

Minutes of Meeting
CONWAY BOARD OF SELECTMEN

March 10, 2009

The Selectmen's Meeting convened at 4:05 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 March 12, 2009.

APPROVAL OF MINUTES

Mr. Drinkhall moved, seconded by Mr. Martin, to approve the minutes of 1/3/09 as written. The motion carried 5-0-0.

Consideration of the minutes of 1/27/09 was carried to the next meeting.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION

There were no Special Event Applications to consider.

REVIEW AND CONSIDERATION OF BIKE PATH LETTER OF SUPPORT

Rob Adair was present for discussion. Mr. Sires reviewed discussion held previously on this matter with the Board and presented a proposed letter of support for the Board's consideration. **Mr. Dickinson moved, seconded by Mr. Weathers to accept and forward the letter. The motion carried 5-0-0.** Mr. Martin suggested the letter be signed out of session and the Board agreed.

DISCUSSION OF 2009 OPERATING BUDGET

Mr. Sires distributed a tax rate exercise sheet to the Board and reviewed same (copy attached). Mr. Sires further explained this is what the tax rate would be if all of the assumptions work out. Mr. Sires next reviewed town finances with the Board. There was also brief discussion regarding the salt shed.

Mr. Dickinson stated that with regard to the subject of revenue sharing, there is a deafening silence on this and he will find out why when he goes to Concord tomorrow. Mr. Dickinson next asked about sources of revenue and Mr. Sires reviewed same.

Mr. Sires pointed out the volatile situation with the State and the world and this is the best we can do at this time with assumptions (tax rate). We won't know many things until June. Mr. Sires further advised that if the town is going to do some projects we planned for this summer however, we need to get out of the gate on some and start planning.

Mr. Martin questioned what is the rooms and meals number if they take it away. There was a discussion of the \$400,000 plus received by the town in the past.

Mr. Hounsell stated that in the past we have had such tight budgets. We don't build a lot of cushion into the budget. If we have projects that we have determined we need to go forward with then we should move forward or we could just sit back and say woe is me like everyone else.

Mr. Drinkhall stated when he thought we were going to lose \$516,000 we starting looking into how we would lower the budget. Mr. Drinkhall stated maybe the only thing to do is go to court to lower the budget. Mr. Drinkhall stated this has been done to raise the budget or we can get ask voters to agree to a special town meeting. Mr. Drinkhall stated we are gong to have money one way or another because we are raising and appropriating it at this time.

Mr. Dickinson stated we have no idea about the rooms and meals tax but he will be sure to bring this up tomorrow. Mr. Dickinson stated we wont have to have a special meeting and we don't need to go to court to have a special meeting if getting stimulus money. He does not think we need to do this at this juncture.

Mr. Hounsell stated if we take a positive approach and accept this assumption then we can move forward with projects. Mr. Hounsell stated he has no problem with what has been presented. Mr. Martin stated we should take this and use it as a guideline and then if we do not get the rooms and meals tax we can go back and discuss this again. Mr. Hounsell agreed.

Mr. Sires stated that, to the degree that we are short of revenue, even if we reduce expenditures, the cutting of expenditures this year would leave more to add to the fund balance for future years. If the money doesn't come through the tax rate goes up. Mr. Martin questioned if the numbers have been projected if we do not get the money. Mr. Sires advised \$.28. Mr. Hounsell stated he feels this isn't go to happen as they are not keeping it all now. The Board next reviewed worst case scenario figures for taxes on a home worth \$200,000. Mr. Sires advised this home would see a \$.35 change if there is a \$500,000 revenue shortfall. The Board next review and discussed fund balance figures. Mr. Dickinson discussed the uncertainty of the government at this time. Mr. Drinkhall stated that we are going to raise the money anyway and there is no reason not to move forward. Mr. Hounsell stated we can only act on information we have now. **Mr. Hounsell moved, seconded by Mr. Drinkhall, that the 2009 tax rate exercise, also called the tax rate worksheet, that was presented March 10, 2009 by the Town Manager be adopted as the course of action for the town. The motion carried 3-2-0 with Messrs. Drinkhall, Hounsell and Martin voting in the affirmative**

and Messrs. Dickinson and Weathers in the negative. Mr. Sires clarified that this means move forward with projects. Mr. Martin replied in the affirmative. Mr. Weathers asked for a review of the projects.

Public Works Director, Paul DegliAngeli, stated infrastructure capital reserve has already been cut. What is left he feels strongly needs to be done.

Mr. DegliAngeli reviewed work to be done on Kearsarge Street, from Route 16 to the North-South Road. Mr. DegliAngeli reviewed this work was planned in coordination with work of the North Conway Water Precinct. **Mr. Hounsell moved, seconded by Mr. Weathers, that we approve the Kearsarge Street to North-South Road project as scheduled.** Mr. Dickinson stated he thinks the Board should wait to hear total figures for all work before making motions. Mr. Hounsell stated the work needs to be done this year as scheduled. **Mr. Dickinson moved, seconded by Mr. Drinkhall, to table the motion until we get all figures. The motion to table carried 3-2 with Messrs. Drinkhall, Dickinson and Weathers voting in the affirmative and Messrs, Hounsell and Martin voting in the negative.**

Mr. Martin pointed out that we had just previously had an affirmative vote and he didn't feel we needed to approve project now. Mr. Dickinson stated he would still like an itemization of each. There was further brief discussion and **Mr. Dickinson moved to bring the motion (that we approve the Kearsarge Street to North-South Road project as scheduled) off the table. The motion to take this off the table carried 4-1-0 with Mr. Hounsell voting in the negative.** Mr. Hounsell next stated that if we want to give assurance to staff for position we just took, this will give direction. This motion will give direction. Mr. Weathers reiterated all he was looking for was a review. **Mr. Weathers withdrew his second and Mr. Hounsell withdrew his motion.**

Mr. Martin next requested that Mr. DegliAngeli review projects and their urgency. Mr. DegliAngeli advised that by the fourth of July they will be running the Kearsarge Road project simultaneously with the Precinct. Mr. DeligiAngeli next reviewed work at Intervale Crossroad. There is a commitment to do overlay on the work done by the precincts last year at a cost of approximately \$135,000. There was lot of water and sewer work last year and now the overlays need to be done. **Mr. Hounsell moved, seconded by Mr. Weathers, that we reinforce our commitment to Kearsarge Street, Intervale Crossroad and the overlay work for the 2009 season. The motion carried 5-0-0.**

Mr. Hounsell moved, seconded by Mr. Dickinson, that it be the policy of the Board of Selectmen that the Teen Center be open four (4) days a week commencing April 15, 2009. Mr. Drinkhall asked how this will be funded. Mr. Sires advised the Board of Selectmen set policy and the town manager manages the funds. There was a brief discussion on the \$40,000 voted on the Deliberative Session of Town Meeting. Ms. Stacey questioned why wait until April 15. Mr. Hounsell explained because there is a process and voting day is April 14. Further, this also takes time to reorganize, etc. Ms. Stacey stated if the budget goes through the Teen Center should be funded and if the default budget goes through the teen center was funded. Mr. Hounsell stated there is the idea that the money is tied to the Deliberative Session Town Meeting. The town can move money from one place to another and it doesn't mean that the Teen Center does or doesn't need the \$40,000. Mr. Hounsell further pointed out that ¼ of the year will have passed and we will only need ¾ to fund the program. Tom

Deans stated he is comfortable with this and will take the time to reorganize and he would be supportive of the motion to go to the four days. He agrees and respects that the Board of Selectmen have the power to modify and use the budget but there are also the opinions of the voters and he trusts that the Board will act on same. Mr. Drinkhall stated that he has a severe problem with this -- people have contacted him about this and this money should not be spent in this fashion. He agrees people need to show up at the Deliberative Session of Town meeting, but only special interests show up. Mr. Drinkhall stated he thought a slightly different motion would and should have been made. Mr. Drinkhall stated he has a problem that \$40,000 would be spent on this. Mr. Hounsell stated the Board does not have to spend the \$40,000 on this. Mr. Drinkhall stated he feels this leaves it too open for the \$40,000.

Ms. Stacey next questioned if the Board is going to continue to look at ways to fund the Teen Center through fees, summer program increases, etc. Mr. Martin stated with the economic state we are going through he feels this Board is going to look at these things again in the future. The Board agreed.

Cindy White stated she thought the motion made by Ms. Stacy at the Deliberative Session was clear as to what the money was targeted for. All the people at the meeting took the vote thinking this is what it was for also. Mr. Hounsell questioned if we are able to do the same for \$15,000 is that okay. Ms. White replied in the affirmative and stated maybe she misinterpreted what was said. There was further brief discussion. **The motion carried 4-1-0** with Mr. Drinkhall voting in the negative.

Mr. Sires next distributed information to the Board recognizing Finance Director, Lucy Philbrick. Ms. Philbrick completed the LGC Leadership Institute's second year program and had put a lot of time and effort into this program. Ms. Philbrick reviewed the programs she competed with the Board, including Employment law and Leadership, Resolving Conflict and others. Ms. Philbrick advised she has learned a lot with this program and it was very interesting.

DISCUSSION OF SIDEWALK PLOWING IN NORTH CONWAY

Mr. Drinkhall advised he was around town and overheard people talking about the poor shape of the sidewalks regarding snow removal. Mr. Drinkhall asked if we had the new bill for snow removal. Mr. Drinkhall stated the town spends a considerable amount of money on this and sometimes people are walking in the street. Further, sometimes snow is moved up to eight times from street to sidewalk, and vice versa. Mr. Drinkhall stated he feels we should be using a snowblower. This is done in other communities and it works. Mr. Drinkhall stated he realizes nothing can be done this year but we can do something for next year. Ms. Philbrick advised the bill for the snow removal was \$1840. Mr. Weathers stated that Conway Village has a blower which has good direction and is handy no question and also fairly maintenance free but it came with quite a price tag. The blower could be \$35,000 or more. Mr. Drinkhall reiterated that we are still are going through all of the moving of snow back and forth so many times. Mr. Weathers pointed out that during the storm and/or after the storm, depending on when the plows come through, they still have to treat the sidewalks afterward. You cant get way from multiple times of treating the sidewalk. There was further discussion regarding snow removal. Mr. DegliAngeli advised that snow removed from the sidewalks is contracted out. Mr. DegliAngeli explained how the snow is removed in North Conway. Mr. DegliAngeli advised a snow blower will not help in that area of the town. There was

further discussion by the Board on the methods of removal and how many times snow is removed. Mr. Drinkhall next suggested that in certain areas we could consider plowing the west side of the road and leaving the east side and just pick up what is in the street. Mr. Weathers questioned what about the merchants on that side of the road. The Board next agreed to ask Mr. DegliAngeli to get the price of equipment and to look at different scenarios for snow removal in this area for next year. Mr. DegliAngeli advised a change can be made to one area for next year. Mr. Weathers questioned if he could come up with an accurate estimate for snow removal season. Mr. DegliAngeli advised it was \$5,000 last year. The Board next agreed they will think more on this and get back to Mr. DegliAngeli for more information.

NHMA MEMBERSHIP MEETING / POSITIONS ON
PROPOSED REVENUE RAISING MEASURES

Mr. Dickinson advised he will be attending the NHMA Membership Meeting tomorrow and he would like to go over positions on proposed revenue raising measures that will be discussed at that meeting tonight with the Board.

The Board reviewed the page from the NHMA entitled Various Options for State Budget Revenue Items and took the following positions (the positions of the Board appear in parentheses):

Meals and Rooms Tax

To see if NHMA will **support** an increase in the Meals and Rooms Tax as long as the entire tax is shared with municipalities in the same way as it is under existing statute **(No)**

To see if NHMA will support a Local Option Meals and Rooms Tax **(No)**

Communications Services Tax

To see if NHMA will **support** an increase in the Communications Services Tax of 1% **(No)**

Legacy and Successions Tax

To see if NHMA will **support** taking no position on the re-establishment of this tax **(Yes)**

Retirement Positions

To see if NHMA will continue to **oppose** any increases to Municipal Employer Costs **(Yes)**

To see if NHMA will continue to **oppose** any increases to the 65% Municipal Employer share for police and fire employees **(Yes)**

To see if NHMA will **support** deferring the state's obligation to pay the 35% share of the employer contribution for police and fire employees in lieu of reducing state's 35% share (thus, adding to the State's unfunded accrued liability) **(The board asked Mr. Dickinson to find out more information on this and vote accordingly).**

Gambling

To see if NHMA will **support** taking no position on gambling **(No)**

Regionalization

To see if NHMA will **support** an internal study of the development of mechanisms for shared and cooperative services **(No)**

Motor Vehicle Registration Permit Fees

To see if NHMA will **support** increasing the maximum motor vehicle registration permit fee from 18 mills to 20 mills. **(No)**

State Revenues

To see if NHMA will continue to **oppose** any suspension of the funds provided to cities and towns in the form of revenue sharing and meals and rooms tax distribution. **(Yes)**

Federal Stimulus Revenues

To see if NHMA will **support** utilizing federal stimulus funds for shoring up the state budget in order to fully fund revenue sharing and the meals and rooms tax distribution to cities and towns. **(No)**

TOWN MANAGER REPORT

Town Report Cover – Mr. Sires presented two proposed covers for the Town report to the Board. A tan/brown cover with a picture of Town Hall and a blue cover. The Board chose the cover with the tan color background by a vote of 3-2. Mr. Sires reviewed that all reports for the town report have been submitted to the printer and we are waiting for the final.

Voting Day – Mr. Sires reviewed that Voting Day is April 14 and will be held at the Conway Rec Center.

Auditors – Mr. Sires reported the Auditors will be at Town Hall the week of the 23rd.

BOARD REPORTS AND COMMENTS

Town Clerk/Tax Collector's Office – Mr. Hounsell stated he would like to point out that Town Clerk/Tax Collector, Rhoda Quint and her whole department do a tremendous job. They are always busy and always polite. The Town is very fortunate to have Rhoda Quint, Nancy Leavitt, Sandra George and DeAnn LeBlanc working in this department at Town Hall.

Conservation Commission – Mr. Weathers commented the Conservation Commission has been approached by the Upper Saco Valley Land Trust (USVLT). The USVLT are trying to do a strategic plan and they are asking for up to \$10,000 from the Conservation Commission to start this project. They are looking for financial obligations from towns as well as grants and would like to do this this summer. Mr. Weathers advised this is an update to make the Board aware and to see if the Board supports same. The money is in the Conservation Commissions land acquisition account. **Mr.**

Dickinson moved, seconded by Mr. Weathers, that we approve the expenditure of up to \$10,000 for the USVLT for the development of a strategic plan. Mr. Hounsell stated this is a lot of information and questioned if we need to act on this now due to a deadline or can we have time. Mr. Weathers stated he can advise if there is a deadline. Mr. Dickinson stated he would like the Conservation Commission and USVLT to come forward and discuss this with the Board. Mr. Weathers advised the Conservation Commission has already voted to support the concept and to bring this forward to this Board to advise of same. Mr. Sires advised the Conservation Commission has the authority to expend the funds but it would not be inappropriate to have them come in and give a presentation. **Mr. Weathers withdrew his second and Mr. Dickinson withdrew his motion.** Mr. Martin asked that this be put on the next agenda or as soon thereafter as it could be scheduled.

Mr. Weathers next reported the Conservation Commission meets tomorrow, March 11, 2009, at the Whitaker Meeting House.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Melissa Stacy, Chair of the Budget Committee, commented that there is presently one person running for an open seat on the Budget Committee. Ms. Stacey further commented there are five other open seats on the committee.

Andrea Osmun of the Conway Daily Sun requested a copy of the tax rate exercise discussed earlier in the meeting. Mr. Sires provided Ms. Osmun with a copy of same. Ms. Osmun next advised that she had questions about revenue sharing. It was agreed that she would contact Mr. Sires tomorrow to go over this topic.

NON PUBLIC SESSION: RSA 91-A.II(C) / TAX MATTER

The Non Public Session to discuss a tax matter was canceled.

ADJOURN

There being no further business, at 6:10 p.m. the meeting was adjourned at the call of the chair.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary