

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

March 22, 2011

The Selectmen's Meeting convened at 4:01 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Acting Chair), Selectman, Larry Martin, Howard C. Dickinson, Bob Drinkhall, and Michael DiGregorio; Town Manager, Earl W. Sires and Recording Secretary, Karen Hallowell.

PLEDGE OF ALLEGIANCE

Chairman Weathers led the Board in the Pledge of Allegiance to the Flag.

REVIEW AND CONSIDERATION OF 2010 ANNUAL
TOWN FINANCIAL REPORT (FORM MS-5)

Finance Director, Lucy Philbrick, joined the meeting.

Mr. Sires and Ms. Philbrick reviewed highlights of the Town Financial Report (Form MS-5) with the Board. There was also review of fund balance information. **Mr. Martin moved, seconded by Mr. Drinkhall to ratify the 2010 Form MS-5. The motion carried 5-0-0.** The Board signed the MS-5.

Mr. Dickinson next advised that he spoke with Police Commissioner, Theresa Kennett, about meeting quarterly with the Board. Mr. Dickinson advised they are agreeable to this. There was no further discussion on this matter by the Board.

DISCUSSION OF TOWN OF EATON PARTICIPATION IN
TOWN OF CONWAY RECREATION PROGRAMS

Mr. Sires reported the Town of Eaton voted not to continue to participate in the Conway Recreation Program this year. Mr. Sires explained that previously Eaton and Albany had been cooperating with the Town of Conway yearly and now only Albany will be participating. The Town of Eaton amount, if they had elected to participate, would have been \$20,000 this year. Mr. Sires next reviewed the formula used to determine the amount. Mr. Sires further advised the Town of Eaton decided not to participate in Conway's program and allocated \$8,000 to find another option. Mr. Sires next advised the town began to notify participants and we received an call and email from the Hill's. The Hill's live in Eaton but own a business in the Town of Conway and they are here to address their concerns with the Board of Selectmen.

Sharon and Craig Hill appeared before the Board. Ms. Hill stated they are a business owner and taxpayer in the Town of Conway. They are not here as Eaton residents and they can't change what happened in Eaton. They are here today as a Conway taxpayer. Ms. Hill further added they are here to find out why they can't use the services of the Recreation Department that they pay for as taxpayers. Residents are able to use the Recreation Department but not a taxpayer only.

Mr. DiGregorio moved, seconded by Mr. Drinkhall, that any person owning property in the Town of Conway regardless of where they declare residency must meet the following requirements to participate in the Conway recreational program: 1) They must own property in the Town of Conway; 2) Only children of the property owner's

immediate family (son or daughter) may participate and the child or children must attend Kennett Middle School or one of the three Town of Conway elementary schools; 3) Grandparents having legal custody of said minor children also would qualify; and 4) This motion is only in effect until September 1, 2012. Mr. DiGregorio explained this limits the people that would qualify for this motion. He wrote into the motion that you have to be a property owner and you can't just own a business at a shopping center. Also, you must have children in the school system. He thinks the fear is there will be lots of people coming out of the woodwork but this is not the case and he doesn't think we should punish taxpayers because of Eaton. Mr. Dickinson asked about Mr. DiGregorio including the year 2012 in the motion. Mr. DiGregorio stated he wanted it to go to the following summer to see how things would go. This allows us to go through two summer programs to see how many use the program and truly get an idea. Further, he put no provision in the motion for adult programs and he thinks most adult programs are pay as you go. Mr. Martin stated that he has a big concern between the parity of Eaton and Albany. We have agreements from everything from the dump, school, recreation, etc., and it would not be fair to make an exception. Mr. Martin next stated that he will not be able to vote for the motion. Mr. Drinkhall stated he feels it does circumvent what is required and could set a precedent and he, also, could not vote for this motion. Mr. DiGregorio next stated that he sees that we are tying this to Albany and Eaton. This would also apply to anyone who lived in Chatham, etc. It could affect other towns we don't have agreements with as well. Mr. Weathers questioned again why not limit this to 2011 and why add the additional year in the motion. Mr. DiGregorio stated this is to get a more accurate number. Mr. Weathers added to find if there is a financial impact on recreation. A vote was taken and the **motion failed 2-3-0 with Messrs. DiGregorio and Weathers voting in the affirmative and Messrs. Drinkhall, Dickinson and Martin voting in the negative.**

Mr. Hill stated that he was here at the meeting as a Conway taxpayer and not a second rate citizen as they pay taxes to the Town of Conway. He is not here as an Eaton resident, he is here as a Conway taxpayer. Mr. Weathers questioned if he felt he was paying taxes and not getting the service. Mr. Hill responded in the affirmative. Mrs. Hill stated she feels they are not getting what they are paying for. Mr. Drinkhall explained that he had businesses in Portland, Portsmouth, etc, and he paid taxes in those towns but could not vote in those towns. Mrs. Hill next stated that she does not think that the recreation program would see a large influx of kids if they allowed non resident taxpayers.

Mr. Sires stated that if he were in the Hill's shoes he may be doing the same thing. However, the Town of Eaton provides for Eaton residents and the Town of Conway for Town of Conway residents. We have tried to discuss the matter with the Town of Eaton and they feel that \$20,000 is too much to pay. People lose sight that you are paying for staff, buildings, programs, etc. The Town of Eaton Board of Selectmen chose not to participate. To come and say we are not being fair is not fair as the Town of Eaton's voters and Board of Selectmen had an opportunity to stay with Conway for recreation and did not.

VALLEY PRIDE DAY

Mr. Sires reviewed the Valley Pride program has been going on in this area for over 10 years. This is a good program with clean up done by volunteers. Donna Woodward has been organizing Valley Pride Day and, also, the Chamber of Commerce is involved. The Town has never been involved with Valley Pride Day previously. This year they are asking the Town to submit a form to the New Hampshire the Beautiful/Little Free NH so they can get 3000 free trash bags, two American Elm Trees, 400 Daffodil bulbs and 50 bare root lilac plants. This form is asking for the Board's signature advising there will be a litter clean-up in the valley.

Mr. Sires next stated that he feels this should be contingent on the Mount Washington Valley Chamber of Commerce providing liability insurance to protect the Town. **Mr. Drinkhall moved, seconded by Mr. Martin, that we do as stated assuming we get mentioned as an insured. The motion carried 5-0-0.**

Mr. Dickinson questioned who decides where the plants and trees will be planted. Mr. Sires advised that sometimes they are planted on private property and previously they did ask the town to do planting at Whitaker. Mr. Martin stated he would like to have them come to the Town of Conway if they want to do any planting on town property. The Board agreed.

ASSIGNMENTS FOR VOTING DAY

Mr. Sires reviewed that a schedule is usually made for the Selectmen for voting day, which is April 12, 2011. Mr. Martin questioned if the candidates can work that day. Mr. Weathers advised that he checked with Town Clerk, Rhoda Quint, who advised the candidates can work but cannot handle ballots. Mr. Drinkhall stated they never had in the past. Mr. Weathers further explained if the candidate is inside he can't influence the voters and can't handle ballots. Mr. DiGregorio advised that he is planning on being there all day long but that he may also want to campaign for someone outside and he won't be allowed inside while doing this. He will however, do a four hour shift inside. Mr. Dickinson advised he can be there for any shift. Mr. Martin advised he will not be able to be there on voting day. Mr. Weathers stated that as long as he is allowed to be there, he would take the first shift.

After further brief discussion it was agreed that Mr. DiGregorio and Mr. Weathers would take morning shifts, Mr. Dickinson the afternoon shift, and Mr. Drinkhall the afternoon/evening shift.

CONSENT AGENDA

Mr. Martin stated he would still like to see an agenda item at the top of the Agenda to approve or consent to the agenda and then toward the bottom of the agenda have headings entitled Signing of Documents, Consideration of Bills, etc. There was brief discussion. **Mr. Martin moved, seconded by Mr. Drinkhall, to have the items entitled Signing of Documents and Consideration of Bills toward the bottom of the agenda and, also, put Consent of Agenda as an agenda item at the top of the agenda after the Pledge of Allegiance. The motion carried unanimously.**

A. Signing of Documents

1. Abatement Application 201-10.015
2. Abatement Application 272-49.2 (2008)
3. Abatement Application 272-49.2 (2009)
4. Abatement Application 272-49.2 (2010)
5. Abatement Application 272-52.18
6. Application for Current Use 272-35 & 272-34.2
7. Permanent Application for Property Tax Credit/Exemptions 225-38.002
8. Permanent Application for Property Tax Credit/Exemption 262-83.035

Mr. Martin moved, seconded by Mr. Drinkhall, to approve and sign the Abatement Application for Tax Map/Lot 201.10.015, Abatement Application for Tax Map/Lot 272-49.2 (2008) Abatement Application for Tax Map/Lot 272-49.2 (2009) Abatement Application for Tax Map/Lot 272-49.2 (2010) Abatement Application for Tax Map/Lot 272-52.18 Application for Current Use for Tax Map/Lot 272-35 & 272-34.2 Permanent Application

for Property Tax Credit/Exemptions for Tax Map/Lot 225-38.002 Permanent Application for Property Tax Credit/Exemption for Tax Map/Lot 262-83.035. The motion carried 5-0-0.

B. Consideration of Bills:

1. Manifest dated 03/24/11
2. Payroll dated 03/24/11

Mr. Martin moved, seconded by Mr. Drinkhall, to approve and sign the Manifest and Payroll dated 3/24/11. The motion carried 5-0-0.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no special event applications for consideration.

CONSIDERATION OF MINUTES

The Board considered the minutes of 3/7/11 & 3/15/11. **Mr. Martin moved, seconded by Mr. Drinkhall, to accept the minutes of 3/7/11 and 3/15/11 as presented.** Mr. Drinkhall offered the following corrections to the minutes of 3/15/11: Page 1, Paragraph 4, the vote reads 5-0-1 and should be changed to **4-0-1**, Page 5 under the heading Special Event Applications the motion states "Mr. Drinkhall moved, seconded by Mr. Drinkhall...." and this should be changed to read "Mr. Drinkhall moved, seconded by Mr. **Martin**...." **Mr. Martin amended the motion, seconded by Mr. Drinkhall to accept the minutes of 3/7/11 as written and 3/15/11 as amended. The motion carried 5-0-0.**

TOWN MANAGER REPORT

Rumble Strips – Mr. Sires reported the NHDOT has planned a public hearing regarding the potential extension of rumble strips on Route 16 from Ossipee to the Conway/Albany line. The Public Hearing is scheduled for Thursday, March 31, 2011 at 7:00 p.m. at the Albany Town Hall.

Town Report – Mr. Sires reported the 2010 Town Report has been completed and is being printed. Leann Smith is pictured on the cover. The Town Report will be available at locations around town, including post offices, libraries, supermarkets, Gibson Center and Webster Store on or before April 4, 2011. Also the report will be available online by Monday, March 28, 2011.

Snow Removal Video – Mr. Sires advised that that Don Ferren advised that he would be happy to make the snow removal video available so that it can be aired on Valley Vision.

Lighting Seminar – Mr. Sires reported he will be making a presentation at a conference on green energy and lighting on April 2, 2011.

BOARD REPORTS AND COMMENTS

Legislative Session – Mr. Dickinson reported the legislative session is drawing to a close. There are several items he would like to bring to the Board's attention.

With regard to SB133 regarding the exemptions on the telephone poles, the NHMA hopes to kill this in the house and then there will be no exemption.

With regard to HB457 concerning reducing interest on delinquent taxes, this passed the house and the NHMA is hoping to kill this bill as well. Mr. Sires commented that cutting the interest in half would be cutting revenue to the town. Mr. Drinkhall suggested the Town officially respond regarding this bill. Mr. Dickinson suggested drafting a letter to Senators Bradley and Gallus asking them to please vote against this bill. The Board agreed. Mr. Weathers questioned when this letter needs to be in by and Mr. Dickinson advised in a short time –at the most a couple of weeks.

Mr. Dickinson next stated there is also a bill regarding car dealers being allowed to register cars and this has passed the Senate. This will take revenue away from the town. Mr. Dickinson advised he has asked the Town Clerk to draft a letter with the concerns for the Board of Selectmen to sign and he will be working with her on this matter. Mr. Dickinson stated this letter should be sent to Senators Gallus and Bradley as well.

Mr. Dickinson next advised that HB 532 regarding damage by dogs may repeal NH RSA 466-21 through 27.

Roundtable Discussion – Mr. Dickinson reported he will be having another roundtable discussion with State Representatives on April 1, 2011 and this will be aired on Valley Vision. Mr. Martin suggested that Mr. Dickinson invite someone from the newspaper as well to ask questions. Mr. Dickinson agreed. Erik Eisele requested that an invitation be sent as to when and where the roundtable will be held. Mr. Dickinson agreed.

Moderators – **Mr. Dickinson moved, seconded by Mr. Martin, that after the election on April 12, the newly elected Moderators be invited to attend the Moderator Workshop run by the New Hampshire Municipal Association and that their mileage to Concord be reimbursed by the Town.** Mr. Dickinson advised there is also a Moderator's workbook. Mr. Dickinson explained that this motion is to "invite" them to go. Mr. Martin also pointed out that it reimburses for mileage if they do go. Mr. Drinkhall stated that he agrees but –is it our responsibility to pay for the school. Mr. Martin stated he feels that it is in the interest of the whole town and he doesn't think there is a need to split hairs regarding paying for the mileage. Mr. Weathers stated that, for a point of clarity, the information is out there and they have to inquire about it. When they are newly elected they get notice of programs and why is it the Town of Conway's charge to notify them. Mr. Dickinson stated the vote is in the Town of Conway and he thought to himself that this might be something we could do to encourage them to do –if they would like to go. Mr. DiGregorio stated he feels this is a response to a recent event that took place in the Town and regardless of where you stand on the issues it was a very heated night at the school meeting. He has never seen this happen before in the Town. Mr. DiGregorio added that he has seen the Moderator run meeting before and they ran well. Further, he feels the Moderators know what training is available to them. Mr. DiGregorio next added that he has seen the Moderators do a fine job and this motion does not do anything they are not aware of and he will not support the motion. Mr. Martin stated that he agreed but he doesn't know if the Moderators know they can be reimbursed for the mileage if they want to take the time to go. Mr. Dickinson stated that he spoke with the New Hampshire Municipal Association this morning and they advised the training sessions are usually held in January of February and, his feeling is, that just while it was fresh in his mind that we do this. Also, the New Hampshire Municipal Association will be sending us information. **Mr. Martin moved the question.** Mr. Weathers took a vote on moving the questions and limiting debate. **The Board voted unanimously in the affirmative to move the question.** Mr. Weathers next called for a vote on the motion. **The motion carried 3-2-0 with Messrs. Drinkhall, Dickinson and Martin voting in the affirmative and Messrs. DiGregorio and Weathers in the negative.** Mr. Dickinson advised he will put this information together and bring it into the office for a letter to go out by May 1, 2011. All agreed.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

ADJOURN

At 5:09 p.m., **Mr. Martin moved, seconded by Mr. Drinkhall, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell
Executive Secretary