

**Kingston, New Hampshire
Board of Selectmen
Meeting of July 15, 2011
MINUTES**

The meeting was called to order at 9:00 am in the Selectmen's Office at the Kingston Town Hall. In attendance were Chairman Peter Broderick and Selectmen Charles Hart and Mark Heitz.

Chairman Broderick explained that the meeting had been called in order to further review bids for the Ball Road and Great Pond Road culvert replacement projects and to accept input from the engineering company that has been assisting with the project. Road Agent Richard St. Hilaire, and CMA Engineering, Inc. engineers Roch Larochelle and Josh Bouchard all were present to help with the review. Mr. Bouchard had tabulated the bids and qualified the bidders.

Non-public Session

MOTION: At the suggestion of Road Agent Richard St. Hilaire and upon motion of Selectman Heitz and second of Selectman Hart, it was unanimously voted to adjourn to non-public session under the provisions of N. H. RSA 91-A:3, II-c. The Board entered non-public session at 9:03 am.

The Board returned to public session at 9:45 am.

MOTION: Upon motion of Selectman Heitz and second of Selectman Hart, it was unanimously voted to seal the minutes of the non-public session indefinitely.

Review and Discussion of Culvert Replacement Project Bids

Mr. Bouchard distributed his tabulation of the bids that had been received, and a break-down of total costs based on the two low bids. He noted that, under the present award from FEMA, there is only sufficient funding to undertake the base culvert replacement project, without the straightening of Ball Road. CMA proposes to submit change orders to the State Department of Emergency Management, who administers FEMA's grants, covering culvert size adjustments within both projects, as well as the road straightening work, for which there is \$37,000.00 in funding that may be available. The projects can't be started until the change orders are approved, a process that could take up to 60 days. If construction doesn't start until nearly fall, project completion will be put off until mid-November and some of the paving and finish work will need to be put off until the following spring. Lance Harbour of the Emergency management office has said that he will try to facilitate a timely response to the change orders.

Selectman Heitz asked why Mr. Bouchard thinks there may be such a difference between their estimate of project costs and what the bids came in at, since the lowest bids are more than \$20,000.00 over the estimates. Mr. Bouchard and Mr. St. Hilaire explained that preliminary work done for the purpose of applying for funding wasn't based on actual site survey work; that's the reasons that culverts have needed to be re-sized, for instance. Now that actual flow calculations have been done and all of the elevations work is developed, it's apparent that change orders are needed but there also are areas where design changes may bring pricing down somewhat. Mr. Larochelle noted that the Great Pond Road bid came in substantially lower than the estimate, so the town's 25% share of the savings (approximately \$8,000.00) now will be available to help fund the increase in the Ball Road project. Unfortunately, the 75% grant share of the savings can't be transferred from one project to another.

It was noted that total cost to the town for the projects, as shown on Mr. Bouchard's work, includes installation of 3 dry hydrants, at a cost of approximately \$10,000.00. Discussion was held as to whether there will be substantial savings by doing that work during construction; Mr. Bouchard advised that there will be. Chairman Broderick asked if there is access to water for fire-fighting purposes should the Board opt to not install the hydrants at this time. It was agreed that there is. A final decision on installation of the hydrants can be made at a later time.

It was noted that Mr. Bouchard's numbers don't include engineering work, which amounts to \$96,000.00. That increases the town's share by \$24,000.00 over what's shown in the tabulation work. If the town opts to undertake the alternate project, which includes road straightening on Ball Road, total town share of the project will be \$212,685.50. Mr. St. Hilaire advised that there is \$98,000.00 remaining in his paving line; \$91,000.00 in his road reconstruction line; \$23,000.00 in a Transportation Improvement trust fund; and \$212,000.00 remaining in Block Grant funds.

Mr. Larochelle noted that reimbursement from the state for the 75% FEMA portion of project costs generally has a turn-around time of 30 days, so there should be adequate cash flow for the project.

Mr. St. Hilaire advised that he still hopes to move forward on the North Road culvert replacement project, and that CMA is submitting for grant assistance on that project and on the Kingston Lake outlet project. He said that it may be possible to do a temporary, emergency repair on North Road using a plastic pipe, but even that will entail further expenditure of available funds. He'd like not to deplete all of the town's resources when there could be a heavy winter ahead.

Mr. Larochelle advised that it's CMA's recommendation that the Board accept the base bid of North Hampton Excavating, submit the change orders for culvert size and the road straightening option, and set up a construction schedule. Selectman Heitz advised that submittal of the change order for the road straightening option needs to clearly be tied to award of \$37,000.00 that the Emergency Management Office has available; if those funds aren't to be awarded, the state needs to deny the change order because the town doesn't intend to pay the full cost for that work.

MOTION: Upon motion of Selectman Heitz and second of Selectman Hart it was unanimously voted to accept the base bid of North Hampton Excavating, to submit change orders for culvert size and for the Ball Road straightening option (contingent on award by the State of \$37,000.00 available in their Hazard Mitigation funds), and to authorize CMA Engineering, Inc. to work out a construction schedule with the contractor.

MOTION: Upon motion of Selectman Heitz and second of Selectman Hart, it was unanimously voted to authorize the Chairman to sign documents relating to the project on behalf of the Board.

Mr. Bouchard asked for and received the Board's assurance that, if the state awards the \$37,000.00 toward the road straightening option of the Ball Road project, the town will contribute the remainder necessary for completion of that work. It was agreed that there are several cost saving design changes that can be made to minimize project cost, including reduction in road shoulder size and width of pavement.

Review and Discussion of Highway Garage Project Bids

The Board noted that the low bid for the Highway Garage construction project is \$479,000.00. There are funds available from budget lines and block grant money, and the Infrastructure Improvement Fund has approximately \$297,000.00 that can be spent for the purpose.

Mr. St. Hilaire advised that it's his recommendation at present to reject all bids and hold off on the project at least until 2012 when it can be re-bid.

MOTION: Upon motion of Selectman Heitz and second of Selectman Hart, it was unanimously voted to reject all bids received for the construction of a highway garage.

Possible Responses to DRA Budget Adjustment Discussed

Selectmen Hart advised that he believes the Board should petition Superior Court to ratify the 2011 Town Meeting vote so that the Infrastructure Improvement Fund can be reestablished as voted on in Article 23. The State Department of Revenue Administration has disallowed most of that Article due to the Municipal Budget Act's 10% limitation on increases over the budget committee recommendation, and most of the Infrastructure Improvement funds now are in the Unreserved Fund Balance pending re-designation. Selectman Heitz and Chairman Broderick explained that the Court wouldn't ratify the vote; it would only allow the Town to hold a Special Town Meeting at which the question can be decided. Selectman Heitz advised that he isn't in favor of incurring the expense of a Special Town Meeting when the same question can be put forward to the 2012 Town Meeting. Selectman Hart advised that he feels the funds from the Infrastructure Improvement Fund are at jeopardy if they're not secured in the Trust. Selectman Heitz and Chairman Broderick advised that whatever risk there is of articles being submitted to expend the funds, that risk doesn't increase by waiting until Town Meeting.

Adjournment

There being no further business before the Board, the meeting adjourned at 10:30 am.

Respectfully submitted,
Catherine Grant
Administrative Assistant