

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

May 13, 2008

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), C. David Weathers Mark Hounsell, Howard C. Dickinson and Bob Drinkhall; 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.

CONSIDERATION OF BILLS

The Board reviewed and signed the manifest dated May 15, 2007.

APPROVAL OF MINUTES

Consideration of minutes was carried to the next agenda.

AGENDA REVISIONS

Chairman Martin noted that Item 16, Non Public Session/Update on Pending Litigation, would be removed from the agenda. The Board agreed.

PUBLIC HEARING: TO DESIGNATE A SPECIFIC PURPOSE FOR THE USE OF THE FOLLOWING UNANTICIPATED REVENUE: A)\$1,107.27 FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF CONWAY; AND B)\$2,322.46 FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF CONWAY; AND C)\$23,226.62 FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF CONWAY; AND D) \$356,297.30 FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF CONWAY

The public hearing was opened at 4:10 p.m. regarding acceptance of the following amounts from the State of New Hampshire: \$1107.27, \$2,322.46, \$23M226.62, and \$356,297.30.

Mr. Sires explained these amounts received are for takings for the proposed bypass. Mr. Sires reviewed the land locations and lot information for the land takings by the State.

There were no questions or comments from the public. The public hearing was closed at 4:15 p.m.

Mr. Dickinson moved, seconded by Mr. Weathers, to accept the four items from the State of New Hampshire. The motion carried 5-0-0.

Mr. Hounsell moved, seconded by Mr. Drinkhall, to use this money received as unanticipated revenue for the purpose of reducing taxes. Mr. Sires clarified the Town will be accepting as 2008 operating revenue. The Board agreed. **The motion carried unanimously.**

RALLY IN THE VALLEY PUBLIC EVENT PERMIT

Mary Seavey of the Mount Washington Valley Chamber of Commerce (MWVCC) and Dick Glines of the Harley Owners Group (HOG) joined the meeting to discuss the proposed Rally in the Valley Public Event Permit. There were also other members of the HOG present in the audience.

Mr. Sires advised the MWVCC and HOG are here today as they have questions regarding the event fee and also to talk with the Board about the event.

Mr. Glines first gave an explanation to the Board of how the HOG have been hosting guided rides, etc, over the past couple of years in the valley. Mr. Glines next discussed scholarship funds for students attending technical schools and how they raise money for this purpose. Mr. Glines stated that the HOG hopes that with Rally in the Valley they will be able to send one or two more kids in the next couple of years to a technical school on a scholarship.

Mr. Glines next explained they partnered with the MWVCC this year as marketing as beyond their expertise and so for this has been positive. The one thing they have made a mistake with is that they have only thought of this as a positive event and didn't realize they may need police, etc, as they were only thinking of the positive when planning the event. Mr. Glines stated they will try their best to keep this a positive event.

Mr. Glines next explained that in planning the event they did not plan on the police coverage money but they are willing to play by the rules and pay for same. They were also not planning on the town fee. They would still like to make money from the event for the scholarship and between both fees they don't feel like they will after paying both. Mr. Glines next reviewed they feel they would make approximately \$2500 total and the police fee is \$1400. **Mr. Hounsell moved, seconded by Mr. Dickinson, that upon receipt of all necessary information contained in the current permitting ordinance, that the Board of Selectmen grant the permit and waive the town application fee.** There was next brief review and discussion regarding the town fee for this event of \$750. There was next discussion regarding the statements on the MWVCC site regarding "no colors" etc., pertaining to the event. Ms. Seavey stated that putting this on the website was "totally innocent on her part" and she is the one that put it there. Mr. Glines stated he feels this type isn't interested in Conway and that we don't have what they are interested in. Mr. Drinkhall next questioned if we waive the fee, do we waive the security deposit as well and what about the fee for future years for this event. The Board agreed they would not be waiving the security deposit for the event. As far as future years, the Board agreed this event needs to be reviewed for future years

and likes the idea of sitting down after this event takes place and reviewing same for the future. **The motion carried 5-0-0.**

DISCUSSION REGARDING PROPOSED METHADONE CLINIC

Mr. Hounsell stated that it was his understanding that neither Mr. Potter nor his Attorney, Fay Melendy, were available to attend today's meeting and asked that this matter be rescheduled. **Mr. Hounsell moved, seconded by Mr. Drinkhall, that we agenda Methadone Clinic discussion for May 20, 2008. the motion carried unanimously.**

DISCUSSION ON USE OF TOWN PARKS

Recreation Director, John Eastman, joined the meeting.

Mr. Hounsell stated the Parks Commissions function is to advise this Board and that we should follow this and with that the Parks Commission should have a discussion on Schouler Park first. **Mr. Hounsell moved, seconded by Mr. Weathers, that we instruct the Parks Commission to hold a meeting as soon as possible to discuss the issues in Schouler Park.** Mr. Weathers questioned if the three member committee has ever been involved with Washington Street Park. Mr. Sires advised they have when we did some tree planting. Mr. Hounsell pointed out that no appointments have been made to the Parks Commission in recent years. Mark next pointed out that the Parks Commission should report back to the Board of Selectmen after their meeting with recommendations. Mr. Eastman asked what the issues specifically are for the Parks Commission to discuss. Mr. Hounsell stated the issues are ongoing and they (the Parks Commission) are aware of them. **Mr. Hounsell amended the motion, seconded by Mr. Weathers, that we instruct the Parks Commission to hold a meeting as soon as possible to discuss the issues in Schouler Park and to advise the Selectmen. The motion carried 5-0-0.**

RISK MANAGEMENT RECOMMENDATIONS FOR TOWN SWIM FACILITIES

Mr. Sires reviewed discussions held at the last meeting regarding this matter and that the Board had asked for clarification on some issues.

Mr. Eastman stated that Mr. Hounsell had questioned if we can send our lifeguard to Echo. Mr. Eastman advised that we can send a lifeguard to Echo. Mr. Eastman next stated that someone had asked if we can make the boat launch resident only use. Mr. Eastman advised that he checked into this with the State and Pequawket Pond and Conway Lake were given to the Town by the state and can be closed to town residents if we so chose. Mr. Eastman advised that he also asked if we could charge fees for use of the boat launch for non residents and was advised that we could do this as well. Mr. Eastman advised that the state further advised could consider taking if they receive complaints for cutting off access, although they have never done this before.

Mr. Eastman next advised that he has an ad in the paper for swim lessons. Based on the numbers from last year, to cover our cost we would have to increase the cost \$5 per person for residents and about \$20 for non residents. The cost is about \$30 for four weeks and the program is five days per week. There was next a discussion

about the locations of Echo Lake and Conway Lake for swim lessons with the Board. Mr. Eastman explained concerns regarding staffing advising they currently have one swim instructor returning and need to have at least three. Mr. Eastman advised that he hadn't advertised for swim lessons yet because he needs instructors. Mr. Eastman explained they need special training and they need to be certified. Mr. Hounsell questioned what will happen if you he only has one instructor. Mr. Eastman advised he will only be able to offer a limited swim class. There was further brief discussion. **Mr. Dickinson moved, seconded by Mr. Hounsell, to approve the fee structure for residents to \$30 and \$65 for non residents. The motion carried 5-0-0.**

Mr. Sires stated another issue is how to handle lifeguards. Mr. Sires reviewed several options for lifeguards with the Board. Mr. Eastman explained if the Town is having swim lessons at Echo then we will also need a lifeguard at Echo during swim lessons. There was discussion with the Board. Mr. Sires stated that operationally we will have a lifeguard for a shorter period of time at both locations and the Board agreed with this.

There was no action taken regarding the boat launch.

CONSIDERATION OF FRAUD POLICY

Mr. Dickinson moved, seconded by Mr. Drinkhall, to adopt the Fraud Policy. The motion carried 4-1-0 with Mr. Hounsell voting in the negative.

CONSIDERATION OF CREDIT CARD POLICY

Mr. Drinkhall moved, seconded by Mr. Weathers, to adopt the Credit Card Policy as written. The motion carried 5-0-0.

TOWN MANAGER REPORT

Emergency Management – Mr. Sires reported the Emergency Management Director has forwarded a letter to the Police Chief and others thanking them for their help during the flood waters in case there was a need to evacuate.

NH Charitable Foundation – Mr. Sires reported a letter was received from the NH Charitable Foundation asking for nominations for community awards.

Society for the Protection of NH Forests – Mr. Sires reported the SPNF is filing a Friend of the Court brief defending the forest plan before the court. This is for a couple of timber harvests and they are asking if the Town would like to donate toward the cost of filing the brief. There was no discussion or decision made by the Selectmen at this time.

UNH Road Scholars – Mr. Sires advised several Town Employees received UNH Road Scholar status. Mr. Martin read aloud names and criteria to receive status. Mr. Martin next advised the employees receiving the Road Scholar status were Dale Drew, Road Scholar 2; James Shackford, Road Scholar 2; Tim Shackford, Road Scholar 2; and, Jody McDonald, Road Scholar 2.

Hale Estate Owner Association – Mr. Sires advised the Town received a letter from the Hales Estates Homeowners Association stating that they are disappointed the Board did not support their warrant article and they would like to meet with board regarding same.

NHDES – Mr. Sires reported the NHDES needs help in identifying three people to serve on a committee regarding the Saco River.

Intervale Scenic Vista – Mr. Sires advised that he and Mr. Martin attending the dedication ceremony for the 3-D map at the Intervale Scenic Vista held last week. The map looks wonderful. Mr. Martin commented the map is worth going to see.

Response Force One – Mr. Sires reported he attended a meeting last week with regard to Response Force One. A local businessperson is making this program available to the community and there will be a story regarding this in the newspaper in the near future.

BOARD REPORTS AND COMMENTS

Conservation Commission – Mr. Weathers reported the Conservation Commission will hold a meeting tomorrow night.

Planning Board – Mr. Drinkhall reported Pittsfield Aqueduct ran into a problem. An abutter is unhappy and they have been told to come back in June with a plan to help solve adverse affects.

Red Jacket – Mr. Drinkhall questioned if Mr. Pandora has spoken with the Red Jacket about the fees. Mr. Sires advised he will speak with him and advise.

Summer Schedule – Mr. Martin suggested starting a summer schedule with the Board after Labor Day. The Board agreed. Dated suggested to hold meetings were as follows: June 10 & 24, July 8 & 22, etc. Mr. Martin requested staff draft a summer schedule and provide same at the next meeting.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Casey Conley from the Conway Daily Sun questioned if there was an estimate for savings on taxes due the unanticipated revenue received and discussed earlier in the meeting. Mr. Sires advised he could provide this information and a rate tomorrow.

Mr. Conley questioned that with regard to the Response Force One equipment donated to the town – is there any protocol how we will be responsible for the equipment. Mr. Sires advised that this equipment and training has been offered to the Town and MOU will be prepared for the Board's consideration.

At 5:35 p.m. Selectman Weathers left the meeting.

Dorothy Seybold stated she would like to discuss permitting for special events. Ms. Seybold stated she feels it would be beneficial to people in the community to be involved in a discussion with the Board of Selectmen as she feels the process is cumbersome and difficult. Mr. Martin advised that this matter could be placed on a

agenda in the next couple of weeks for discussion. Mr. Hounsell suggested May 27, 2008. Ms. Seybold and the Board agreed to this date.

The Board next asked if Ms. Seybold would like to be part of the Schouler Park Commission. Ms. Seybold stated she felt it would be a conflict for her to be part of the Parks Commission.

ADJOURN

At 5:46 p.m., Mr. Dickinson moved, seconded by Mr. Drinkhall, to adjourn the meeting. The motion carried 4-0-0.

Respectfully submitted,

Karen J. Hollowell
Executive Secretary