

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
July 10, 2012

The Selectmen's Meeting convened at 4:05 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Mary Carey Seavey and Stacy Sand, Town Manager, Earl W. Sires and Recording Secretary, Karen Hallowell.

Selectman, Howard C. Dickinson, was not present due to medical reasons.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

**Ms. Sand moved, seconded by Ms. Seavey, to approve the agenda. The motion carried unanimously.**

PUBLIC HEARING: TO ACCEPT UNANTICIPATED REVENUE IN THE AMOUNT OF \$12,100 FROM THE GIBSON-WOODBURY CHARITABLE FOUNDATION TO THE TOWN OF CONWAY FOR THE CANOE LAUNCH PROJECT

At 4:07 p.m. Chairman Weathers opened the public hearing.

Mr. Sires reviewed a grant application was submitted to the Gibson-Woodbury Foundation for the canoe launch project and they were generous and agreed this was a valuable project and the Town received funds in the amount of \$12,000. The Town has used money so far to set up a turnaround for this season. We have been staffing the area with a combination of Special Duty Police Officers and Recreation Department employees to keep it moving smoothly. Chief Wagner and Lt. Perley who were present in the audience agreed the turnaround is working well.

Mr. Sires next recommended the Board accept the grant in the amount of \$12,000 and designate same for the canoe launch project.

Mr. Weathers called for questions or comments from the public or the Board. There were none.

Mr. Weathers next pointed out that what is there is temporary for now.

Mr. Weathers closed the public hearing at 4:09 p.m.

**Ms. Seavey moved, seconded by Ms. Sand, to accept the \$12,000 from the Gibson-Woodbury Foundation to the Town of Conway for the canoe launch project. The motion carried 4-0-0.**

Ms. Seavey next asked about striping across the bridge in this area. Mr. Sires advised the State is in the process of painting lines on the roads in town. The yellow line crew is in town now and we are waiting for the white line paint crew next.

CONSIDERATION OF UNANTICIPATED REVENUE LESS THAN \$5,000/RSA 31:95-B, III (B):

- a) \$750 from International Ski & Snowboard Liquidators Inc to the Town of Conway;
- b) \$750 from Fair Chase LLC d/b/a Andes Mountain Sports to the Town of Conway;
- c) \$750 from Saco Bound, Inc. to the Town of Conway;
- d) \$750 from Saco River Camping Area to the Town of Conway;
- e) \$750 from SCRC LLC d/b/a Saco Canoe Rental Company to the Town of Conway;
- f) \$750 from White Mountain Area Family Camping Enterprises, inc. d/b/a Eastern Slope Camping Area to the Town of Conway;
- g) \$20 from Charles Hardy to the Conway PD DARE Program; and
- h) \$1,627.03 from the State of NH to Conway PD for a NH Highway Safety Grant: "Safe Commute"

Mr. Sires first reviewed items a-f advising this is a total of \$4,500 received from the commercial outfitters for the Police Duty and the Recreation person to be at the site of the new turnaround. Ms. Seavey questioned if this amount will all be used. Mr. Sires responded in the affirmative and further added that we may have to go back to the outfitters for more funds if needed. We are monitoring the situation now and will determine which days someone is needed or not needed. **Ms. Sand moved, seconded by Ms. Seavey, to accept \$750 from International Ski & Snowboard Liquidators Inc to the Town of Conway, \$750 from Fair Chase LLC d/b/a Andes Mountain Sports to the Town of Conway, \$750 from Saco Bound, Inc. to the Town of Conway; \$750 from Saco River Camping Area to the Town of Conway, \$750 from SCRC LLC d/b/a Saco Canoe Rental Company to the Town of Conway, and \$750 from White Mountain Area Family Camping Enterprises, inc. d/b/a Eastern Slope Camping Area to the Town of Conway to be used for the boat turnaround at River Road. The motion carried unanimously.**

Police Chief Ed Wagner and Lt. Chris Perley joined the meeting. Lt. Perley reviewed a citizen, Charles Hardy, donated \$20 for the DARE Program. Lt. Perley next reviewed that a grant was received in the amount of \$1627.03 from the State of New Hampshire for the Safe Commute program. The Safe Commute program is a coordinated effort of police agencies all over the state during key traffic times and dates that began in October of last year. Lt. Perley next reviewed the statistics of units deployed and stops that were made. Lt. Perley advised that the \$1,627.03 is for reimbursement from October to October.

Mr. Weathers asked for questions or comments. There were none. **Ms. Sand moved, seconded by Mr. DiGregorio to accept \$20 from Charles Hardy to the Conway PD DARE Program and, \$1,627.03 from the State of NH to Conway PD for a NH Highway Safety Grant: Safe Commute". The motion carried unanimously.**

RECOGNITION OF RECREATION COUNSELOR COLBY LOCKE

Recreation Director, John Eastman, and Recreation Department Counselor, Colby Locke, joined the meeting. Mr. Eastman explained a situation that occurred on a Recreation Department trip wherein a child was choking on candy. Mr. Eastman explained that Mr. Locke did an outstanding job helping the child as he was choking and could not breathe. The whole situation took about 5-6 seconds. Mr. Eastman stated that Mr. Locke did what he has been trained to do and this is why the Town does the training for situations such as what occurred. Mr. Weathers asked Mr. Locke if he used the Heimlich maneuver. Mr. Locke explained he used the back blow method. The Board thanked Colby Locke for his action in this situation.

Ms. Seavey next commented to Mr. Eastman that she heard all nice reports on the Fourth of July activities.

#### 4:10 PM PUBLIC HEARINGS – COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

Grant Coordinator, Donna Lane, was present for discussion.

**a) A proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Funds. Of the project funds, \$25,000 will be retained by the Town for administrative expenses, while up to \$475,000 will be used towards a buy-out program, and associated relocation expenses, for properties within the floodplain and floodway in Transvale Acres in Conway. The proposed beneficiaries are primarily of low and moderate income.**

Chairman Weathers opened the public hearing at 4:21 p.m.

Town Manager, Earl Sires, reviewed that Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority (CDFA). Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects, and up to \$350,000 for emergency activities. Up to \$12,000 is available for feasibility study grants. All projects must directly benefit a majority of low and moderate income persons.

The purpose of this first public hearing is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Funds. Of the project funds, \$25,000 will be retained by the Town for administrative expenses, while up to \$475,000 will be used towards a buy-out program, and associated relocation expenses, for properties within the floodplain in Transvale Acres in Conway. The proposed beneficiaries are primarily of low and moderate income.

This project conforms with Conway's Housing and Community Development Plan's Goals of: Natural Resources – Protection of natural resources such as floodplains, wetlands, steep slopes and high elevations. (Short-term and Long-term Goal) and Housing – Encourage safe, decent, attractive and affordable housing for all segments of the population. (Short-term and Long-term Goal)

Chairman Weathers next asked for public comments or questions. There were no questions or comment from the public.

Chairman Weather questioned if this program will work in conjunction with the FEMA program. Mr. Sires reviewed that this application is for up to \$500,000 but it will probably be about \$250,000 if granted. This will provide the other 25% needed as FEMA is reimbursing 75% and this will enable us to offer the full amount to properties that are qualified for the program.

There being no further discussion, Chairman Weathers closed the public hearing at 4:25 p.m.

#### **b) The Housing and Community Development Plan**

Chairman Weathers opened the public hearing at 4:25 p.m.

Town Manager, Earl Sires, reviewed that Conway has a Housing and Community Development Plan. No changes to the plan are proposed at this time. This project conforms with the Goals of: Natural Resources – Protection of natural resources such as floodplains, wetlands, steep slopes and high elevations. (Short-term and Long-term Goal) and Housing – Encourage safe, decent, attractive and affordable housing for all segments of the population. (Short-term and Long-term Goal)

Chairman Weathers next asked for public comments or questions. There were no questions or comment from the public or the Board.

Chairman Weathers closed the public hearing at 4:26 p.m.

**c) The Residential Antidisplacement and Relocation Assistance Plan**

Chairman Weathers opened the public hearing at 4:27 p.m.

Town Manager, Earl Sires, reviewed the Residential Antidisplacement and Relocation Assistance Plan. In general, if the Town were to undertake a CDBG project which involved displacement and resulting relocation they would follow the Uniform Relocation Act requirements. The Residential Antidisplacement and Relocation Assistance Plan outlines the measures they would take to find comparable, housing for persons (or businesses) displaced and/or relocated.

This specific project involves relocation, but as it is considered a 'Voluntary Buy-Out Program' the households may not be considered 'Displaced' and relocation benefits may not apply. This determination will be made by HUD if this project is awarded CDBG funding. A budget for relocation expenses, if applicable, will be set aside within this project application in case it is determined by HUD that relocation assistance is applicable.

Chairman Weathers next asked for public comments or questions. There were no questions or comment from the public or the Board.

Chairman Weathers closed the public hearing at 4:28 p.m.

**d) The progress of the Rebecca Lane Emergency Waterline Replacement Project.**

Chairman Weathers opened the public hearing at 4:27 p.m.

Mr. Sires reviewed that each CDBG project is required to have a progress public hearing during the project. The Rebecca Lane Emergency project replaced the deteriorated line under Route 302 last fall and is expected to replace the deteriorated waterline on Hunting Ridge Road this Summer.

Chairman Weathers next asked for public comments or questions. There were no questions or comment from the public or the Board.

Chairman Weathers opened the public hearing at 4:28 p.m.

**Ms. Seavey moved, seconded by Ms. Sand to re-adopt the Housing and Community Development Plan. The motion carried 4-0-0.**

**Ms. Sand moved, seconded by Ms. Seavey, to adopt the Residential Antidisplacement and Relocation Assistance Plan. The motion carried 4-0-0**

**Ms. Sand moved, seconded by Ms. Seavey, to approve the submittal of the application and vote to authorize the Chairman, Board of Selectmen to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the Chairman, Board of Selectmen to execute any documents which may be necessary to effectuate the CDBG contract. The motion carried 4-0-0.**

Mr. Sires advised the application for the CDBG grant discussed under item "a" above is due by July 30, 2012.

CARROLL COUNTY PUBLIC HEALTH REGION/PRESENTATION  
OF THE ANNUAL EDITION/UPDATES OF THE REGIONAL PUBLIC HEALTH  
EMERGENCY ANNEX – MARY REED

Mary Reed and Linda Burns of the Carroll County Health Region joined the meeting.

Ms. Reed explained that Northern and Southern Carroll County have been merged together as one public health region. Ms. Reed provided a copy of the plan for the Board to review and gave an explanation of what the plan entails.

Mr. Weathers asked for questions or comments. Mr. Sires commented that Linda Burns was very helpful with the shelter after Tropical Storm Irene last year and we appreciate it.

Ms. Reed next presented a signature page for the Annual Edition/Updates of the Regional Public Health Emergency Annex to the Board and Chairman Weathers signed same.

MID YEAR BUDGET REVIEW

Finance Director, Lucy Philbrick, joined the meeting.

Mr. Sires reported the auditors will be appearing before the Board on July 24, 2012 to provide the audit exit interview.

Ms. Philbrick distributed a report of Actual Budget Expenses and Encumbrances and Mr. Sires reviewed same with the Board.

Mr. Sires further reviewed that the legal budget has only 34% left at the half year point. This is due largely from efforts in Transvale. One way we are trying to handle this budget is to have the attorney less involved with staff meetings at this point and just involved with the court issues.

Ms. Philbrick reviewed the highway line is a little overspent at this point of the year; however, this is due to a lot of paving work done lately.

Ms. Philbrick next reviewed that with regard to revenues we are doing a little better than usual. Ms. Philbrick stated that all in all we are in good shape.

Conway Daily Sun Reporter, Tom Eastman, asked about car registrations. Mr. Weathers advised they are within 1% of the projections.

TRANSFER STATION STAFFING AND RENOVATION PROPOSAL

Public Works Director, Paul DegliAngeli, joined the meeting.

Mr. Sires reviewed that at the last Board meeting there was presentation and discussion with the MWVSWD subcommittee. The subcommittee made recommendations for rearranging the facility, upgrading, and staffing. Also, as mentioned at the last meeting, this is all contingent on hiring someone for the position. Mr. Sires next advised that Mr. DegliAngeli has done some work as well, toured the facility with Colleen Cormack, talked about staffing issues, etc.

Mr. DegliAngeli stated that with regard to renovations, there was a proposal from the subcommittee which had merit and we also wanted to take a look at this further. We needed to look and see if it would work physically at the site and what the costs would be for the renovations and repairs and we are working on this. We are not ready with the pricing as yet but it will be in the area of \$600,000 plus. Mr. DegliAngeli next reviewed a map of the area with the Board and advised it would be \$1,000,000 or more to create a new transfer station, etc. Mr. Sires clarified that what Mr. DegliAngeli is presenting is the weighing of both options to see which way is better to go.

Ms. Seavey questioned how the other two towns, Albany and Eaton, participate in the district and Mr. DegliAngeli explained.

There was next discussion on repairs and costs. Mr. DiGregorio and Ms. Seavey both stated they thought this was just going to be about the dump store and they would like to know more about what has transpired since. Ms. Sand stated there was discussion that there are no ramps, parking issues, etc. The proposal from the subcommittee started out a relatively inexpensive with the exception of paving. They wanted to put in some shelving for the re-use area. Mr. DegliAngeli stated that he wants to put the renovations in with the proposed changes as this will help take care of some long term problems. We have a disintegrating building and need to do something about same. There are also some small repairs he could do to keep the building functioning but now he would like to look at this overall. Mr. DegliAngeli further pointed out that we are not ADA compliant and this has to be addressed soon.

Mr. Sires pointed out that we are trying to lay out the options for the facility. We are not trying to say this has to be \$600,000 but, at a minimum, to keep the building standing and working it will be several hundred thousand dollars and the Board can chose to do the work or not. On a second level, the Board could just do a few renovations instead.

Mr. DiGregorio stated he is not interested in taking any band aid approach. When we build something we need to take care of it. A lot of times building maintenance gets put on hold and if this facility has issues, they need to be addressed. Mr. DiGregorio further stated that this should be brought forward this budget season to be discussed. Also, if we are not ADA compliant, we have to look at that issue. Mr. DiGregorio next added that he is not willing, at this point, to spend \$600,000 to \$1,000,000.

Ms. Seavey stated she agrees with Mr. DiGregorio and added she wants to see it fixed but she is not willing to do this without seeing further cost factors.

Mr. DegliAngeli suggested that Ms. Seavey and Mr. DiGregorio view the video presentation made by the subcommittee at the last meeting.

Ms. Sand stated that at the last meeting we left it at –since it is summer, we would do the shelving unit where the oil is now once the recycling attendant is hired. Also, Mr. DegliAngeli

has some ideas such as reducing the windows from three to one, extending the overhang, ADA parking, etc, and we asked him to go and look at these issues and incorporate them with the changes proposed by the subcommittee.

Mr. DiGregorio questioned where the ADA deficiency is. Ms. Sand stated that anyone with a wheelchair or walker can't access all areas as we have curbing. Mr. DegliAngeli also pointed out that the curb is crumbling as well.

Mr. DegliAngeli next briefly discussed other repairs that are needed at the facility. Mr. DegliAngeli suggested that Board members take a look at the facilities and their condition. The Board agreed that a tour should be set up.

Mr. Sires next discussed staffing. Mr. DegliAngeli advised that they used to have a foreman at the landfill and one at the transfer station. We are proposing now to have a manager/foreman instead. We are currently still down three employees and this would be one of the positions. Also, this would not be a union position. Mr. Sires reviewed this person would be managing all the facilities including the metals, dump store, violations, etc. The Board held a brief discussion on the position. Mr. Weathers asked if staff is looking for a motion supporting this position. Mr. Sires stated if the Board supports same, it would be a good idea to vote on approving the staff change. Ms. Seavey asked about the salary for the position. Mr. DegliAngeli stated they are still developing this information. Ms. Seavey stated she would like to know more details and the cost factors for this position. Mr. Weathers pointed out that this Board does not review job descriptions. Mr. Sires stated we are proposing changing a position and if this Board agrees they could endorse that change and if you want to see more detail we could do that as well. Mr. DiGregorio stated he would like to get a better understanding of the need and this could be found during the tour and then we could have further discussion on this matter at the next meeting. Ms. Sand pointed out that Mr. DegliAngeli has been running the department well for a long time. This would be an administrative/management issue and she thinks it makes sense. Mr. DiGregorio stated that it has been working well the way it is for a long time and he doesn't see the need to change it. Mr. DegliAngeli briefly discussed recent attrition in this department, losing longterm employees, etc, and thought this was a opportunity to bring forward this suggestion. There was next further brief discussion on the position, pay grade, etc, by the Board. **Ms. Sand moved, seconded by Mr. Weathers, that we allow them to reclassify position from Attendant to Foreman with the Board's support. The motion failed 2-2-0.** Mr. Weathers stated the motion is not supported but we could look at further information and if the Board wants we could reconsider and bring this matter back to the next meeting. Ms. Sand pointed out that this will be another two weeks that we won't be hiring someone.

#### APPROVAL OF WRITTEN TIMELINE FOR STONE MEMORIAL IN REDSTONE PARK

Steve Swenson reported the green granite is in place in Redstone Park. Mr. Swenson further pointed out that he had sent a proposed written timeline to place on the rock for the Board's review. Mr. Swenson next advised that they have already received donations and are ready to go with the project. Ms. Sand pointed out two typographical errors on the proposed timeline and Mr. Swenson advised he would fix same. Ms. Sand next stated that this is a very interesting timeline and she is in support of same. **Mr. DiGregorio moved, seconded by Ms. Seavey, to approve the proposed revised timeline on the green granite stone. The motion carried 4-0-0.**

Mr. Sires stated he did meet with Mike Lane and Don Lyford of the NHDOT last Friday about the access issues in the area and defined where the Town and State have responsibility.

They will next be talking to area residents about the access, etc. Also, boulders will be placed where the truck traffic is getting into the area.

Ms. Sand questioned what time Mr. Swenson has a walk through scheduled for the Redstone area. Mr. Swenson advised it will be this Saturday at 9:00 am and they will be meeting at the gate.

### ELECTRICAL BIDDING

Mr. DegliAngeli distributed a draft request for proposals to shop out the Town's power to the lowest bidder and reviewed same with the Board.

Mr. Weathers questioned the advantage of going one, two or three years. Mr. DegliAngeli stated staff time and, also, people can't predict the future. Mr. DegliAngeli further advised that he does like the longer term. Also, some towns do a fixed price and we don't do that with fuel as we float the market and he feels we should do that with this as well. Mr. DiGregorio stated that he likes the fact that we are looking down this road and he thinks this is the right thing to do. There was next brief discussion regarding which term to put this out for. **Ms. Sand moved, seconded by Ms. Seavey, that we submit the Request for Proposal at a 36 month request for pricing and the rest as written.** There was further discussion on whether to ask for just 36 months or for all three terms. Mr. DegliAngeli opined that he does not see a downside to asking for 12 and 36 month proposals. **Ms. Sand amended the motion, seconded by Ms. Seavey, that we submit the Request for Proposal for 12 and 36 months. The motion carried 4-0-0.**

### HUSSEY FIELD WETLANDS PERMIT

Mr. DegliAngeli advised that he met with representatives from the State of New Hampshire today. Mr. DegliAngeli reported there was not state permit for the work on Hussey Field and there will not be one as per the State of New Hampshire.

There was next a brief discussion of maintenance of the field and seeding. It was agreed that following the kennel club show we will bring in top soil and seed the area.

### WEED CONTROL ON SIDEWALKS ETC

Mr. DegliAngeli advised the Town received a proposal for sidewalk weed control. This would be predominantly on the North-South Road as we don't really have a problem in North Conway. The proposal was for \$550 per application and we would use two or three a year and so this would be about \$1500 annually.

Mr. DiGregorio asked about the strip where the granite curbing and the concrete meet on other sidewalks in other areas of town. Mr. DegliAngeli stated if we do both, we would probably have to double the proposal. Also, if we do this it could be under repairs and added into the budget for next year. The Board all agreed on one application for this year in the fall.

### DISCUSSION OF TOWN OF MADISON ACCESS TO CHANNEL 3

Mr. Sires reported that he and Mr. DiGregorio met with the Madison Board of Selectmen regarding Madison access to Channel 3. The Town of Madison offered \$1500 for the remainder of 2012 and, also, they would do some work for Valley Vision with getting some meetings and things online. Mr. DiGregorio reviewed that \$1500 is to finish off this year as this wasn't in their budget. Going forward they will pay the same amount as other towns in the agreement;

however, they asked to work out a deal with Valley Vision to put some of the things they produced on the internet –but this deal is between Valley Vision and the Town of Madison. **Mr. DiGregorio moved, seconded by Ms. Seavey to accept \$1500 for the remainder of 2012 with the understanding the internet program would be accomplished in 2012 and it is contingent on a commitment from the Town of Madison to fund Valley Vision for \$5,000 for subsequent year. The motion carried 4-0-0.**

CONSIDERATION OF SELECTMEN'S RELEASE DEED – TOWN OF CONWAY  
TO MOUNT CRANMORE CONDOMINIUM UNIT OWNERS' ASSOCIATION

Mr. Sires reviewed a Release Deed from the Town of Conway to the Mount Cranmore Condominium Unit Owners' Association with the Board. Mr. Sires explained this is just a housekeeping issue. The development rights are for unbuilt condominiums. The condominium rights have expired and a Judge has ruled they are not valid. The Mount Cranmore Condominium Unit Owners' Association is okay with this as well. The rights have no legal existence and we ask that the Board of Selectmen release any claim to those rights through this Release Deed. **Ms. Seavey moved, seconded by Mr. DiGregorio, to sign the Release Deed from the Town of Conway to the Mount Cranmore Condominium Unit Owners' Association. The motion carried unanimously.**

CONSIDERATION OF OFFER TO DEED LAND TO TOWN- TRANSVALE  
ACRES / 251-38-69 B RD OWNED BY DOUGLAS GHOLSON

Mr. Sires stated that as mentioned previously, we may be getting offers from owners in Transvale to deed their property to the Town.

Mr. Sires distributed information to the Board on Map/Lot 251-38-69 along with a photo showing damage to the property from Tropical Storm Irene to the Board for review. Mr. Sires advised the owner has offered to deed the property to the Town of Conway. If the Town accepts the parcel we would have to demolish the building. Also, there are tax liens on the property and a bill for this year as well. Mr. Sires further advised that it is his understanding that if no back taxes are paid by the owner, this property will be subject to deeding next year. The advantage to looking at this matter now is due to staff time costs, etc. If the Board is willing to consider this offer, we do however have to go through the statutory process and ask the Conservation Commission and Planning Board for recommendations and, also, hold two public hearings on the matter to make the public aware of the offer of land. Mr. Sires next questioned if the Town is willing to take this property with all likelihood that the Town will not receive any payments and we will incur costs of demolishing the property.

Mr. DiGregorio questioned if this property would have been eligible for the FEMA buyout program. Mr. Sires responded in the negative and advised this is a camp. Mr. DiGregorio next questioned if the property would be eligible for FEMA funds due to the back taxes. Mr. Sires stated probably not. Mr. DiGregorio next questioned if this would be the cleanest way to do this. Mr. Sires stated that all in all it is not something we want to do but it may be best to do it this way. The other is the legal process to have people remove the building on the property, etc., but in this case it looks like they will walk away from the property. Ms. Seavey questioned if it is sellable. Mr. Sires advised it is a campsite and he would say to let it be woods and then we don't have to worry about it in the future. Mr. Sires stated this is just something to consider as we would still have to go through the process first. If the Board is amendable to the idea, we can direct staff to move forward and go through the statutory process. Ms. Sand questioned – they want to give the land back and the taxes are worth more than the property? Mr. Sires responded in the affirmative. Mr. DiGregorio stated this makes him nervous as there could be forty others in the neighborhood that want to do the same thing. Mr. Sires stated if the Board

did decide to do this it would be to take care of issues in the floodway and there is clearly a public benefit to do so. If we did have more properties in the future, we could package the demolition. This would also test the waters of how many others may want to do this; however, there is nothing to compel you to take any other properties. Ms. Sand next pointed out that we are taking others to court to remove their structures. Even though he is offering to give the land to the Town why is this one different? Why don't we let it go to court and have him remove the structure? Mr. Sires stated there are others we have to take to court however this person has come forward to offer to gift the land. Mr. Sires reiterated that there is nothing however that compels the Board to accept the property.

Ms. Sand next pointed out that there is \$3400 owed in taxes, there would be costs to tear down the structure, plus we would have to pay for the deeding of the property. She doesn't know the cost to take him to court but it may be about the same. Mr. Sires stated if we don't do anything we may end up taking it anyway. Also, if we take him to court and he still doesn't comply, then we demolish the structure and lien the property and we may end of owning this property anyway.

Mr. DiGregorio questioned if we know if this person has any other assets. There have been times when people have come to the town for tax matters and we find out that they have other property and/or assets. Further, there are also people that are current on their taxes and cleaning up their property and it would seem that we are penalizing people for doing the right thing if we accepted the property. Mr. Sires stated the other alternative is to proceed through court. Ms. Sand stated she is leaning with Mr. DiGregorio on this matter that we could be setting precedent and about the people who are doing the right thing, however, she also does have concerns regarding the environment as well. After further brief discussion, the Board agreed to go through the process and then make a decision as to whether to accept the offer or not. **Mr. DiGregorio moved, seconded by Ms. Seavey, that we consider the offer and start the process of public hearings to take a gift of land. The motion carried 3-1-0 with Ms. Seavey, DiGregorio and Weathers voting in the affirmative and Ms. Sand voting in the negative.**

#### SIGNING OF DOCUMENTS

- a. Abatement Map/Lot 265-126.1
- b. Certification of Yield Taxes Assessed Map/Lot 226-4
- c. Current Use Land Use Change Tax Collector's Warrant
- d. Land Use Change Tax Map/Lot 260-52
- e. Notice of Intent to Cut Wood or Timber Map/Lot 297-3
- f. Permit to Sell Raffle Tickets/American Cancer Society/Drawing 10/14/12
- g. Timber Tax Levy Map/Lot 226-4

**Ms. Sand moved, seconded by Ms. Seavey, to sign the Abatement for Map/Lot 265-126.1, Certification of Yield Taxes Assessed for Map/Lot 226-4, Current Use Land Use Change Tax Collector's Warrant; Land Use Change Tax for Map/Lot 260-52, Notice of Intent to Cut Wood or Timber for Map/Lot 297-3, Permit to Sell Raffle Tickets/American Cancer Society/Drawing 10/14/12; and a Timber Tax Levy for Map/Lot 226-4. The motion carried 4-0-0.**

#### CONSIDERATION OF BILLS:

- a. Manifest 7/12/12
- b. Payroll 7/12/12

**Ms. Seavey moved, seconded by Ms. Sand to approve the Manifest and Payroll dated 7/12/12. The motion carried 4-0-0.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest 6/28/12
- b. Manifest 7/5/12
- c. Payroll 7/5/12

**Ms. Sand moved, seconded by Ms. Seavey, to ratify the manifests dated 6/28/12 and 7/15/12 and Payroll dated 7/15/12. The motion carried 4-0-0.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Tim Mountain Conservation Center/Mt Washington Century Cycling Event-7/14/12
- b. Ski and Snowboard Outlet/Ski and Snowboard Annual Sale- 7/28/12-8/11/12
- c. NH Intertribal Native American Council/Saco River Pow Wow – 8/3/12-8/5/12
- d. American Cancer Society/Making Strides Breast Cancer Walk-10/14/12 (Pending Insurance)

**Ms. Sand moved, seconded by Ms. Seavey, to approve the Special Event Applications for Tim Mountain Conservation Center/Mt Washington Century Cycling Event-7/14/12; Ski and Snowboard Outlet/Ski and Snowboard Annual Sale- 7/28/12-8/11/12; and, the NH Intertribal Native American Council/Saco River Pow Wow – 8/3/12-8/5/12. The motion carried 4-0-0.**

**Ms. Sand moved, seconded by Mr. DiGregorio, to approve the Special Event Application for the American Cancer Society/Making Strides Breast Cancer Walk-10/14/12 pending receipt of the insurance certificate by 9/30/12. The motion carried 4-0-0.**

CONSIDERATION OF MINUTES: 6/5/12 AND 6/19/12

**Ms. Sand moved, seconded by Ms. Seavy, to approve the minutes of 6/5/12 as written. The motion carried 4-0-0.**

Ms. Seavey excused herself for a moment and left the meeting room at 6:23 p.m.

**Ms. Sand moved, seconded by Mr. Weathers, to approve the minutes of 6/19/12 as written. The motion carried 2-0-1 with Mr. DiGregorio abstaining.**

Ms. Seavey rejoined the meeting at 6:24 p.m.

TOWN MANAGER REPORT

Hussey Field/Canoe Turnaround – Mr. Sires stated the turnaround is working okay. Also, we will have the Police Department directing traffic during the upcoming Pow Wow event so we will all be working together.

Town Manager Evaluation – Mr. Sires advised his annual evaluation is approaching. Mr. Sires advised that he left a memo in the Selectmen's mailboxes for review. Mr. Sires suggested this be put on an agenda for a future meeting. The Board agreed.

Letter to Gibson-Woodbury Foundation – Mr. Sires presented a letter to the Gibson-Woodbury Foundation thanking them for the funding for the canoe launch to the Board for consideration. The Board unanimously agreed to have the Chair sign and send the letter.

Streetlights – Mr. Sires reported the NHDOT is looking at turning off some street lights on highways around the State of New Hampshire. Some towns have received notices already; however we have not received any notices for any of the lights in the Town of Conway as of this date.

Time Warner Cable & ABC – Mr. Sires reported the two ABC channels carried by Time Warner Cable in our area are not being broadcasted now. There is a bargaining dispute between ABC and Time Warner Cable. It most likely will get worked out but we did receive complaints today at Town Hall. One person asked if since we have a cable contract they wanted to know if the Board of Selectmen can do anything. One person also stated that we could make the case that this is a public safety issue as we are not receiving New Hampshire news. This person also asked if we could break the contract with Time Warner and get another cable company which we probably can't do. Mr. Sires advised that he did tell the person we would contact our cable attorney to see if there is anything that we can do. Once we receive a response from the attorney he will let everyone know. Mr. DiGregorio questioned if they were supposed to notify us before the channels went off. Mr. Sires advised that he did get an email this morning from Time Warner but this was after the channels were turned off. Mr. Weathers stated information was scrolled on the channels before they went off as well.

Vacation – Mr. Sires advised he would be out of the office on vacation for the remainder of the week.

Fourth of July – Mr. Sires reported the Fourth of July activities went great. There was a good attendance for the parade. Also, the town managed to get the fireworks off the ground before the rain and lightning started.

#### BOARD REPORTS AND COMMENTS

Mr. DiGregorio reported his baseball team was in the Fourth of July Parade and had a lot of support. Also the team did well overall but lost at the state level.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no questions or comment from the public or media.

#### NON PUBLIC SESSION/NH RSA 91-A:3,II(c) – TAX MATTERS

At 6:34 p.m. **Ms. Seavey moved, seconded by Ms. Sand, to go into non public session to discuss tax matters.** Tax Collector, Rhoda Quint, Town Manager, Earl Sires, Recording Secretary, Karen Hallowell, and two property owners with tax matters were included in the non public session. **The motion carried by unanimous roll call vote.**

At 7:08 p.m. the Board returned to public session. A motion to seal the minutes was made and carried in non public session.

#### NEXT MEETING

Mr. Weathers reviewed the next meeting will be held on July 24, 2012. Ms. Seavey advised that she will not be here for the meeting scheduled for August 7, 2012.

ADJOURN

At 7:10 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary