

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

September 12, 2006

The Selectmen's Meeting convened at 4:08 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 approved documents contained in the signature folder.

APPROVAL OF BILLS

The Board reviewed and signed the manifest dated September 14, 2006.

APPROVAL OF MINUTES

The Board agreed to carry the approval of minutes to the next meeting.

PUBLIC HEARING TO ADVISE CITIZENS OF THE PROGRESS  
OF THE MWVEC TECH VILLAGE PROJECT

Kevin Scribner, Community Development Planner for the North Country Council and Jac Cuddy, Chair of the Mount Washington Valley Economic Council (MWVEC) joined the meeting.

Chairman Martin opened the public hearing at 4:10 p.m.

Ms. Umberger stated she has heard the job creation quota has not been reached with regard to the Tech Village project. Mr. Scribner advised this is correct that we are not up to standard for job creation; however, we are looking to file an extension for the job creation requirement. Ms. Umberger next questioned if we have not filled the job creation requirement in three years how do they feel they will be able to do so now. Mr. Cuddy explained three years ago there were start up businesses and now there are fifteen businesses located at the Tech Village and they are now starting to hire as they are no longer just startups. Startups do not tend to hire while they are establishing themselves. Ms. Umberger next questioned what happens in eighteen months if we do not meet the hiring requirements again. Mr. Cuddy and Mr. Scribner explained that a lot of CDBG grant applicants have to go for extensions for this requirement and it is not unusual and if this does occur, we could apply for another extension.

Mr. Sires advised there is an extension agreement to sign unless the Board has an objection at this time. There were no objections from the Board.

Mr. Martin asked for any public comments. There were no public comment and Chairman Martin closed the Public Hearing at 4:17 p.m.

PUBLIC HEARING PROPOSED CHANGES TO BUILDING PERMIT APPLICATION

Building Inspector, David Pandora, joined the meeting. Also present for discussion were Fire Chief Wade, Town Attorney, Peter Malia, Jim Hill and other members of the public.

Chairman Martin opened the public hearing regarding proposed changes to the Building Permit Application at 4:18 p.m. Mr. Martin read aloud the public notice which included the proposed changes. (A copy of the notice is attached hereto).

Mr. Pandora advised that a citizen indicated concern that the sentence starting with "Further" is restrictive in that it would require the property owner or contractor to purchase a copy of the code. There was a brief discussion.

Jim Hill distributed a proposed version of language to the Board he felt appropriate. (A copy of same is attached hereto). Jim Hill explained that he does not want to be put in a position of being responsible for a contractors work. There was review and discussion by the Board. There were some concerns regarding this proposed language.

With regard to the language proposed by the Town, Ms. Umberger next suggested changing "owner/contractor" in the first sentence to "owner or contractor". Mr. Hill advised that his is comfortable with this suggestion.

Chief Wade questioned if the Building Inspector can be called for a courtesy inspection to make sure everything is up to code and ask for a letter. Mr. Hounsell stated he felt it was a bad idea for the town to do courtesy inspections. Further, he felt it a good idea to have it in bold that the town does not do building inspections.

Attorney Malia next opined that the sentence beginning with "Further" could be removed. Also could change owner/contractor or owner or contractor. Attorney Malia further advised this is the second public hearing in this matter and is sufficient to change the form.

There were no further public comments and the public hearing was closed.

**Mr. Hounsell moved, seconded by Mr. Weathers, to change the Town of Conway Building Permit Application proposed language from owner/contractor to owner or contractor and that the sentence beginning with "Further" be stricken. The motion carried unanimously.**

The language on the Building Permit application will read as follows:

COMPLIANCE WITH INTERNATIONAL RESIDENTIAL CODE 2000

By signing this application the property owner or contractor acknowledges that they understand that state law (RSA 155-A:1, IV) requires residential structures to be remodeled or constructed in accordance with the International Residential Code 2000.

**Be advised that the Town of Conway does not conduct residential inspections.**

### REPORT ON ROUNDABOUTS

Mr. Sires reported the Board of Selectmen met with Town Attorney, Peter Malia, to discuss the matter of the northern roundabout. Mr. Sires reviewed that funding has been received to be used to construct the roundabout however, negotiations have stalled. Mr. Sires reported no progress has been made to date. Mr. Sires next reported the Board had reviewed potential actions they could take at this point at the meeting with the Town Attorney.

**Ms. Umberger moved, seconded by Mr. Hounsell, that staff take action to obtain appraisals of the land required from the Fairway Nominee Trust or as we know it the Mullins property to build the northern roundabout and the easement rights that Rock Development, LLC, has on the property currently owned by Mullins and that the money in the funds designated for the northern roundabout be used to pay for both appraisals as it is required for construction of the roundabout.** Attorney Malia explained appraisal needed for possible eminent domain action to be able to proceed with the project due the parties not being able to come to an agreement regarding the property/easement rights. **The motion carried 5-0-0.**

### REVIEW OF PLANNED CONSTRUCTION ON OLYMPIC LANE AT KENNETT HIGH SCHOOL

SAU9, Director of Administrative Services, Jim Hill, and Blair Banker of Lee Kennedy Company were present for discussion. Also in attendance was Public Works Director, Paul DegliAngeli. Further, there were several members of the general public in attendance for this discussion.

There was a discussion regarding Olympic Lane which runs along the south side of Kennett High School in Conway. Presently, there are three residences that are accessed from Olympia Lane. Jim Hill and Blair Banker gave an update to the Board on the proposed plans for the road. There was discussion regarding parking, a potential turnabout on the road, and other issues that impact the road. It was agreed that the plans are all conceptual at this point and require further review. It was agreed that further review would be conducted and a more definitive plan would be presented to the Board before any changes are made to the road.

### SPECIAL ORDER OF BUSINESS (FROM 8/22/06 AGENDA) – MOTION THAT THE FOURTH OF JULY PARADE BE HELD IN CONWAY VILLAGE ON JULY 4, 2007

Recreation Director, John Eastman, Police Chief, Ed Wagner, and Margie MacDonald of the Conway Chamber were present for discussion.

Mr. Sires advised he spoke with the Mount Washington Valley Chamber of Commerce (MWVCC) and the Conway Village Area Chamber of Commerce (CVACC) concerning the matter of the Fourth of July parade and Celebration. Mr. Sires further advised that Janice Crawford of the MWVCC suggested a meeting with the chambers and the town in October to further discuss this matter. Mr. Sires suggested voting on this matter after the meeting in October. There was brief discussion by the Board. **The second was withdrawn and Mr. Hounsell withdrew his motion.** Ms. MacDonald of

the CVACC indicated she was also agreeable to waiting until after the meeting in October to work things out.

CONSIDERATION OF UNANTICIPATED REVENUE IN AN  
AMOUNT LESS THAN \$5,000 / \$2,000 FROM NORTH CONWAY AMBULANCE  
(TABLED FROM 8/22/06 MEETING)

Police Chief, Edward Wagner, joined the meeting. Chief Wagner advised that after discussion by and with the Police Commission, the Commissioners voted not to accept the \$2,000 donation from North Conway Ambulance.

CONSIDERATION OF AMBULANCE RFP

Conway Village Fire District Fire Chief, Larry Wade, and Kenneth and Liz Kiesman of North Conway Ambulance were present.

Mr. Sires briefly reviewed RFP. Mr. Sires next advised proposals received and reviewed by the Board of Selectmen. Mr. Sires next advised the Ambulance committee met to review the information. Mr. Weathers next stated that the Committee's recommendation was to bring this back before the full board to see if the Board had any questions and to see if you want more any more information. Mr. Webster commented that the providers should come in explain to people their proposals.

There was a brief discussion with the providers and the providers agreed to come back before the Board to answer questions on September 19, 2006.

ESTABLISHMENT OF EMERGENCY  
MANAGEMENT DIRECTOR POSITION

Emergency Management Director candidate, Ed Duffy, was present for discussion.

Mr. Sires reviewed discussion was held earlier in the year with regard to the position of Emergency Management Director and the Board endorsed a job description and tasked him with advertising and interviewing for the position. Mr. Sires advised that four individuals responded to an advertisement for the position and that he, two Selectmen and representatives of the Fire Department interviewed the candidates and have settled on one individual, Mr. Ed Duffy. Mr. Sires further advised that other community representatives, i.e. the Health Officer, etc have also been in to meet and talk with Mr. Duffy. Mr. Sires next advised that there is room at the Recreation Center for an office for the Emergency Management Director. Mr. Sires next advised that the Board does still need to officially designate the position of Emergency Director when they are ready to appoint for this position be in today or, if they would like to wait this could be done another week.

There was next a brief discussion with Mr. Duffy as to his background, qualifications and visions for the position. **Ms. Umberger moved, seconded by Mr. Weathers, to appoint Edward F. Duffy to be our Emergency Management Director. The motion carried 5-0-0.**

There was next a discussion regarding the budget for the Emergency Management Director position. Mr. Sires briefly reviewed the budget plan for the

position as well as grants that have been applied for, etc. **Mr. Webster moved, seconded by Mr. Weathers, that we implement a proposed budget for the Emergency Management Director position as prepared by the Town Manager. The motion carried 5-0-0.**

Mr. Hounsell asked about the trailer from the State of New Hampshire. Mr. Sires advised the Emergency Management Director will be overseeing this and will be working with the Center Conway Fire Station.

#### REVIEW AND CONSIDERATION OF LGC LEGISLATIVE POLICY POSITIONS

Mr. Sires briefly reviewed a packet distributed to the Board regarding information on Legislative Policy positions. The Board agreed to review this information and discuss same at the next meeting.

With regard to designation of a representative for attendance at the policy conference on September 29, 2006, **Mr. Webster moved, seconded by Mr. Weathers, to appoint Earl Sires to be the representative and next week he we walk through the policies with the Board. The motion carried 5-0-0.**

#### TOWN MANAGER REPORT

North Country Council – Mr. Sires reported that North Country Council's annual meeting is scheduled for October 13, 2006.

Household Hazardous Waste Day – Mr. Sires reported that Household Hazardous Waste Day is schedule for Saturday, September 30, 2006 at the Transfer Station.

#### BOARD REPORTS AND COMMENTS

School Building Committee – Ms. Umberger reported a School Building Committee meeting is scheduled for next week.

Valley Outreach Meeting – Ms. Umberger reported she distributed an invitation to a Valley Outreach Dinner meeting to each Selectman. The meeting is scheduled for September 27, 2006.

Gas Prices – Mr. Webster commented on gas prices and noted that he has been on vacation and the gas prices in Maine have dropped to \$2.47 and he was curious as to why the price in New Hampshire is not dropping as well.

Olympic Lane – Mr. Hounsell commented that Olympic Lane is a town road and he is very concerned about this issue as he feels we may be dealing with this for years if we do not keep a close eye on this matter.

Conservation Commission – Mr. Weathers reported the Conservation Commission meets tomorrow evening, September 13, 2006 at the Whitaker Meeting House. They will be discussion a couple of wetlands applications. Mr. Weathers also advised that there was a meeting today with a landowner regarding mitigation land. The

meeting went well and the information will be brought to tomorrow's Conservation Commission meeting. The land discussed abuts other town lands.

Tuesday Construction Meetings – Ms. Umberger questioned if meetings are still being held on Tuesday's at 9:00 a.m. with the State, Contractor, Town Staff, etc., to talk about the construction in North Conway. Mr. Sires replied in the affirmative.

9/19/06 Board Meeting – Mr. Martin advised that the September 19, 2006 meeting will begin at 3:00 p.m. The first hour will be used to meet in non-public session to finish up the Town Manager's review.

Olympic Lane – Mr. Webster commented that he thought it was a good thing to take busses away from the railroad crossing area at Olympic Lane.

PUBLIC COMMENTS / MEDIA QUESTIONS

There were no public comments or media questions.

ADJOURN

At 6:40 p.m., **Mr. Weathers moved, seconded by Ms. Umberger, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary