

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

November 8, 2011

The Selectmen's Meeting convened at 4:03 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Howard C. Dickinson, and Mary Carey Seavey; Town Manager, Earl W. Sires and Recording Secretary, Karen Hollowell.

Selectman, Lawrence Martin, was not present.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers reviewed that the agenda items for the Non Precinct Fire Agreement and the Ambulance Contract will be carried to the next meeting. **Mr. DiGregorio moved, seconded by Ms. Seavey, to approve the agenda as amended. The motion carried unanimously.**

NON PRECINCT FIRE AGREEMENT

This agenda item was carried to the next meeting.

AMBULANCE CONTRACT

This agenda item was carried to the next meeting.

OVERVIEW OF PROPOSED 2012 BUDGET

Mr. Sires presented an overview of the proposed 2012 budget to the Board. It was agreed by the Board that they would look over the proposed budget and discuss same at the next meeting.

PRESENTATION ON FUTURE CDBG REQUEST – JAC CUDDY

Jac Cuddy, Executive Director of the Mount Washington Valley Economic Council (MWVEC), joined the meeting. Also present was CDBG Consultant, Donna Lane.

Mr. Cuddy explained he is here to talk to the Board about a company that started in a house in Freedom, New Hampshire, and had been there for a while. The company then moved to Hobbs Street and is now outgrowing this space and very much wants to move to the Technology Village Facility in Conway. The owner of the company is an architect who designs molding for plastic injection molders. Mr. Cuddy stated this would be a good location for their business. Mr. Cuddy next advised they are now putting together a financial package. The MWVEC will build the building and lease it for several years. The company got a grant from the Northern Borders Commission for \$225,000 for infrastructure (roads) at the Tech Village. They will also be using tax credits that are available to them and then bank loans for the balance of the debt. Mr. Cuddy next advised this is a very clean business and there will be no smoke

stacks, etc. The business will manufacture and assemble. They are excited about this and there will be about 25-26 decent paying jobs with benefits.

Mr. Cuddy next advised this company will be going to the ZBA in December to get approval for the building. The ZBA has to verify that they are meeting the points of their special exceptions. Hopefully they will approve the business as an acceptable business for the Tech Village. If approved they will move to the Planning Board for site plan review.

Mr. Sires next reviewed the MWVEC will be asking the town to submit this to CDBG and would hire an administrator to administer the grant. Mr. Cuddy stated there would be no costs to the town. CDBG's have to come through the Town. There was a similar grant of this size that was done for Green Mountain Rifle Company years ago. The grant has administration fees and they are covered by the grant. The process is that the town applies for this based on job creation and then a person would be hired to administer the grant, hold a public hearing, etc.

Mr. Cuddy next explained the grant money will be paid back to the MWVEC and will go into a revolving fund to help other businesses.

Mr. DiGregorio questioned if the new building will be on the Town's tax rolls. Mr. Cuddy replied in the affirmative stating they will pay taxes to the town. Mr. Cuddy further advised that the MWVEC also pays town taxes as well.

Mr. Sires reviewed there will next be a series of events, such as public hearings, etc. Ms. Lane advised the public hearing is scheduled for November 29, 2011. This was agreeable to the Board.

SIGNING OF DOCUMENTS

a. Notice of Intent to Cut Wood or Timber Map/Lot 265-161.2 - **Mr. DiGregorio moved, seconded by Ms. Seavey, to sign the Notice of Intent to Cut Wood or Timber for Tax Map/Lot 265-161.2. The motion carried 4-0-0.**

b. Pole License Petition/Fairpoint – 1 replacement pole (900E/2) located on East Main Street, Conway, NH – **Mr. Dickinson moved, seconded by Ms. Seavey, to sign the Pole License Petition for Fairpoint for one replacement pole (900E/2) located on East Main Street, Conway, NH The motion carried 3-0-1 with Mr. DiGregorio abstaining.**

CONSIDERATION OF BILLS

a. Manifest dated 11/10/11 – **Ms. Seavey moved, seconded by Mr. DiGregorio, to sign the manifest dated 11/10/11. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

a. Notice of Intent to Cut Wood or Timber Map/Lot 252-35 – **Mr. Dickinson moved, seconded by Mr. DiGregorio to ratify the Notice of Intent to Cut Wood or Timber for Map/Lot 252-35 which was signed out of session. The motion carried unanimously.** Mr. Sires reported that some trails, etc., will be closed in the area of Pudding Pond due to this cut.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no Special Event Applications for consideration.

CONSIDERATION OF MINUTES: 9/1/11 & 10/18/11

Mr. Dickinson moved, seconded by Mr. DiGregorio, to accept the minutes of 9/1/11 as written. The motion carried 3-0-1 with DiGregorio abstaining.

It was agreed to hold consideration of the minutes of 10/18/11 until the next meeting.

TOWN MANAGER REPORT

Joint Annual Meeting of the MWVCC & MWVEC – Mr. Sires advised that he and Selectman Seavey attended the joint MWVCC & MWVEC business and awards meeting last Tuesday.

Transvale – Mr. Sires reported there was a public meeting held two weeks ago with Transvale residents. The purpose of the meeting was to talk to residents and NHDES. FEMA representatives were also in attendance at the meeting and there was talk about their processes and programs. Mr. Sires next reported that FEMA representatives were also here today working with staff and going through residential and rental properties and determining damage, etc, and this may have an impact on what they can and can't do in the future. They will also be in the Transvale area tomorrow with surveyors to look at the floodway and the floodplain.

Mr. Sires next reported that the Town has received five or six ZBA applications from Transvale property owners asking for waivers, etc.

Budget Committee – Mr. Sires reported the Budget Committee held a meeting the other night and there were some positive discussions. Mr. Sires reported the Budget Committee was advised the Board put \$250,000 into fund balance and used \$350,000 toward taxes and the tax rate came down. Mr. Sires further reported the Budget Committee was given 3rd quarter reports as well. The budget is at about where it should be and he and Lucy both agree the budget is tight but they do not think, at this time, that we will have to go to the DRA for a request to over expend the bottom line.

Mr. Sires next reported that one person on the Budget Committee was concerned that the General Assistance office may not be helping students at school. Mr. Sires advised that he has talked with Carl Nelson in this regard and Mr. Nelson advised of a program that helps kids stay in school and he think maybe this is what some people may have been talking about. Mr. Sires further advised he has also talked with the General Assistance Officer and this is not a program of the town and there is also state law concerning this issue. If we had minor children come into town hall for assistance, by law, you have to call DCYF to take them into custody. If a family comes in we may be able to assist the family. If a student is over 18 there are requirements that the student must be working etc and this is oriented toward college students who ask for money while going to school. Ours is not a program that helps students in school; however, there may be some over age 18 students still in high school and we can take a look at that. Also, in talking with the General Assistance Officer we have not had any one over 18 in high school asking for help.

Meeting with Non Profit Agencies – Mr. Sires reported a meeting was held with area non profit agencies last week and there was a good exchange of viewpoints. They will be having a committee to look at streamlining the application. The application is a process and we will continue to look at our procedures and processes. Mr. Sires next distributed a copy of the LGC

publication "*The Art of Welfare Administration*" for the Board to review. In the future we will probably also looking at reviewing and revising out guidelines as well.

Vacation – Mr. Sires reported he will be on vacation starting tomorrow, November 9, 2011 through Monday, November 14, 2011.

BOARD REPORTS AND COMMENTS

MWVEC – Ms. Seavey reported she has been attending the meetings of the MWVEC and it is very exciting what is going on with local business.

NHMA Annual Conference – Mr. Dickinson reported he will be attending the annual meeting of the NHMA on November 17, 2011. He would like the Board to think about anything they would like him to ask about that this meeting.

Valley Vision – Mr. DiGregorio reported he made contact with the Towns of Freedom and Tamworth regarding Valley Vision live. He may not get on the agenda in Tamworth until December however; he hopes to meet with both towns before the budget season is in full swing. Mr. DiGregorio next reported that it looks as though Ham Arena and Town Hall will be getting hooked up for live feed tomorrow and the High School will be hooked up by Thanksgiving.

Budget Committee – Mr. DiGregorio reported he felt the Budget Committee meeting held recently went well for the most part, however, it did get a little contentious with regard to how we deal with welfare. Mr. DiGregorio further added that he came to find out that one Budget Committee board member had heard a rumor and he contacted someone at the school and the situation he brought up is apparently not true. Mr. DiGregorio stated this is disturbing to him that someone listens to a rumor and not verify it and they are an elected official. A lesson for all of us is to pick up the phone and verify information. Call Town Hall or call a Selectmen and this goes for everyone here and at home as well.

Conservation Commission – Mr. Weathers reported a Conservation Commission meeting is scheduled for tomorrow evening, November 9, 2011 at the Whitaker Meeting House.

Road Scholar – Mr. Weathers reported that three town employees received awards for Road Scholar from the NH Institute. The employees are Todd Frechette, Todd Peare and, also, Andrew Smith who received the designation of Master Road Scholar. Congratulations to all three employees.

Councilor Burton – Mr. Sires reported that Executive Councilor Ray Burton will have office hours at Conway Town Hall on Thursday, November 10, 2011.

GACIT Hearings – Mr. Sires reported that GACIT hearings are scheduled for November 15, 2011 in Concord and then again on November 30, 2011 if anyone is interested in attending.

Letter from the Town of Moultonboro – Mr. Sires reported we received a letter from the Town of Moultonboro and they are raising the issue that we pay a full amount of taxes to the county but we do all of our dispatching as they do and that we are paying for other towns getting the service. If the Board is interested, we can agenda this item for the future. The Board agreed they would like this put on a future agenda for discussion.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Richard Carruthers advised that he is a resident of Transvale Acres. He was flooded out and is now living in a 18' camper with 2 dogs and it is a tough situation. He is here to address what he perceives is a lot of unnecessary publicity in the paper, radio, etc. regarding Transvale. What also set him off was the most recent story in Saturday's paper where it stated that Mr. Martin accused people of hiding things in Transvale. This does happen that people do things that are unpermitted, unregulated and uncalled for -but to say it was on the sly and hidden from anybody --then I am sorry that someone wasn't paying attention then. Mr. Carruthers stated that he can't believe a Selectman would say this. Mr. Carruthers next advised that his first contact made with the Town was with Tom Irving and it was a very cordial conversation and Mr. Irving advised he would look at his file. Two days later he was told that in 1988 a note was made that space was added to his property. (He did not own the property at that time). As much as 23 years ago this property was added on to and there was no violation notices issued to the previous owners and, also, the property was taxed as such. He has also paid taxes on the property and now he is being cited and wants to know how he can be held responsible for possible violations for something he didn't do. He feels it is outrageous that a Code Enforcement Officer has not come out to his house until recently if there were violations. Mr. Carruthers feels these are issues that should have been addressed by the Town years ago.

Mr. DiGregorio thanked Mr. Carruthers for coming in to the meeting today. Mr. DiGregorio stated that Mr. Martin can't defend what he said as he is not present today and, secondly, the things that are printed in the paper could be slanted in a direction that we may not have said. Mr. DiGregorio stated that Mr. Carruthers did raise good questions and asked about the assessment, enforcement, etc, issue. Mr. Sires advised we do not do residential building inspections as the town has never adopted same. Mr. Carruthers questioned then how can people come on the property now. Mr. Sires reviewed that issues addressed in the notices sent may be dealing with zoning, floodplain, etc. We are also dealing with if Building Permits have been applied for and, also if they are building in the floodplain, etc. We can't do anything about a kitchen, etc., but if someone is building an addition, etc, you can. Mr. Sires next reviewed that back in early September we sent by certified mail letters to everyone to please contact the town. Also, public service notices were made asking people to please contact the town as well. Further, this was discussed that the first thing people would receive is a notice of violation. Mr. Sires stated that Mr. Carruthers may have brought things in a week ago but we are dealing with at least 80 situations.

Mr. Carruthers questioned how the Town can cite something as a violation now but previously it was assessed and taxes were increased. Mr. Sires explained that the assessment is based on what is at the location whether it is permitted or not. There was further discussion regarding residential building inspections, permits etc. Mr. Sires encouraged Mr. Carruthers to have further discussion with Mr. Irving as he is dealing mainly with construction in the floodway.

Mr. Carruthers voiced concern over the fees etc if things stay in violation. Mr. DiGregorio stated even though the notices state there may be fees; we are giving people time due to the situation. Mr. Weathers reviewed that we are trying to get the word out that people need to come into the Town Office and find out what they can and can't do before starting anything. It was the hope that the letters, notices, etc., would encourage people to come in and find out. Whatever is built has to comply with Town and/or State regulations.

Mr. Carruthers next discussed all the processes he has had to go through to date, i.e, the Town, FEMA, State, etc.,

Ms. Seavey stated she feels there may be a need for a discussion regarding residential building inspections in the future.

ADJOURN

At 5:16 p.m. the meeting adjourned without objection at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary