

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

September 29, 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, 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 October 1, 2009

CONSIDERATION OF MINUTES

The Board agreed to hold consideration of minutes until the next meeting.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION

(a) American Cancer Society/Making Strides Against Breast Cancer Walk/Begins at Staples in North Conway/October 18, 2009 – Staff advised application is submitted is complete. **Mr. Weathers moved, seconded by Mr. Dickinson to approve the special event application for the American Cancer Society Making Strides Against Breast Cancer Walk on October 18, 2009. The Motion carried unanimously.**

(b)North Conway Public Library/Annual Bike for Books/Begins at John Fuller School/October 10, 2009 – Staff advised that the applicant still needs to provide an insurance certificate and signed permission from John Fuller School. The applicant agreed to provide same in the next couple of days. **Mr. Drinkhall moved, seconded by Mr. Weathers, to approve the North Conway Public Library Annual Bike for Books on October 10, 2009 pending receipt of the insurance certificate and signed permission from John Fuller School. The motion carried unanimously.**

DRIVEWAY PERMIT MATTER - MIKE ROWAN/ROWAN
FAMILY TRUST/415 INTERVALE CROSSROAD

This agenda item was canceled.

PROPOSED CELL TOWER IN REDSTONE

Town Planner, Tom Irving, joined the meeting.

Mr. Sires reviewed there is a proposed cell tower planned for the southern end of the Green Hills area in town. It is an important issue for the Board due to the impact on the view shed and other issues.

Tom Irving distributed a map of the proposed area for the cell tower. Mr. Irving advised that the applicant for the cell tower got a special exception from the ZBA when they first applied; however, when they went for site plan approval before the Planning Board it became apparent they would need to go over some wetlands and this would need further ZBA review and approvals. Mr. Irving next advised that the proposed cell tower will be in the Redstone area at the foot of Rattlesnake Mountain. The pole will be a monopole with an antenna on top. It is 150 feet high. The total elevation is 750 feet from sea level and a 150 feet above grade.

Mr. Irving next discussed a balloon test. Mr. Irving advised that the applicant had done their own balloon test before we knew about it. Mr. Irving advised that the ZBA did not require a balloon test. Tom Irving stated he however highly recommends the Board asks for a balloon test. Mr. Irving advised this Board can ask the ZBA to ask for a balloon test or 5 interested citizens can ask for the test.

Mr. Dickinson stated there is a difference between a cell tower and a big red balloon and he is opposed to the test. Mr. Weathers questioned how long the balloon test would be up for. Mr. Irving advised it is usually up for a day if conditions are right or as long as the Board deems fit. Also, you could ask for it to be done on a Saturday. There was next brief discussion regarding if a public notice could be required if there is a balloon test required and it was not determined whether or not this could be required. Mr. Irving next advised that the ZBA hearing is scheduled for October 21, 2009. Mr. Sires questioned if this is a new application before the ZBA and Mr. Irving replied in the affirmative. Mr. Drinkhall suggested that it be encourage that they notice the radio station of the balloon test if the balloon test is ordered. **Mr. Drinkhall moved, seconded by Mr. DiGregorio, that we, as a Board assuming we have the authority to do so, that we require a balloon test and make an announcement both through newspaper and radio and direct Town Manager Sires to go to the ZBA and ask that the balloon test be done before they grant a variance.** Mr. Dickinson stated he can't support this test if it is a big red balloon. Mr. Irving suggested requesting the balloon instead of requiring the balloon test. The Board agreed. **Mr. Drinkhall amended the motion seconded by Mr. DiGregorio, that we, as a Board assuming we have the authority to do so, that we request a balloon test and make an announcement both through newspaper and radio and direct Town Manager Sires to go to the ZBA and ask that the balloon test be done before they grant a variance.** The motion carried 4-1-0 with Mr. Dickinson voting in the negative.

Mr. Irving requested that Selectman Weathers, who is the representative to the Conservation Commission, also take a look at other requests for towers, setbacks, buffers, etc. Mr. Weathers agreed.

DISCUSSION OF MOTORCYCLE PARKING SPACES ON NORCROSS CIRCLE

Mr. Martin advised that he has been asked to bring forward the discussion of motorcycle parking spaces on Norcross Circle across the area of the Met Coffee Shop.

Public Works Director, Paul DegliAngeli, reviewed a map of Norcross Circle, with the Board. Mr. DegliAngeli reviewed the cross hatch area, the area where busses pull

in, parking spaces, etc. Mr. DegliAngeli next reviewed the inside radius area of Norcross Circle may be the best option as an area for bike parking.

Mr. Martin stated that the motorcyclists use the Met and Horsefeathers and want to keep an eye on their motorcycles. There was a discussion by the Board on the parking on Norcross Circle. Mr. Sires reviewed that if the Board is considering moving forward on this matter this would require an Amendment to Chapter and public hearings. **Mr. Dickinson moved, seconded by Mr. DiGregorio, to move forward with a proposal for a public hearing to amend Chapter 141. The motion carried 5-0-0.**

BUDGET WORKSHOP

Mr. Sires first reviewed revenues and expenditures for the current year with the Board.

Mr. Sires next reviewed a tax rate exercise sheet with the Board. Mr. Sires next advised the Town is getting ready to set the tax rate in a few weeks. Mr. Sires next reviewed the best estimate at this time for the tax rate is \$4.56 at this point. Mr. Sires also reviewed current and long term debt with the Board.

Mr. Sires next reviewed that the health insurance company has determined that we are over 100 employees including covered beneficiaries and this will move us into a different insurance pool. At this point we don't know how this will affect our rates. Mr. Sires advised that for now we will use an estimated 10% increase until we get a figure from the insurance company. Mr. Sires further reviewed that we do have the option of looking at different insurance companies as well.

Mr. Sires next reviewed capital reserve funds and Mr. DegliAngeli reviewed equipment with the Board. Mr. Sires advised next advised the Board we need a roof on our storage barn. It is leaking and we will be bringing forward estimates to the Board in the near future for review.

Mr. Sires next reviewed revolving funds with the Board. There was brief discussion regarding recreation revolving funds and transferring funds. Mr. Sires advised there is a need for a lawnmower for the Parks and Recreation Department and this could potentially be funded from this fund. Mr. Sires next asked the Board to think about adjusting fees for solid waste. Mr. Sires advised hearings for this matter could be set in the future. The Board agreed to move forward and schedule hearings for same.

Mr. Sires next advised that Mr. DegliAngeli is working with the NHDOT on the Tasker Hill Bridge. The Town has received an order to close the bridge. Mr. Sires next reviewed that in 2007 the town applied for bridge aid and we were told we would receive same in 2011. The Town met recently with DOT and were told we would now receive in 2010. They have also approved our consultant and they approved a 80/20 split on the costs. However, in the meantime, they want they want the bridge closed. Mr. DegliAngeli and the inspector looked at the bridge and don't agree about the complete closure of the bridge. Option one is we don't want to jeopardize the funding and could close the bridge but this causes 15-17 mile detour and doesn't work for schools, police, fire, etc. Another option is we could get a temporary bridge and we could get 80/20 reimbursement for same and the cost for this is \$60,000 and so this would cost \$12,000 and this would be a fix for the next seven months. Option three is we could narrow down the area and make one lane, put up a barricade and traffic light for \$4-6,000, however, they may not agree with this either. The DOT wants the pond down to do this and that is in the hands of the state and they would have to come back to inspect same.

The Board discussed the options as presented. **Mr. Dickinson moved, seconded by Mr. Drinkhall that we direct Mr. DegliAngeli to proceed with Option 2 as he has described it with one lane being open at all times during construction.** Mr. Sires advised it will cost the Town \$60,000 until we are reimbursed and will impact the CRF as we move forward with the budget. The Board acknowledged this fact. **The motion carried unanimously.** The Board reiterated Option 2, temporary bridge, 2 lanes, \$60,000, 80/20 split on the costs with the towns cost being \$12,000.

Mr. Dickinson left the meeting at 6:00 p.m.

TOWN MANAGER REPORT

Location of Ice Rink – Mr. Sires reported he met with David Weathers, John Eastman and John Cannel regarding the location of the Ice Rink. There was discussion of moving rink to ballfield area. They are agreeable to this and this will be less impact to the grass. This is the proposal for upcoming season and if the board is okay with this we will also talk to the North Conway Water Precinct about moving the water. Mr. Sires further advised they also talked about not putting any water on after February vacation week. There was brief discussion by the Board. The Board was all okay with the relocation of the ice rink for this year.

White Mountain National Forest - Mr. Sires advised that the White Mountain Nation Forest has completed a Trail Report. They have made recommendations on some trails and would like to include these as official trails and have them included on maps and maintained by the National Forest. This is out for public comment. The New England Mountain Biking Association (NEMBA) has provided a recommendation that supports this in general and asks that two trails they have included for non bicycling be included for bicycling. Mr. Sires advised the review of the proposal also recommends NEMBA's proposal. **Mr. Weathers moved, seconded by Mr. Drinkhall, to support so long as consistent with the past position on trails. Motion carried 4-0-0.**

Letter from Dan Noel - Mr. Sires reported the Town received a letter from a citizen, Dan Noel, asking that the fence at Shedd Woods be fixed. Mr. Sires advised the damage to the fence was done during an automobile accident and we have submitted this to our insurance company. Mr. Noel points out in the letter this is a reminder to the family and it is a good point. It was agreed to send staff down to take the fence down until this can be fixed

BOARD REPORTS AND COMMENTS

Special Event Policy Review Committee – Mr. DiGregorio advised that the committee is working on a draft application.

Cable Franchise Renewal Committee – Mr. DiGregorio advised the Cable Franchise Renewal Committee met with Time Warner Cable and presented the proposed contract. It is now off with them and we are awaiting their review and comments. Mr. DiGregorio next advised that he has been meeting with the sending towns regarding PEG TV. Mr. DiGregorio advised that a meeting has been scheduled for November 2, 2009 at KHS with all of the sending towns and asked that this Board attend as well.

Garage Building Committee – Mr. Drinkhall reported the Garage Committee met on September 24. Mr. Drinkhall reviewed the Committee received a letter of resignation

from Mark Hounsell and, also, put together a set of specs. The next meeting of the committee is scheduled for September 29, 2009.

Budget Committee – Mr. Drinkhall reported the Budget Committee met on October 26, 2009. Mr. Drinkhall advised that Budget Committee received a letter of resignation from Mike Gilmore. Mr. Drinkhall further advised the next meeting of the Committee is scheduled for October 26, 2009.

Conservation Commission – Mr. Weathers advised that he, Earl and Don Johnson met at the Abenaki site to review the buildings and land. The Forester, Don Johnson reviewed the land to see what trees could be taken down and, also the possibility of removing sheds this fall. Mr. Weathers next advised that Mr. Johnson will be getting back to Mr. Sires regarding the cutting. Mr. Weathers further reviewed that the town crew has also secured some buildings at the site.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Andrea Osmun of the Conway Daily Sun asked for copy of budget packet. Mr. Sires provided a copy of same.

NON PUBLIC SESSION: RSA 91-A,II(c)

At 6:20 p.m. **Mr. Weathers moved, seconded by Mr. Drinkhall, to go into non public session under RSA 91-A,II(c).** The non public session included Town Manager, Earl Sires, Building Inspector, David Pandora, Health Officer, Ray Leavitt and Recording Secretary, Karen Hallowell.

At 6:40 p.m. **Mr. Drinkhall moved, seconded by Mr. Weathers, to return to public session. The motion carried by unanimous roll call vote.**

NON PUBLIC SESSION: RSA 91-A,II(c) / Tax Matter(s)

At 6:41 p.m. **Mr. DiGregorio moved, seconded by Mr. Weathers, to go into non public session under RSA 91-A,II(c) to discuss tax matters.** The non public session included Town Manager, Earl Sires, Town Clerk/Tax Collector, Rhoda Quint, citizens discussing tax matters, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

At 7:45 p.m. **Mr. Weathers moved, seconded by Mr. Drinkhall, to return to public session. The motion carried by unanimous roll call vote.**

ADJOURN

At 7:46 p.m., **Mr. Weathers moved, seconded by Mr. Drinkhall to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell
Executive Secretary