personnel comes first and they need to know when to approach the display and the required setbacks. The fundraiser went very well and to date raised a total of \$13,481.00. The Residence Inn had a hot water boiler issue and has been resolved and we issued the CO and they should open 9/9/09

Emergency Calls:

The fire department has responded to 113 calls for the month of August.
The fire department has responded to 3 calls for the month of September.
The fire department has responded to 682 calls year to date.

Apparatus / Trucks:

The starting DOT Truck Inspections for all the big apparatus.

Equipment Issues:

The new copier and printer is working well, and we are very happy with them.

Purchase for New Equipment:

We are in the process of obtaining prices for three sets of turn out gear prices should be back next week.

Seavey Street:

The roof has been completed to 100%.

The West wall steel siding is complete as well as the trim and under the soffit.

The East and South walls steel framing is complete.

They are working on the South wall putting the sheathing on the wall.

Need to sign the Change work order for the Mezzanine.

Richard Davis and Charlene Browne - Farm by the River

The Board has received a letter concerning the fireworks training from Richard Davis and Charlene Browne. Both are attending today's meeting to address their concerns. Mr. Davis stated everything is pretty much laid out in the letter. Ms Browne stated her concern is that no one called them regarding the training. They are extremely happy with the services of the fire department. Mr. Davis expressed his concern about this meeting being public because this is what he has been trying to avoid. He has received an inquiry from the Daily Sun and has refused to comment because this is between and the fire department. Commissioner Umberger stated that once you come to the meeting it becomes public but you can say as much or as little as you want. The fire works training was held directly across from their horse guided trails on a Saturday which is their busiest day of the week without notification. They did not see it in the paper or the reader board signs. Basically, the guides came did not come through town and also did not see the signs. Mr. Davis is not sure this is the best place to hold this type of training. Chief Preece explained it was in the paper and the reader board signs were out 24 hour in advance. Mr. Davis apologized to Chief Preece for swearing at him the day of the training. Mr. Davis asked why Hussey Field cannot be used in the future. Chief Preece explained there are setback requirements and Hussey Field would be to hard control access and location of the hospital. . Chief Preece apologized for not giving Mr. Davis a personal call and agreed the timing was not the best. Had he realized the impact, he would certainly have contacted Mr. Davis. Mr. Davis stated he spoke with Chief Wagner of the Conway Police Department and he did not know about the training (i.e. Chief Wagner was on vacation) and neither did the Town of Conway. Chief Preece explained they were required to have a Class B Permit and the application was signed by the Acting Chief of Police, Lt. Christopher Perley, on 8/17/09 and on 8/19/09 it was faxed to the department of licensing at the state.

Mr. Davis explained the fireworks were originally set off at the North Conway Country Club and then moved to Mud Bowl. Chief Preece explained they re now set off on the property of the Country Club. Chief Preece explained we need to consider the set backs, calculation for fall out, and control access. Setting them off a mud bowl causes issues with the playground, debris falling on buildings and vehicles. Mr. Davis stated they had to cancel their last ride and it could be rescheduled. His trail guides did a wonderful job in handling the situation. Ms Browne noted this could have been a disaster. Superintendent Bernier stated that we know there was problem of notification and we will try to schedule any future training of this nature in the off season. Commissioner Umberger stated Chief Preece did follow all the rules. Mr. Davis inquired if there is any possibility of being reimbursed \$500.00 for his financial loss. Commissioner Umberger stated the Board will review the request. Mr. Davis asked if it would be possible to have an answer within the next month. Ms Browne stated the Chief is a great guy and does a great

job but they don't want to deal with this again. The Board will review the financial request and get back to Mr. Davis and Ms Browne (i.e. they departed the meeting at 10:28 a.m.)

Marriott Hotel:

Chief Preece explained the carbon monoxide issues at the Marriott and the boilers have been moved to the 2nd floor to resolve the draft issue.

CVFD:

Karen Umberger stated that CVFD is planning on hiring a couple of EMT's and wondered if that is a concern for the fire department. Chief Preece can only discourage people not to apply but cannot tell they can't apply.

Old Business

A copy of the Town of Conway's Fraud policy is in your packet for review. We will look at this policy in conjunction with a previous policy to develop a Fraud Policy for the Precinct.

Superintendent Bernier will contact Attorney Judge again this week as to the status of the sewer rules and regulations.

Superintendent's Report (copied from Superintendent's Report)

Contract 6: All water and sewer work is complete with the exception of clean up.

CDM completed testing of the geothermal well and we should see the results within the next two weeks.

Crews worked on repairing manhole frame and covers on Old Bartlett Road repaired 7 structures and replaced several frame and covers.

Crews completed sewer installation at Jeff Shutack's property as part of Contract 6 easement agreement.

Continue working on paperwork for stimulus and SRF projects.

Compiled information for easement required under large ground water withdrawal permit.

Sent required information regarding ARRA and SRF projects to Gretchen Rich at NHDES.

NHDES was here on Monday to inspect the remaining sewer. Everything passed and we can now send letters to all remaining customers along Kearsarge Road that sewer is available for connection.

Other Business

Bill Hounsell noted we should start working on the Grant Celebration Ceremony for Rural Development.. This will be coordinated through the Burlington Office of Rural Development.

Also, Mr. Hounsell explained the selectmen are meeting tomorrow to discuss the Bike Path on Kearsarge road. Superintendent Bernier will draft a letter of support from the Precinct to the selectmen. Mr. Hounsell explained it would be great for everyone to come out and show their support tomorrow at 4:00 p.m. at the town hall. Commissioner Porter and Commissioner Umberger plan on attending.

The Board will meet on Tuesday September 8, 2009 for union negotiations.

Signature Documents

Northway Bank has provided an extension agreement on the maturity date for the temporary funding of Contract #6 in the of \$2,088,000.00 The new maturity date will be September 30, 2009. **Motion of Commissioner Porter seconded by Commissioner Santuccio to execute the Extension Agreement from Northway Bank on the BAN Note of \$2,088,000.00 changing the maturity date to September 30, 2009. Motion carried by voice vote 3-0-0.**

Board has received a Letter of Engagement from Devine Millimet and Branch on the Procedural Warrant Articles. **Motion of Commissioner Porter seconded by Commissioner Santuccio to sign the Letter of Engagement for the Procedural Articles of the September 3, 2009 Special Meeting. Motion carried by voice vote 3-0-0.**

The NH Department of Transportation Bureau of Rails has presented the easement for the Railroad Corridor in conjunction with Contract 7. Attorney Judge has reviewed the document and noted it is appropriate for the Board to sign the easement. **Motion of Commissioner Porter seconded by Commissioner Santuccio to authorize Chairman Umberger to sign the easement for the State of New Hampshire Railroad Corridor in conjunction with Contract #7. Motion carried by voice vote 3-0-0.**


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

Public Comment

Karen Umberger questioned when the Auditor was meeting with the Board. The meeting is scheduled for October 14, 2009.

Adjourn

Having nothing further to discuss at this public meeting **Commissioner Porter motioned and Commissioner Santuccio seconded to adjourn this public meeting at 11:05 a.m. Motion carried by voice vote 3-0-0.**

Respectfully,


Kristine M. Cluff
Recording Secretary