

**CONWAY VILLAGE FIRE DISTRICT  
COMMISSIONER'S MEETING  
Thursday, December 10, 2015 3:30 p.m.  
Minutes**

Meeting was called to order at 3:30

Commissioners present: Janine Bean, Joseph Quirk, and Michael Digregorio via conference call.

Others present: Gregg Quint- Superintendent, Chief Solomon, and Amy Snow-Municipal Bookkeeper

Public present: Daymon Steer of the Conway Daily Sun

ADMINISTRATIVE BUSINESS

**Mr. Quirk made a motion to approve items A and B, motion seconded by Mr. Digregorio; motion passed 2-0-0.**

A. Ratify A/P Manifests and sign checks dated 12/10/2015

B. Ratify Weekly Payroll and sign checks for week ending 12/6/15

Mrs. Bean signed the Superintendent's and Fire Chief's time sheets for week ending 12/6/2015

**Mr. Digregorio made a motion to accept the minutes dated December 3, 2015 as written, Mr. Quirk seconded the motion; motion passed 3-0-0.**

DISSCUSION OF RIVER STREET REBUILD

Mrs. Bean had a conversation with Dave Mercier the other day in regards to River St. The contract CVFD has with the town is a trench and patch contract. Paul D. did not like the gravel (it is an old road) and made the decision to have CVFD bring it up to town specifications without communicating with either Underwood or the commissioners, this is a cost of \$7,554.96 out of pocket - it is a DES ineligible expense. Mrs. Bean does not feel we should be responsible for this cost. Mrs. Bean believes there was no change order and it is above and beyond what we agreed to do. Superintendent Quint explained that the road was only two feet wider than the trench so it was decided that CVFD would pave the entire width which was agreed to be acceptable. Additionally, a water main was struck which caused a bit of damage to the road; the gravel was sub-standard. Mr. Quirk was concerned how we would handle this - Paul D. does a lot for CVFD. Mrs. Bean stated that usually Paul D. speaks with us or the engineers. Mr. Quirk stated we should give the town the courtesy of speaking with them. Mr. Quint mentioned that Paul D. will be at the next meeting for an unrelated issue. Mrs. Bean and Mr. Digregorio concur that a conversation would occur once an invoice was sent. **Mr. Digregorio made a motion to send an invoice to the town along with a letter explaining why, Mrs. Bean seconded it.** Mr. Quirk would like to give Paul D. an opportunity to address this at the next meeting before doing so. Mr. Digregorio and Mrs. Bean feel that the town will have an opportunity to discuss this even after an invoice is sent. The motion was called, **motion passed 2-0-1, Mr. Quirk in the opposition.**

WARRANT ARTICLE FROM TOWN REGARDING SIDEWALKS

Discussion ensued regarding the Warrant Article for the Town Warrant sent by the Selectman's office. Mrs. Bean asked to address Pollard Street sidewalks first in case the Town does not end up taking the sidewalks. Mr. Digregorio was more inclined to use money (\$20,000) to build

sidewalks on Pollard St. in 2016 than more money in 2017 on Main St. Mrs. Bean stated that even if the town does take over the sidewalks it would not be until 2017 and Pollard Street is being done in 2016 so the Board needs to make a decision on this. **Mr. Digregorio made a motion to use \$20,000 out of our Sidewalk Capital Reserve Fund to build sidewalks on Pollard Street in conjunction with the Town of Conway, there was no second, motion died.** Mrs. Bean questioned Mr. Digregorio's change in stance on this issue, Mr. Digregorio took from the warrant article that the town wants our participation in some form - they are asking for money for Main St. and he feels there is no difference between Pollard and Main streets and Pollard Street is a smaller number. He feels if this is what they are looking for - us "putting some skin in the game" then he would rather do the smaller number. Mrs. Bean pointed out the warrant article is contingent on us providing \$90,000 for Main St. Mr. Digregorio reiterated that if they want our participation he would rather put skin in the game on Pollard Street. They want us to sweeten the pot and he is not willing to do that at \$90,000. Mrs. Bean stated the town is not going to rewrite the article if we build \$20,000 worth of sidewalks on Pollard St., they will still want the \$90,000. Mr. Digregorio reminded the board that this is just a draft article. Chief Solomon believes that the town is trying to make the warrant article "palatable" for the non-district voters. His opinion is that the non-district voter will see that the district is kicking in more than the expenses listed and that it is a good deal; Mrs. Bean concurred that this is what the selectman are trying to do. It looks to Mr. Quirk that the selectman are saying if you give us \$90,000 we will vote to recommend the town take over the sidewalks and he's not sure if he is comfortable with that. He is not ready to vote on it - if they said the money would go to light poles and brick then maybe, Mrs. Bean stated that was not going happen, Mr. Quirk then stated that he may not be comfortable - he is not ready to make that decision. Again the Chief stated that they (selectman) are trying to craft an article that will pass. Amy stated that if it does and we don't give them the money then we keep the sidewalks. Mrs. Bean said that that is why we need to make a decision on Pollard sidewalks. Chief Solomon pointed out a problem with that. He explained that in March the warrant article that passed told the commissioners not to build or maintain sidewalks anymore. The warrant article directed commissioners to "surrender responsibility for construction and maintenance of the sidewalks within the district to the Town of Conway" so, we cannot build sidewalks on Pollard Street or Main Street or give money toward Main Street; it is no longer a district responsibility. Mr. Digregorio believes that the town warrant can be amended on the floor at the deliberative session of Town Meeting to zero (\$0.00), Mrs. Bean agreed. Chief Solomon thinks it needs to be brought back to District Voters if they want to do anything with sidewalks. Mrs. Bean thinks this puts Main St. sidewalks in question (2017). Mr. Quirk summed it up, "Our voters have surrendered the sidewalks to the town but the town has not accepted the sidewalks so we are in limbo." Everyone agreed. It is felt that a legal opinion is needed on the pair of articles. Amy will contact NHMA on Monday. Damon Steer of the Conway Daily Sun asked if the \$90,000 will be given to the town. He was told that that money is District Taxpayer's money and can be repurposed or given back to District Taxpayer's as fund balance. The chief explained that the article (in District Annual Report) was a petitioned warrant article handed in too late to be vetted and adjusted to take care of all the issues involved with turning over the sidewalks, i.e. the money or town not accepting them, he feels it needs to be taken to the District Voters again. Mr. Digregorio stated that this town article is in conflict with the district 2015 warrant article, because of this Mrs. Bean feels that we cannot do anything with the money set aside for sidewalk construction and maintenance either.

Damon Steer left the meeting at 4:20 p.m.

### PEQUAWKET SEWER DESIGN

Payment of Pequawket Drive sewer design: The bill is \$209,718, it was voted on previously to use the EPA grant money in the amount of \$149,000 to pay towards this which leaves a \$60,718.00 balance. There is money in the sewer account and Mrs. Bean suggested we use the cash in the sewer account as well as the grant money to pay this off and not incur another loan. There is approximately \$457,000 in checking account that is sewer's working capital. the commissioners have already been given authority to pay this because it is part of the overall project and it is not coming out of any Trust Fund - it is money raised through rents and revenues. **Mr. Digregorio made a motion to use the \$149,000 of the EPA Grant and \$60,718.00 from our sewer account from user's rents and revenues to pay off the bill for the Pequawket Sewer Design, Mr. Quirk seconded the motion; motion passed 3-0-0.** It was thought that the Sewer Asset Management payment off was going to be discussed but the engineers have not done enough work to charge us yet, this will be a 2016 invoice. Amy informed the commissioners of the progress for the loan closing. At the December 17th meeting, the commissioners will sign the closing papers, January 15th is the closing.

### RELEASE OF TRUST FUNDS

In the building maintenance budget line for both water and sewer is \$4,000.00 (each) for a new chimney for the administrative building. Mrs. Bean suggested that the \$8,000 come from the Building Maintenance Trust Fund to get it built in December for the upcoming winter season. She stated more money will be asked for in a warrant article next year for this fund. **Mr. Digregorio made a motion to request the Trustees of the Trust Fund release funds in the amount of \$8,000.00 from the Conway Village Fire District Building Maintenance Trust, Mr. Quirk seconded the motion.** Mr. Quirk asked for clarification because he feels it is expensive. It was explained that it is a (16 X16) masonry chimney and a cricket on the roof. This will be done through Hurteau Heating Services. **Motion passed 3-0-0.**

### FIRE CHIEF'S BUSINESS

The chief presented bills to be sent to collections and \$2,467.01 to write off . Mr. Digregorio asked if we got an opinion on the fact that we cannot bill out-of-state Medicare. Chief Solomon stated that he would have to ask an EMS lawyer which is expensive. Mr. Digregorio asked if we could get an estimate on getting an opinion and asked how often this happens. The chief answered about four or five times a year. Mr. Quirk asked for clarification, it is his understanding that within a person's own state welfare can get a bill but if they are hurt out of state we can't bill them. Chief Solomon explained that the federal government mandates that Medicare patients are cared for without being billed directly, Medicaid is state run and permission is needed to bill each state. We can bill NH and Maine Medicaid - that is it. Comstar will not bill patient. Amy asked about the auto insurance bill that Tom Buco was working on and Chief stated it is pending legislation; there is an LSR for it but no number yet. **Mr. Digregorio made a motion to write of \$1473.01 of ambulance bills, Mr. Quirk seconded it.** It was decided that \$994.00 of out of state welfare bills would not be written off pending a quote on our ability to bill. **Motion passed 3-0-0.**

**Mr. Quirk made a motion to send \$2,022.00 to collection as recommended by the chief, Mr. Digregorio seconded the motion; motion passed 3-0-0.**

The chief presented a new budget to the commissioners with a slight reduction in expenses and a slight reduction in revenues. But the bottom line reflects about seven cents per thousand less including warrant articles. The Chief left the meeting at 4:23 p.m.

### SUPERINTENDANT'S BUSINESS

Superintendent Quint updated the Board on the blower at the Treatment Plant - he spoke to Dave Mercier and this most likely is a viable claim against Defelice for collective damages and Dave has started the paperwork. Mr. Digregorio asked if we want to start that now, the superintendent thinks Dave will most likely wait towards the end of the project, we may have to pay for it and get reimbursed. The superintendent will check on this.

Mr. Digregorio asked how the interview process was going. Mr. Quint stated that we interviewed three more people and have two really good candidates. Mrs. Bean would like to see a list of people the commissioner should interview along with their applications next week. Mr. Digregorio stated that he noticed that the Fire Department is not treated the same at all, he is aware that they have a hiring committee but it seems that the commissioners should be more involved - commissioners are ultimately responsible. District wide hiring policy will be on next week's agenda.

### FUTURE BUSINESS

Fire Department turnover and dissolving of district should be on the next agenda. Paul D. would like to discuss culverts at head works and more work now to save work later but it would cost the district more out of pocket money. Mr. Quint asked the PR to be here as well. Mr. Digregorio believes he heard at the last project meeting that it was over looked during design and Mr. Quint believes this is true.

### OTHER BUSINESS

Amy informed the commissioners that both she and the superintendent are off tomorrow (Friday) so the office will be closed. Mr. Digregorio asked about the vacation policy, he does not want to see anyone lose their vacation because they were not able to take it. It was explain that the board has granted leeway due to extenuation circumstances in the past.

### FUTURE DATES

Next Commissioner's meeting – Thursday, December 17 3:30 p.m.

The meeting was adjourned without objection as 4:40 p.m.

Respectfully submitted,  
Amy Snow, Municipal Bookkeeper