

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

September 27, 2005

The Selectmen's Meeting convened at 4:03 p.m. in the meeting room of Conway Town Hall with the following present: Selectmen, Karen Umberger (Acting Chair), David Weathers, and Gary Webster; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

Selectman, Larry Martin, was not in attendance, and Selectman, Mark Hounsell, joined the meeting late at 4:45 p.m.

PLEDGE OF ALLEGIANCE

Chairman Umberger 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 9/29/05.

APPROVAL OF MINUTES

Mr. Webster moved, seconded by Mr. Weather to approve the minutes of 9/6/05 regular meeting as written. The motion carried 3-0-0.

Mr. Webster moved, seconded by Ms. Umberger, to approve the minutes of 9/6/05 non public session as written. The motion carried 2-0-1, with Mr. Weathers abstaining.

CONSIDERATION OF APPLICATION FOR DISCRETIONARY
PRESERVATION EASEMENT FILED BY WILLIAM S ROGERS
(MAP/LOT 297-2)

Applicant, William S. Rogers, Mrs. Rogers, and Tax Assessor, Thomas Holmes, were present for discussion.

Ms. Umberger reviewed that the Selectmen held a Public Hearing and reviewed information in regard to Mr. Rogers' application for discretionary preservation easement two weeks ago. Since that hearing Board members have also had the opportunity to individually view the barn on their own in person.

There was brief discussion. **Mr. Webster made a motion, seconded by Mr. Weathers, to appoint Tom Holmes as the representative to enter into discussions with the folks to see that an easement is granted.** Mr. Webster stated he would like to see Mr. Holmes come back with a recommendation first so as not to set a precedent. Mr. Weathers stated the he feel some cutting should be done so people can enjoy a view of the barn. Mr. Rogers advised work will start on the barn in the spring and

agrees its invisible now and hadn't really given that much thought to that before and there will be some clearing done in the process. As far as visibility, there will be a lot more than what you currently see now. **The motion carried 3-0-0.**

REQUEST FOR TOWN STAFF ASSISTANCE WITH INTER MUNICIPAL UTILITY CONNECTION PROPOSAL: CONWAY VILLAGE FIRE DISTRICT COMMISSIONERS

Joe Quirk, Commissioner of the Conway Village Fire District (CVFD) and Thom Steele, Superintendent of the (CVFD) were present for discussion.

Mr. Steele advised that the CVFD is in the early stages of doing a water improvement project which is the result of a master plan that was done a few years ago. The CVFD was built from the center out and the further out from the source the smaller the pipe gets. The problem they are facing now is that Conway Village has expanded over time and the commissioners recognize the need to make a move now. A study was done and the recommendation was made that they expand the hydraulic system they have now. The CVFD are requesting that this Board, the Town Manager and staff, i.e. the public works department for help in directing them in creating an RFP and/or RFQ.

Mr. Webster moved, seconded by Mr. Weathers, to allow Earl, Paul and staff to work with the Conway Village Fire District to as they move forward with their system design and acquisition of funding. Mr. Webster stated this is with knowing that they will understand that they will not always get what they want. Mr. Steele reassured that he understands this and assured the Board that it would be at Town Staff's convenience and that his staff would do the leg work. **The motion carried 3-0-0**

UPDATE ON CROSSWALKS AND STRIPING IN CONWAY VILLAGE

Joe Quirk, Conway Village Commissioner, Fred Gagnon, Pastor of the Conway Village Congregational Church, and Barbara Freeman, Dudley Hall and Brad Bemis, Trustees of the Conway Village Congregational Church, joined the meeting. Also present was Town Public Works Director, Paul DegliAngeli.

Mr. Sires reviewed meetings held recently wherein discussions were held regarding pedestrian safety in Conway Village. There were discussions about moving crossing crosswalks, encouraging the use of crosswalks, lighting, etc. Mr. Sires next reviewed that the Conway Village Congregational Church has activities almost every evening and has brought forward their concerns over safety and will be putting up signs.

Mr. Sires next reviewed relamping in Conway Village and that a letter has been written to PSNH and we are awaiting a response to same.

Mr. Sires advised that there is still an issue to be determined as to whether or not another crosswalk should be added or if one can be moved. At the last meeting it was left at we would see if Salyards would agree with moving the crosswalk. It is now known that Salyards is not in favor of moving the crosswalk. Now we need to determine if there should be another cross added.

Paster Gagnon advised that he spoke with the Trustees of the church and they have come up with a proposal they feel is practical. They propose adding a crosswalk at

Valley Jewelers as this would leave enough space in between and would not be much of a walk from the church. This would only be about 50' from the church and would be convenient to cross at that point.

Ms. Umberger asked Public Works Director Paul DegliAngeli if this would require curb cuts etc for handicap access. Mr. DegliAngeli advised he would have to look at the site to be certain but that it would probably need curbcuts. He would also needs to look at this location for turning lanes, etc.

After further discussion **Mr. Webster moved, seconded by Mr. Weathers, that we conditionally approve an additional crosswalk at the jewelers and the conditions would be that Paul DegliAngeli reviews the sites and has a discussion with the State and it meets the minimum parameters they are looking for.** Mr. Sires advised that Mr. DegliAngeli is hoping to stripe crosswalks this week and due to the weather we have a short period of time to do so. Further, we can not have a painted sidewalk hitting a curb by federal ADA laws so any modifications to the sidewalk would have to be undertaken and completed by the village prior to this work and so those would have to be contingencies as well. Mr. DegliAngeli advised if can't get it in this fall can do it in the spring. **Mr. Webster amended the motion, seconded by Mr. Weathers, that we conditionally approve an additional crosswalk at the jewelers and the conditions would be that Paul DegliAngeli reviews the sites and has a discussion with the State and it meets the minimum parameters they are looking for and to add the two further conditions expressed by Earl Sires regarding the curbing and striping. The motion carried 3-0-0.**

Joe Quirk and Pastor Gagnon thanked the Board for the work done on this matter.

DISCUSSION OF ROUNDABOUTS ON THE NORTH-SOUTH ROAD

Selectman, Mark Hounsell, joined the meeting at 4:45 p.m.

Public Works Director, Paul DegliAngeli, was present for discussion. Mr. DegliAngeli made introductions of the following parties present at the meeting: Peter Hedrick, Traffic engineer with Gorrill-Palmer who has been retained by KGI to study the traffic problem; Rob Barsamian and Roger Williams of Rock Development; Kevin Letch of KGI; and Maureen McGlone McGlone of HEB Engineers.

Mr. Sires first reviewed that many questions have been asked about why the town is allowing much development in this area of town at the southern end of the North-South Road. Mr. Sires explained that through the master plan process the Planning Board held public hearings etc., and the wishes of the community are reflected in the master plan. Further, the area planned for Home Depot was rezoned at the last town meeting to allow commercial development in this area. The community has made decisions that allow development and now the Board of Selectmen have to make decisions about traffic planning. Mr. Sires further reviewed that the Board has expressed that they wanted to maintain the North-South Road as per the voters wishes that this road stay as a parkway and have tasked staff to look at alternatives to stoplights in order to maintain traffic flow. Approximately one month ago the idea of roundabouts was presented and the Board agreed to hear further information on this idea. This matter is scheduled this evening to hear the result of the study.

Mr. DegliAngeli first reviewed aerial photographs of the areas where proposed development could take place along the North-South Road.

Mr. DegliAngeli next reviewed accesses to the North-South Road. Mr. DegliAngeli advised that KGI has agreed to give up access across from Walmart and just use this as an egress for trucks. Arliss Hill's property has been combined and she is aware that entrance would be a roundabout and has agreed to give land for a roundabout should this be what is decided upon. Mr. DegliAngeli next reviewed the Mullin property has access and he has also agreed to give land to construct a roundabout, should this be what is decided. Also, at the end of the street where the framer is located, currently dead ends and Ms. Hill has agreed that this would be an egress only for trucks.

Mr. DegliAngeli next reviewed a drawing of where two possible roundabouts could be placed along the North-South Road. Mr. DegliAngeli opined two roundabouts would work better, using one at Mountain Valley Mall Boulevard and one at Common Court, instead of just one located in between Mountain Valley Mall Boulevard and Norcross. Mr. DegliAngeli advised that the studies were done on peak traffic days.

Mr. DegliAngeli next explained the differences between roundabouts as opposed to circles and rotaries. Mr. DegliAngeli explained the diameter of a roundabout is smaller than circles and, also, the design of a roundabout is to have internal speeds of 15 mph whereas traffic circles have higher speeds. Mr. DegliAngeli further explained that it is easier to enter a roundabout for pedestrian and bicyclers as well as opposed to circles. Mr. DegliAngeli next explained that there would be landscaping in the center island of the roundabouts.

Peter Hedrick of KGI demonstrated a moving traffic model for the Board on an overhead projector and there was a short discussion as to the traffic patterns.

Ms. Umberger advised that discussion of roundabouts will be on the Board's agenda again in two weeks and there will be a public comment period. The Board agreed notice should be posted in the paper and the notice should indicate that the public should watch Valley Vision for this meeting to get a sense of what is going on. Mr. DegliAngeli suggested inviting Mr. Hedrick to this meeting as well and the Board agreed. The Board agreed it would be helpful to show the moving model of the rotaries to the public at the next meeting. The Board next advised that it was there hope that after they would render a decision after hearing public comments and discussing same at the next meeting.

TOWN MANAGER REPORT

GACIT Meeting – Mr. Sires reported on the GACIT meeting held by the state at Town Hall on 9/22/05 to review the 10-year transportation plan. Mr. Sires reviewed that many important items came out of this meeting. Mr. Sires and Mr. DegliAngeli next reviewed the list of items with the Board including construction on River Road in North Conway and bike lanes, also Conway Village construction including Washington Street, East Side Road, River Road and Main Street. **Mr. Weathers moved, seconded by Mr. Webster, to draft a letter with all items discussed. The motion carried 4-0-0.**

Loader Lease Proposal – Mr. Sires reviewed the Town lost a loader due to a fire. Mr. DegliAngeli advised the Town can't get by with just one loader. The loader we lost

was thirteen years old and we would have gotten a new one at fifteen years old and the town had started to save for a new one already and, further, we also received more from the insurance company for the old one than we expected. From a lease company we can get a three-year plan and we can pay off in the same year we would have if we purchased a new one by using the payoff for a down payment. **Mr. Webster moved, seconded by Mr. Weathers, that we agree to a three-year lease for the loader and include insurance money as the first payment. The motion carried 4-0-0.**

Budget Discussion – Mr. Sires reviewed that the last budget discussion held there was a projection of a possible \$72,000 deficit. The Board expressed concerns over deferring maintenance, etc, and there was discussion regarding approaching the Budget Committee and writing a letter to the DRA asking for overexpenditure authority. Mr. Sires advised that he and Karen Umberger presented this to the Budget Committee and their response was the same as this Board in that they were hesitant to defer maintenance items, etc. and they voted to send the letter to the DRA.

Ms. Umberger stated that she would like to make a recommendation that in such areas as town report, supplies, professional services, attorney fees, engineer, legal, and solid waste, which comes out to be about \$28,000, she would ask that we have some kind of motion that says this money be used for fuel overruns and that could be subtracted from \$72,000. **Mr. Webster moved, seconded by Mr. Weathers, that on the items addressed in the projected shortfall sheet that do not affect services, that those items be credited to the fuel shortfall.** There was a brief discussion. **The motion carried 3-1-0** with Mr. Hounsell voting in the negative.

Mr. Weathers left the meeting at 6:17 p.m.

Adelphia/Time Warner Franchise Agreement Transfer – Mr. Sires distributed a copy of a memo from Attorney Scully regarding the Adelphia/Time Warner Franchise Agreement Transfer to the Board and reviewed same. Mr. Sires advised that the memo advised that Time Warner won't agree on any written form of agreement to change the franchise agreement. Attorney Scully has suggested an agreement to the Franchise Agreement with contingencies. For our town this will be a resolution of the shared channel issue. Mr. Sires next advised that on October 9, 2005 the Board will be presented with this for approval. Mr. Sires next distributed a copy of a draft letter to Adelphia to the Board for review. The letter states basically that things are resolved with the exception of the shared channel issues. The letter also asks for a meeting with Adelphia representatives. The Board approved of this letter but suggested that a carbon copy be sent to Patrick Scully and, also, that a cover letter to Time Warner be sent with the carbon copy to Time Warner.

Meeting Schedule – Mr. Sires confirmed there would be no meeting of the Board on Tuesday, October 4, 2005. The Board agreed. The next meeting will be held on Tuesday, October 11, 2005.

BOARD REPORTS AND COMMENTS

Fryeburg Water – Mr. Hounsell reported he received a call from a citizen of Fryeburg regarding the water situation. Fryeburg will be holding a special town meeting to talk about the water situation as there are some issues that affect E. Conway residents.

Budget Committee – Ms. Umberger reported a Budget Committee meeting was held September 21, 2005 and some of what was discussed at the meeting was covered under the Town Manager's report earlier. Ms. Umberger further reported that Carl Nelson was unable to attend the Budget Committee meeting due to a Jackson School Board meeting scheduled for the same evening.

Town School Ad Hoc Committee – Ms. Umberger reported the Town School Ad Hoc Committee was formed to discuss communication and the sharing of information met on Wednesday, September 21, 2005. They have a draft policy for sharing information that Mr. Sires will be sending to Dr. Nelson for review. The next meeting of this Committee is scheduled for October 12.

Infrastructure Committee – Ms. Umberger reported the Infrastructure Committee met earlier today. Mr. DegliAngeli reported on several items discussed today. There was also discussion of Hillside Avenue which was originally scheduled for 2006 but this has been delayed as Conway Village is not done with the work they need to do at this point. There was also a discussion regarding interconnection with Conway Village and North Conway Village. The next meeting of the Committee is scheduled for October 25 at 11:00 a.m.

Building Steering Committee – Ms. Umberger reported the Building Steering Committee met last Thursday. The design team recommended Lee Kennedy to design building proposal for middle school and this recommendation went to the school board. Mr. Hounsell advised that this recommendation was accepted by the School Board by a vote of 6-1. Ms. Umberger advised the next meeting of the Building Steering Committee is scheduled for October 21st.

PUBLIC COMMENT/MEDIA QUESTIONS

There were no public comments or media questions.

NON-PUBLIC SESSION: RSA 91-A:3,II(c)/TAX MATTERS

At 6:45 p.m., **Mr. Hounsell moved, seconded by Mr. Webster, to go into non-public session pursuant to RSA 91-A:3,II(c) to discuss tax matters.** Ms. Umberger advised that Town Manager, Earl Sires, Tax Collector, Rhoda Quint, and Recording Secretary, Karen Hollowell, would be included in the non-public session along with several taxpayers. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 7:30 p.m. A motion to seal the minutes was made and carried in non-public session.

ADJOURN

At 7:31 p.m., **Mr. Hounsell moved, seconded by Mr. Webster, to adjourn the meeting. The motion carried 3-0-0.**

Respectfully submitted,

Karen J. Hollowell

Executive Secretary