

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

October 18, 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, Gary Webster, and Mark Hounsell; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

Selectman, David Weathers, was not in attendance at the meeting.

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 10/20/05.

APPROVAL OF MINUTES

Ms. Umberger offered the following amendment to the minutes of 9/13/05: On page 5 under the heading "School Construction" in the third line the sentence that reads "...if a bond many..." should be corrected to read "...if bond money...". **Ms. Umberger moved, seconded by Mr. Hounsell to approve the minutes of 9/13/05 as amended and minutes of 9/13/05 non-public as written and minutes of 9/19/05 as written. The motion carried unanimously.**

RICHARD LAKE / DRIVEWAY PERMIT

Richard Lake of Blueberry Lane, North Conway, joined the meeting along with Building Inspector, David Pandora and Public Works Director, Paul DegliAngeli.

Mr. Sires reviewed that Mr. Lake applied for and received a Building Permit for his property located at 479 Blueberry Lane in North Conway. Mr. Lake was subsequently informed that he needed a Driveway Permit which is a separate permit but had not applied for same. Mr. Lake thought this was included with the Building Permit but it is not and he is here to discuss this matter with the Board.

Mr. Lake first requested a non-public session with the Board to discuss "personalities". There was a brief discussion as to whether this matter should be discussed in non-public or public session. It was agreed by all to proceed in public session at this time.

Mr. Lake reviewed his Building Permit Application and Property Record Card with the Board. Mr. Lake advised that he discussed with Mr. Pandora that he needed to put in a handicapped entry to his home and was moving his driveway. Mr. Lake reviewed a copy of a sketch that he drew on his property record card of the work that would be done when submitting his building permit to the Town.

Mr. Pandora advised that Town Staff was not aware that the driveway was being relocated when issuing the building permit.

Mr. Lake next questioned what prompted the letter he sent regarding his driveway. Mr. DegliAngeli advised the Town had received a complaint from the abutter to his property and a check of the driveway permit log and revealed there was no permit issued.

Mr. Martin questioned if there would be any reason to deny a driveway permit to Mr. Lake. Mr. DegliAngeli advised there would be no reason to deny a permit but the Town may ask for certain work to be done. We need to make sure drainage, aprons, etc are done.

Mr. Lake next explained reasons why he needs to have the driveway paved before the winter.

There was next review and discussion with the Board regarding the policy of no fees for a driveway permit application; however there is a security deposit required to ensure that the work is done correctly. Mr. Lake advised the Board that at this time he would need the money required for the security deposit (\$500) to have the driveway paved in time for the winter.

**Mr. Hounsell moved, seconded by Mr. Webster, that in this instance, that no driveway permit be needed for the property in question.** There was a discussion by the Board. It was pointed out that an application should be on file in case any enforcement action might be required in the event the driveway is not installed properly. **Mr. Webster withdrew his second and Mr. Hounsell withdrew his motion.**

**Mr. Webster moved, seconded by Ms. Umberger, that upon proper completion of a driveway permit for 479 Blueberry Lane, that the town waive the surety deposit. The motion carried 3-1-0** with Mr. Martin opposed. Mr. Lake advised he would drop off a completed application in the morning

#### DISCUSSION OF HEALTH BENEFITS

Mr. Sires distributed a summary of a health benefits comparison to the Board and briefly reviewed same.

Ms. Umberger questioned if there will be a joint meeting to discuss benefits with the school. Mr. Sires advised there will be a meeting scheduled in the near future. Mr. Sires next advised the Town just received the rates for the Town and our increase is 7%. The school should receive their rates soon and then a meeting will be scheduled.

DISCUSSION OF THE DISCONTINUANCE OF CERTAIN  
TOWN EXPENDABLE TRUST FUNDS

There was a discussion regarding discontinuance of the following three expendable trust funds 1) LT Solid Waste Disposal; 2) Survey of St/Tax Maps; and 3) Traffic & Road Improvements.

Mr. Sires briefly reviewed the options the Board had with regard to the trust funds i.e. letting them remain, proposing a warrant article to change their purpose, or, asking to turn them back to the voters.

After brief discussion, **Ms. Umberger moved, seconded by Mr. Webster, that we put these three trust funds in the warrant this year to liquidate these funds. The motion carried 4-0-0.**

DISCUSSION OF FUND BALANCE

Mr. Sires reviewed Tax Rate Worksheet, Changes in Fund Balance by Year and Tax Rate Trends with the Board.

Mr. Hounsell stated he feels a \$1.2 million fund balance is excessive and that we need to do more to help our tax rate and he would be in support of a number that reduces the number we carry in our balance. **Mr. Hounsell moved, seconded by Mr. Webster to change the amount used to reduce taxes to \$900,000.** Ms. Umberger pointed out we have a school bond we had to borrow money in order to provide to the school to pay for and we had to use TANS. Further we need money for eight precincts plus the school and the timing is not always the same. Ms. Umberger advised she is not in favor of doing this. Mr. Webster advised he would be agreeable to more than \$500,000, but not to doubling the figure as you play with the tax rate too much. Mr. Martin understands Mr. Hounsell in that it is a tough year for everyone but also agrees with Mr. Webster when it comes to the reality of escrows, etc. There was further discussion and a vote was taken. **The motion failed by a vote of 2-2-0,** with Mr. Hounsell and Mr. Martin voting in the affirmative and Ms. Umberger and Mr. Webster voting in the negative.

**Mr. Webster moved, seconded by Ms. Umberger, that we apply \$600,000 to the fund balance. The motion carried 4-0-0.**

REVIEW OF DRAFT POLICY: COMMUNICATION BETWEEN  
THE CONWAY SCHOOL DISTRICT AND THE TOWN OF CONWAY

Ms. Umberger reviewed a draft policy came out of ad hoc committee for exchange of information in cases of situations that may arise that need communication to occur between the different entities in town. This draft policy still need to go to legal review and will also be going to the school board for review. Ms. Umberger also asked that this Board further review and bring back same to a future meeting to discuss. Ms. Umberger also expressed that she would like to have a meeting similar to the roundabout meeting to and have public comments on this policy sometime in the near future.

TOWN MANAGER REPORT

Adelphia/Time Warner Cable TV Meeting – Mr. Sires reported an Adelphia/Time Warner Cable TV meeting was held earlier today. There was discussion regarding commercial and business services they will be bringing to the area. There was also a discussion about the franchise agreement transfer.

MWVSTA – Mr. Sires reported there is a MWVSTA meeting scheduled for tomorrow, October 19, 2005. They are putting together a revised agreement for the Board to look at in the near future.

Fuel – Mr. Sires advised he had discussion with Dr. Nelson regarding the school budgeting direct for fuel. We will be shifting the way we do this henceforth. The Board agreed.

Budgets – Mr. Sires reported Budgets for 2006 are due from Department heads on October 21,2005 and he will be meeting with each department head to review same next week.

Infrastructure Meeting – Mr. Sires reported an Infrastructure meeting is scheduled for Tuesday, October 25, 2005.

BOARD REPORTS AND COMMENTS

Budget Committee – Ms. Umberger reported a Budget Committee meeting is scheduled for tonight at 6:30 p.m.

Bone Marrow Drive - Mr. Martin reported the Bone Marrow Drive for Jane Infinger was a success. Mr. Martin sent thanks out to all who turned out for the drive.

PUBLIC COMMENT/MEDIA QUESTIONS

There were no public comments or media questions.

NON-PUBLIC SESSION – RSA 91-A:3,II(c)  
REVIEW OF SEALED MINUTES FOR THE YEAR 2004

It was agreed that this agenda item would be carried to the next meeting.

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

**At 6:11 p.m., Mr. Hounsell moved, seconded by Ms. Umberger to go into non-public session under RSA 91-A:3,II(c) to discuss tax matters.** The non-public session would include Town Manager, Earl Sires, Tax Collector, Rhoda Quint, Recording Secretary, Karen Hallowell, and taxpayers. **The motion carried by unanimous roll call vote.**

The Board returned to regular session at 6:35 p.m. A vote to seal the minutes was made and carried in non-public session.

ADJOURN

At 6:36 p.m., **Mr. Hounsell moved, seconded by Mr. Webster to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary