

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

July 22, 2008

The Selectmen's Meeting convened at 3:06 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), C. David Weathers Howard C. Dickinson and Bob Drinkhall; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell.

Selectman, Mark Hounsell, joined the meeting at 3:12 p.m. during the non public session.

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 July 24, 2008.

APPROVAL OF MINUTES

The Board agreed to hold consideration of the minutes of 6/10/08 until the next meeting.

NON PUBLIC SESSION: RSA 91-A:3,II(c) /General Assistance Matter

At 3:09 p.m. **Mr. Weathers moved, seconded by Mr. Drinkhall, to go into non public session under NH RSA 91-A:3,II (c).** The non public session included, Town Attorney, Peter Malia, General Assistance Officer, Billie Jo Parker, NHLA Attorney, Bob Brazil, Mr. Brazil's clients, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

At 3:42 p.m. the Board returned to public session.

Mr. Weathers moved, seconded by Mr. Hounsell to seal the minutes of this non public session. The motion carried unanimously.

NON PUBLIC SESSION: RSA 91-A:3,II(a) /Town Manager Evaluation

At 3:43 p.m., **Mr. Weathers moved, seconded by Mr. Hounsell, to go into non public session under NH RSA 91-A:3,II(a) to conduct the Town Manager's evaluation. The motion carried by unanimous roll call vote.**

The regular meeting reconvened at 4:18 p.m.

CONWAY PUBLIC LIBRARY – THE SMARTEST CARD CHALLENGE

Librarian, Margaret Marschner, joined the meeting. Ms. Marschner distributed information to the Board regarding "The Smartest Card Challenge" and reported on same. Ms. Marschner advised that the Findlay Foundation is offering \$25,000 to a library, historical society or museum having the highest number of increased membership. They started this challenge November 1, 2007 and it will conclude on October 31, 2008. The Conway Library is doing a big push in September and will be doing something at the school as well. Ms. Marschner encouraged everyone to come in and sign up for a free library card. Ms. Marschner next discussed all of the services available at the Conway Public Library.

CANDIDATE FOR NH SENATE BUD MARTIN

Mr. Hounsell introduced candidate for Senate and retired Judge Bud Martin and gave a brief biography.

Bud Martin spoke about his service and had a brief discussion with the Board.

CANDIDATE FOR STATE REPRESENTATIVE SUE WERNETTE

Mr. Dickinson introduced candidate for State Representative Sue Wernette and gave a brief biography.

Sue Wernette spoke about her credentials and budget experience and held a brief discussion with the Board.

REPORT OF CAREER AND TECH CENTER ON PEG GRANT

Neal Moylan joined the meeting. Mr. Moylan briefly reviewed the grant request previously submitted to the Board. Mr. Moylan next reviewed information provided for the Board's agenda packet for a program and grant request. Mr. Moylan explained he is again asking for funds from the PEG Expendable Trust (\$30,000) to be used in 2008-2009 to expand programming. Mr. Moylan gave a brief explanation of how the funds would be used.

Mr. Hounsell pointed out that the PEG fund balance is getting low as we have set aside funds for other needs. Mr. Hounsell questioned if a grant of \$15,000 would get Mr. Moylan's program through the first half the year and in December request additional funds. Mr. Moylan stated "absolutely" as it would give us a semester's worth of work and then they could come back and report on the work and request a second half proposal.

Mr. Dickinson suggested a civics forum be formed for airing. Mr. Sires stated he can provide the Board of Selectmen with a report on the PEG Fund. Mr. Hounsell felt we need to give the community an opportunity to speak on issues like this.

The Board thanked Mr. Moylan for coming in to the meeting. It was agreed that Mr. Sires would report on the PEG fund and this matter would be placed on the August 5, 2008 agenda for further discussion.

CONWAY VILLAGE FIRE DISTRICT GRANT APPLICATION

Conway Village Fire District (CVFD) Commissioners, Carl Thibodeau, Janine Bean, and Joe Quirk, were present for discussion.

Commissioner Thibodeau advised the CVFD Commissioners are here to request the Board of Selectmen sign the grant for submittal to the CDBG.

Mr. Hounsell moved, seconded by Mr. Drinkhall, that the Board of Selectmen sign the grant so they can submit it and authorize the chair to sign and execute applicable documents. Mr. Sires advised that staff has reviewed from and from an engineering standpoint and also the audit all seems to be in order for submission. **The motion carried 5-0-0.**

RECOMMENDATIONS ON BUILDING INSPECTIONS

Building Inspector, David Pandora, and Public Works Director/Town Engineer, Paul DegliAngeli, and Tax Assessor, Tom Holmes, joined the meeting.

Mr. Sires prepared a memo to the Board with recommendations on Building Inspections and reviewed same.

Item 1 – Mr. Sires reviewed the Town of Conway has not in the past required residential building inspections. Mr. Sires reviewed reasons why the Town may want to consider start requiring residential building inspections for reasons such as building too close to setbacks, building on wrong lots, etc. Mr. Sires next reviewed there would be a requirement for scaled plans.

Mr. Sires next reviewed proposed changes regarding driveway permits. There was a discussion regarding the proposed surety fee of \$2,000. The Board agreed to proceed with rewriting the driveway permit.

Mr. Sires next reviewed Permits and Enforcement. Mr. Sires explained liability for trespassing and the need for language to cover same.

Mr. Drinkhall discussed the fact that at times the value for a property or project is higher than for what the permit is taken out at. Mr. Pandora explained that the Town bases permits on the cost of construction and not square footage.

Mr. Hounsell stated he does not support having a homeowner having to produce contractor quotes as he feels they are private. He feels this may be intrusive on the residential side of building.

Mr. Sires next discussed past practice for someone who has not gotten a building permit, is to just ask them to get one. The Town is now proposing that a fine be imposed; however, some staff is not in agreement with this proposal. Mr. Martin stated this is a gray area as some people may not know you need a building permit to change your siding, etc. Mr. Hounsell questioned if there could be a two step process, a call first then another step such as a fine, etc. Mr. Sires advised the concern is from the assessing side on this issue. Mr. Holmes explained this is a problem that keeps

happening and there is no incentive to get a permit. Mr. Holmes suggested that if everyone is noticed from the beginning regarding permits then they could be fined if they don't comply. Mr. DegliAngeli further explained that there is no benefit to the person taking the permit and they are taking a gamble – if the Town never finds you, you never pay taxes on the improvements and when the Town does find you, you only pay from when they do find you. There is no downside to not taking out a permit. Mr. Drinkhall advised there will always be people who don't comply. Mr. Drinkhall advised he would support a fine. There was further brief discussion. Mr. Sires suggested that staff and the Board ponder this matter more and he is hearing that possibly a two step notice may work and they could work on this more. Mr. Sires advised they would bring this back to the Board.

Mr. Martin next opened the matter for public comments.

Maureen Seavey asked the Board for enforcement regarding the situation she was having. Mr. Hounsell questioned if Ms. Seavey has asked for a non public session with the Board. Mr. Sires reviewed that the Town has been working with Ms. Seavey concerning her situation and she has been advised that she could speak with the Board whenever she would like. Mr. Martin advised Ms. Seavey to contact Karen Hallowell at the Town office to schedule a non public session to talk with the Board freely about this matter. The Board also suggested that Ms. Seavey contact Mr. Sires and continuing working with the Town on this matter.

There were no further public comments

DISCUSSION REGARDING GROVE STREET

Lt. Chris Perley of the Conway Police Department joined the meeting.

Mr. Sires reviewed this matter was put on the agenda as there has been stories in the paper and Tom Buco also brought the matter before the Board a few weeks ago.

Ed Schneck advised that he is a resident of Pinewood Apartments on Grove Street. Mr. Schneck uses the crosswalk on Grove at least two times per day. Mr. Schneck stated he would like to open the eyes of the Public Works Director and the Board of Selectmen as he has seen many instances at Grove where the crosswalks are totally ignored. Mr. Schneck suggested brighter colored signs as he has seen in Wolfeboro as he thinks they are more obvious for crosswalks and would be more effective.

Lt. Perley stated he did a traffic crash analysis as tasked by Chief Wagner. (Copy attached). Lt. Perley distributed the analysis and reviewed same with the Board.

Mr. Sires pointed out that on the report there were two pedestrian accidents reported at Grove; one was a person two was intoxicated and fell off the curb. Lt. Perley confirmed this person was not hit but was reported as a pedestrian accident.

Lt. Perley next discussed the increases in pedestrian traffic, aging population, the price of gas, improvements to the village, etc.

Mr. Sires pointed out that Grove and Seavey Streets seem to be equal in the report.

Mr. DegliAngeli reviewed that previous Boards of Selectmen did away with signs in crosswalks. Mr. DegliAngeli next advised that the State of NH has denied the request for a crosswalk at the Conway Recreation Center.

At 5:25 p.m. Mr. Dickinson stepped away from discussion.

There was further brief discussion. **Mr. Weathers moved, seconded by Mr. Hounsell, that we try, on an experimental basis, signs at Seavey and Grove in the crosswalks.** There was further discussion on the type of sign to be used and on crosswalks. It was agreed by the Board that signs on sign posts at Seavey and Grove would be used. **The motion carried 4-0-0.**

Mr. Dickinson rejoined the meeting.

DISCUSSION OF ARTICLE ON BALLOT FOR METHADONE CLINICS FOR PRIMARY ELECTION

Mr. Dickinson proposed the idea of a ballot article regarding the methadone clinics for the primary election and discussed same with the Board. **Mr. Hounsell moved, seconded by Mr. Weathers, that the Board of Selectmen authorizes the printing of a sufficient number of ballots for the September 2008 primary that has the following words: Do you support the locating of a methadone clinic in the Town of Conway? Yes or No.** Mr. Hounsell stated that at the top of the ballot it would state this is a non binding referendum. **The motion failed 2-3-0 with Messrs. Dickinson and Hounsell voting in the affirmative and Messrs. Drinkhall, Weathers and Martin voting in the negative.**

CONSIDERATION OF LEGISLATIVE POLICY POSITIONS

Mr. Dickinson reviewed a memo he prepared regarding the NHMA legislative policy positions and his additional proposed amendments with the Board. Mr. Dickinson advised the policy positions need to be to the Local Government Center by August 6. **Mr. Drinkhall moved, seconded by Mr. Hounsell, that we accept the four floor proposals as written. The motion carried 5-0-0.**

The Board agreed to vote on the NHMA positions at the Board meeting scheduled for August 5, 2008.

TOWN MANAGER REPORT

Valley Vision – Mr. Sires reviewed that a few meetings missed were missed for taping by Valley Vision. Mr. Sires reported Valley Vision advised there was a scheduling glitch and have worked this out.

Joint Town & School Committee - Mr. Sires reported the Joint Town & School Committee met and discussed insurance for public employees and also discussed fuel costs.

Heating Oil and Propane Planning – Mr. Sires reported a meeting is scheduled tomorrow for Heating Oil and Propane Planning (HOPP).

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Drinkhall reported the MWVEC was recently before the Planning Board with an application for review.

ACID Committee – Mr. Dickinson suggested that the Board convene a meeting of the ACID Committee. There is concern over the MWVEC subdivision relating to water and sewer that need to be resolved. Mr. Hounsell stated he feels this may be due to a lack of communication and this leads to a lack of understanding. Mr. Hounsell explained the CVFD's grant application is tied to extending the water and sewer; however the MWVEC, on their submission of plans has plans for wells. Mr. Dickinson suggested to the Board to convene a meeting of all parties involved. The Board agreed to wait on this matter at this time to take this matter under consideration.

Conservation Commission – Mr. Weathers reported the Conservation Commission meets next month, in August, at the Whitaker Meeting House. To date, the Town has not received any applications for wetlands permits.

PUBLIC COMMENTS / MEDIA QUESTIONS

Casey Conley of the Conway Daily Sun questioned how much the pedestrian signs cost. Mr. Sires advised he will check with the Public Works Director and advise.

ADJOURN

At 7:06 p.m. **Mr. Weathers moved, seconded by Mr. Hounsell, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell
Executive Secretary