

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

September 20, 2005

The Selectmen's Meeting convened at 4:04 p.m. in the meeting room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), Karen Umberger, David Weathers, Gary Webster, and Mark Hounsell; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

PLEDGE OF ALLEGIANCE

Chairman Martin led the Board in the Pledge of Allegiance to the Flag.

SIGNING OF DOCUMENTS

The Board reviewed and signed various documents contained in the signature folder.

APPROVAL OF BILLS

The Board reviewed and approved the manifest dated 9/22/05.

APPROVAL OF MINUTES

Ms. Umberger moved, seconded by Mr. Webster, to approve the non-public minutes of 8/23/05 and non-public minutes of 9/6/05 regarding Town Manager Earl Sires evaluation, as written. The motion carried unanimously.

CONWAY PUBLIC LIBRARY UPDATE

Library Trustees Chair, Linda Fox Philips, and Librarian, Margaret Marschner, joined the meeting.

Ms. Marschner advised that the library now has a new online catalog on the library website. This online catalog contains pictures, reviews and annotations and also tells you if the book is in or out.

Ms. Marschner next noted that the clock is back outside at the library. The hands and face were reinstalled two weeks ago.

Ms. Marschner and Ms. Philips next advised that the Trustees have discussed putting in another bench in the library park across from the Irving Station. The Trustees are currently looking into costs and different options for benches. Ms. Marschner next advised that the Trustees have also discussed the possibility of posting the park for no dogs as they have had complaints regard deposits left in the park and feel that maybe this is not a spot for dogs to be running around as many children play in the park. Ms. Philips and Ms. Marschner next advised that the Trustees are also reviewing policies, including the investment policy. Further, at the last meeting, the Trustees, held a public hearing to accept money, however a new law is in place wherein they don't need to hold public hearings anymore if they receive amounts under \$5,000.

Ms. Marschner next reported to the Board on the reading programs, storytimes, reading discussion groups, and meetings held at the library.

Ms. Umberger advised that she is not in favor of banning dogs at the library park and pointed out that in Schouler Park they have installed a dispenser for the disposal of the waste so people can clean up after their dogs. Further, she feels this is a public area and she would hate to see dogs not allowed in the Park by the Trustees and would like to try a sign and the plastic bags before pressing on with banning dogs. Mr. Martin commented that it is also getting harder and harder to find a place to walk a dog. Ms. Marschner advised that she would take the Board comments to the Trustees.

Mr. Webster recalled a granite bench donated a few years ago for a park by Walmart and questioned if it had ever been used. Mr. Webster stated it was put in storage. Ms. Marschner advised she would check with Walmart.

Ms. Marschner next advised that they will be starting the budget process at the next meeting of the Trustees scheduled in October.

Mr. Martin thanked Ms. Philips and Ms. Marschner for sharing information with this Board.

CONSERVATION COMMISSION BUDGET

Paul Pinkham, Chair of the Conservation Commission, was present for discussion.

Mr. Sires reviewed Mr. Pinkham was before the Board a month prior to request the Board reinstate the appropriation of money to fund the work of the Conservation Commission and to allow unspent funding to accumulate year to year.

Mr. Pinkham advised they are not asking for greater budget amounts and this will not cost the town any money. This will give the Conservation Commission the opportunity to be more effective in their work and they won't be constricted by the budget year as their work is seasonal.

Ms. Umberger reviewed that at Budget Committee meetings last year there was discussion regarding Conservation Commission dollars. From her perspective she would like to see some actual figures of what we are looking at, in other words she doesn't want to see this as opened ended and she would like to see an accumulated amount, a specific figure. Ms. Umberger further stated that she feels strongly that this is an issue that should be discussed with the Budget Committee before action is taken on this matter. Ms. Umberger stated that as part of the regular budget cycle in the coming year it would be appropriate for the Conservation Commission to make a presentation to the Budget Committee.

There was a general discussion of the year to year work of the Conservation Commission. There was brief discussion of the possibility of having year to year or multi year contracts with The Nature Conservancy. There was discussion that multi year contracts require vote at town meeting. The majority of the Board was agreeable to putting an article on the warrant. Mr. Pinkham explained they would still like to go back to 2001 when they were allowed to keep dollars in a savings account. Mr. Weathers explained the Conservation Commission still needs money to do other work besides the work with the Nature Conservancy. Mr. Sires pointed out that another option to consider with regard to annual contracts is to encumber funds that are not used but are

committed. The Board would have to make a decision to allow funds to be encumbered year to year.

There was further brief discussion. It was agreed that there was a general understanding of options that are available and further discussion on this matter would be conducted through the budget process.

REVIEW OF WARRANTY DEED AND TRANSFER DECLARATION OF
CONSIDERATION FORM REGARDING OLD GAS STATION PROPERTY AT PINE
STREET AND ROUTE 16 IN NORTH CONWAY

Mr. Sires first advised that this agenda item should have identified the old gas station property located at the corner of Pine Street and Route 16 as the Connie Davis Watson Park.

Mr. Sires advised that he toured the park earlier in the day with Parks and Recreation Director, John Eastman. The park is a low maintenance design.

Mr. Sires next reviewed a copy of a proposed Warranty Deed for the property with the Board. Mr. Sires reviewed that it is not yet at a point to be executed as there are a few things that need to be worked out. All taxes from the prior owner were paid; however, there are outstanding taxes of approximately \$6,000 from this year owed by River Run Company and the committee will be coming to this Board to ask that these taxes be abated. Also, the blacksmith shop building on the property is in disrepair, the roof needs work, sills and base of the posts on the sides of the building are rotting along with the floor. Mr. Sires advised that he had some discussion about this building with Connie Briggs this morning and advised the town may not want to accept the parcel with this issue pending and the committee may propose that the town accept the lot with the building for now pending that they will do something with it in the future. Mr. Webster questioned if the building should then be referenced in the deed. Mr. Sires advised that he would check into this as it should state land and building if the building remains.

Mr. Hounsell suggested having this park be overseen by the Parks Commission that is already in place once the park is completed.

Connie Briggs advised that they have some work they would like to finish up with such as putting down some woods chips, perennials, picnic tables, etc. Mr. Briggs further advised that some of the work they plan to do can't be finished until the spring.

The Board thanked Connie Briggs and all others who helped out with this project.

CONSIDERATION OF LETTER TO PSNH REGARDING
RE-LAMPING PROJECT IN CONWAY VILLAGE

Mr. Sires distributed a draft letter to PSNH and reviewed same with the Board. Mr. Sires explained there are some safety concerns in Conway Village and a meeting was held with the representatives of NHDOT, representatives of the Conway Village Congregational Church, along with Public Works Director, Paul DegliAngeli, and State Representative, Tom Bucu, to talk about whether crosswalks should be moved, lighting in the village, etc. It was agreed that the church will supply additional lighting to the exterior of their building and will put up a sign encouraging people to use designated crosswalks. Also, the Town agreed we would bring a letter to the Board of Selectmen to

encourage PSNH to expedite the lamping project in Conway. Mr. Sires next advised that he spoke with Kathleen Lewis of PSNH and she has advised that they outsource this work and that she will be contacting the contractor to see when the work will be done. There was some indication that it will be done in the fall. Mr. Sires next advised that Mr. DegliAngeli will be meeting with the NHDOT on Thursday morning to talk again about the crosswalks in Conway Village and if there is a possibility that some could be moved.

Joe Quirk of Conway Village next presented a map of the Village to the Board and reviewed his suggestions for where the State could move lines to give more room for traffic turning lanes at the lights in Conway. Mr. Quirk also reviewed existing and proposed crosswalks with the Board. Mr. Quirk proposed taking a crosswalk from the park and putting one in front of the church and also suggested adding additional lighting near this crosswalk. Mr. Weathers questioned how the Salyards Museum feels about changing the location of the crosswalk. Mr. Quirk advised that he would invite them to the meeting on Thursday to talk about moving the crosswalk.

The Board further briefly discussed the crosswalks in Conway Village. It was agreed that the Board was comfortable with Mr. Sires and Mr. DegliAngeli working out the matter of the crosswalks to everyone's benefit on Thursday when meeting with the NHDOT. **Mr. Webster moved, seconded by Ms. Umberger, to authorize Paul DegliAngeli and Earl Sires to attend this meeting and work out the best situation possible.** Phil Haynes stated his concern is that the crosswalks are 75 yards or less and he thinks we need to promote people using crosswalks. Mr. Haynes also stated he has concerns about distance of trucks parking near crosswalks as this causes problems visually and you need to have a certain amount of space between a crosswalk and a parking space. Pastor Fred Gagnon of the Conway Village Congregational Church stated that he knows Salyards also has night functions and maybe they can split the difference of the crosswalk with them. Pastor Gagnon pointed out three people have been hit by cars and one killed and that lighting is a problem and they will be adding some lighting. Further, Pastor Gagnon added he feels crosswalks will help and the church will promote the use of the crosswalks. Mr. Hounsell stated he feels there is a need at both places for a crosswalk. After further discussion a vote was taken and the motion **carried 4-1-0** with Mr. Hounsell opposed.

Mr. Hounsell moved, seconded by Mr. Webster, that we authorize sending the letter PSNH. Mr. Webster questioned if this is an issue that goes unresolved can we take same to the PUC. Mr. Sires advised we could look into whether it could be taken to the PUC. Mr. Webster felt we should copy the letter to the PUC. Mr. Martin stated he did not feel the letter was firm enough. The Board agreed and there was brief discussion as to language that could be added to the letter and Mr. Sires would e-mail another version to the Board for review. **Mr. Webster withdrew his second and Mr. Hounsell withdrew his motion.**

Mr. Hounsell moved, seconded by Mr. Webster, to use this letter as a draft and write another letter to PSNH with less vanilla in it. The motion carried 5-0-0.

PARKS COMMISSION

Park Commissioners, Carol Lyman, Phil Haynes and John Cannell, were present for discussion.

Mr. Sires reviewed that a copy of the August 17, 2005 Parks Commission minutes were provided to the Board and the Commission has been invited to this meeting to speak about same. (A copy of the Parks Commission Minutes are attached hereto).

Phil Haynes advised the Parks Commission would like to have permission to get the water bubblers working in the park as they have not been operating properly. Mr. Haynes advised this Board he would like to go to the North Conway Water Precinct to see if they would fix them for nothing. There were no objections from the Board.

Mr. Haynes next stated he feels there needs to be more effort made to keep the park looking nice. Many of the items they asking for are one-time expenditures. Mr. Haynes stated he would like to see the electrical boxes organized, field lighting straightened, some trees replaced, etc. There was next a short general discussion by the Board regarding the items listed in the Parks Commission minutes. Mr. Sires suggested packaging some of the items into a warrant article for next year since there is not much extra in the budget this year and there may even be a deficit this year. Ms. Umberger felt that some of the items, such as the field lighting and the trees, may be able to be taken care of this year, quickly with no expense. Mr. Weathers suggested getting an estimate from an electrician for a warrant article.

Mr. Webster next brought up the issue of the south end of the park being used as overflow parking at events, etc. as it can sometimes be a mess. Ms. Lyman suggested putting something about this in the permits. It was agreed that language should be looked at in the future for permits for the park regarding no parking in the park.

Mr. Hounsell next advised the Parks Commission that earlier in the meeting there were representatives of the Connie Davis Watson Park at the meeting. Mr. Hounsell questioned if the Parks Commissions would be interested in taking on this park as well. Mr. Haynes stated that it sounds as though they have some things they would like to finish but that maybe they would consider it after they are done with working on the park. It was agreed that this is something that could be discussed in the future after the Town has taken over the park.

APPOINTMENT OF FIRE WARDEN AND DEPUTY FIRE WARDENS

Mr. Sires presented forms from the State of New Hampshire for Fire Warden and Deputy Fire Warden appointments and reviewed proposed appointments approved by Chief Larry Wade as follows: Keith Noble, Patrick L. Preece, Robert T. Anderson, Wayne T. Anderson, Roland Smith, David Pandora, , Raymond E. Leavitt, Jr., Robert Garland, Edward Tibbetts, Matthew Bryant, Kenneth Kiesman, Al Sherman and Chad McCarthy. Also, up for reappointment was Larry Wade as Fire Warden. **Mr. Weathers moved, seconded by Mr. Webster to authorize signing the forms. The motion carried 5-0-0.** The Board signed the forms.

TOWN MANAGER REPORT

Budget Discussion – Mr. Sires distributed a copy of a budget schedule to the board and reviewed same. Ms. Umberger stated that she did not feel this was sufficient time to review the budget and we may have long nights doing budget review and, further, we should make sure we are all in agreement that the meetings may go until 8-8:30 p.m. otherwise she is not in favor of this schedule. Mr. Sires suggested

adding an extra meeting if necessary. Mr. Webster stated it would be his preference to maintain the schedule as presented and, if required, then add an extra meeting if necessary. Mr. Martin stated it would be his preference to have an extra meeting instead of late meetings. After further brief discussion it was agreed that if extra meetings are added that they be held solely for budget discussions.

Mr. Sires next distributed a budget summary to the Board and reviewed same. Mr. Sires reviewed that fuel costs have accelerated in recent weeks and he has concerns that the excess fuel costs will be a problem for our budget.

Mr. Sires next distributed a worksheet to the Board a reviewed same. The worksheet included shortfalls and areas where savings could be considered. Mr. Sires explained that some increases are reimbursed such as school diesel and we still need to keep an eye on our bottom line. Mr. Sires further advised that he and Ms. Philbrick will be reviewing all expenditures.

There was a discussion of the budget by the Board. Ms. Umberger stated that since there is an identifiable thing that is driving up costs that we request authorization from the DRA to overexpend the budget and request dollars from our fund balance to support same. The Board discussed making a request to the DRA and felt that many communities are facing the same problem. **Ms. Umberger moved, seconded by Mr. Webster, to apply to the DRA to overexpend the budget by \$72,000 and designate the source as the fund balance.** Mr. Webster stated that he would like to see everyone involved with this, not just this Board, he would also like to see the library and police in on this as well. Mr. Sires advised he would have discussions with both, but that their budgets are close as well. There was next brief discussion that if this motion passes that a request to overexpend would have to go to the Budget Committee and thereafter a letter would be written to the DRA for authorization. Ms. Umberger next discussed that if this motion passes she would like to see the stipulation that it could only be used for fuel as this is the reason we need the increase. After further brief discussion a vote was taken and the **motion carried 5-0-0.**

Mr. Hounsell moved, seconded by Mr. Webster, that any money used from fund balance be earmarked exclusively for fuel costs. The motion carried 5-0-0.

Mr. Sires and Ms. Umberger advised that they will take this matter up with the Budget Committee at the meeting scheduled for September 21, 2005.

Update on Cable Franchise Agreement – Mr. Sires reported that the PEG Channel Committee has held meetings and the major issue determined is the shared channel. The though also came out of this meeting that this could be addressed by coalition and this has been addressed with the attorney for coalition.

Mr. Hounsell questioned if the attorney fees are coming from the PEG fund. Mr. Sires advised that we are tracking time.

New Employees– Mr. Sires reported that Jim Rozzell is now the Town's Teen Center Coordinator. This left a position open and we have hired Rick Swain, who worked for the Town over the summer to fill Jim Rozzell's former position. We also had a truck driver leave earlier in the year and Rick Anderson took over that position who also worked for the Recreation Department over the summer.

Infrastructure Planning Committee – Mr. Sires reported that there had been discussion of cooperative maintenance of vehicles and we have begun doing some maintenance at our garage of NCWP vehicles; however, the payment of parts will not go through our budget.

County Logging Operation – Mr. Sires reported the Town received notice of a walking tour of the County's logging operation scheduled for September 24, 2005 at 9:00 a.m.

Stan's – Mr. Sires reported the Board had a meeting yesterday regarding resolution of an issue related to a pedestrian easement and petition by Stan's Automotive to use land. There was a issue of was it the State's or Stan's. The Board had no objection to the petition to resolve the ownership issue but that development of the walkway be subject to site plan review.

BOARD REPORTS AND COMMENTS

Conservation Commission – Mr. Weathers reported the Conservation Commission met on September 14, 2005 and went through a detailed budget review with members and the forester. The Conservation also has a request for a dredge and fill application on East Conway Road and it was a unanimous decision of the Committee not to support the application and a letter was sent to the NHDES regarding same.

Ad Hoc Committee – Ms. Umberger reported the School and Town Ad Hoc Committee will hold a meeting September 21, 2005 at 9:30 a.m.

Budget Committee – Ms. Umberger reported the Budget Committee will hold a meeting September 21, 2005 at 6:30 p.m.

Town Manager Review – Mr. Martin reviewed the held a couple of non-public meetings over the last of weeks and in which the Town Manger's review was conducted. The only major development was that the contract for the Town Manager was extended two years.

Next Meeting – Mr. Martin advised he would not be at the next Board meeting and that Ms. Umberger would Chair in his place.

PUBLIC COMMENT/MEDIA QUESTIONS

There were not public comments or media questions.

NON PUBLIC SESSION: RSA 91-A:3,II(c)/CONSIDERATION OF RELEASE OF GENERAL ASSISTANCE LIEN DISCHARGE

At 6:52 p.m., **Ms. Umberger moved, seconded by Mr. Webster, to go into non-public session. The motion carried by unanimous roll call vote.**

The Board returned to regular session at 6:55 p.m.

ADJOURN

At 6:55 p.m. **Mr. Webster moved, seconded by Mr. Hounsell, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell
Executive Secretary