

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
August 7, 2012

The Selectmen's Meeting convened at 4:00 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, and Stacy Sand, Town Manager, Earl W. Sires and Recording Secretary, Karen Hallowell.

Selectman, Howard C. Dickinson, was not present due to medical reasons. Mary Carey Seavey was not present due to vacation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised that Agenda Item 7 "Discussion of Suggested Ordinances from the Police Department" would be rescheduled to a future agenda.

**Mr. DiGregorio moved, seconded by Ms. Sand, to approve the agenda. The motion carried 3-0-0.**

DISCUSSION OF PROPOSED PAINTING OF MURAL AT TRANSFER  
STATION BY PINE TREE SCHOOL STUDENTS

Mr. Sires reported there has been an offer by the Pine Tree School students to paint a mural on one of the walls at the transfer station. The Board reviewed a copy of the proposed mural. Mr. Sires advised that Mr. DegliAngeli suggested this be painted on the east wall of the transfer station building for best open uncluttered space. This could be done this fall after school starts and Mr. DegliAngeli will make sure if they are painting while the transfer station is open, the area will be cordoned off. Ms. Sand questioned if the picture presented today will be what is painted. Mr. Sires stated it will be the same general idea as the picture presented today. Mr. DiGregorio questioned if this will be affected by the renovations that will be taking place. Mr. Sires stated that Mr. DegliAngeli has advised this will not affect or be affected by the renovations. The Board all agreed to proceed with the mural at the transfer station.

REQUEST FOR STUDY FOR SITE IMPROVEMENTS AT CONWAY RECREATION  
BUILDING - FRIENDS OF CONWAY RECREATION/SUT MARSHALL

Sut Marshall of the Friends of Conway Rec and Recreation Director, John Eastman, joined the meeting.

Mr. Marshall stated he is here on behalf of the Friends of Conway Rec to ask for the support of the Board of Selectmen to ask Paul DegliAngeli to do a feasibility study of the town recreational building site. They would like to know what is feasible before they move ahead. They are not in a position to talk about costs, etc, and would not be unless the requested study is done. Mr. Sires clarified if they are asking to look at site issues, parking requirements, the

building, etc, and not anything to do with how this would be financed, etc. Mr. Marshall agreed. Mr. Sires next stated to the Board that he did speak to Mr. DegliAngeli about this and he advised that this would be a good time to look at this and he would have the time to do so.

Ms. Sand questioned if they are looking at adding or replacing the facility. Mr. Marshall stated they are not sure at this point but the building is old. Ms. Sand stated that Mr. DegliAngeli could discern if the building is fixable or if it should be taken down and replaced. Mr. Marshall agreed and added we need to find out what is feasible first.

After further brief discussion, the Board all agreed and supported the idea to have Paul DegliAngeli apply some of his time to help the Friends of Conway Rec determine whether to go forward or not.

Mr. DiGregorio stated thank you to the Friends of Conway Rec for the work that they do to help relieve the tax burden with things such as the new van, their time and efforts to help kids, etc.

#### UPDATE ON MAINTENANCE OF EAST CONWAY ROAD

Mr. Sires reviewed issues discussed previously regarding East Conway Road. Mr. Sires further noted that meetings were held, etc. and state funding was an issue for getting the road fixed. However, the NHDOT found some funding to do work on some of the poorest parts of the road. Mr. Sires next advised that he received an email from the NHDOT regarding East Conway Road describing the project and the progress and reviewed same with the Board. (See attached).

#### DISCUSSION OF SUGGESTED ORDINANCES FROM THE POLICE DEPARTMENT

It was agreed this agenda item would be postponed to a future meeting.

#### PROPOSED REGULATION PROHIBITING PORTABLE TOILETS IN THE FLOODPLAIN CONSERVATION DISTRICT

Mr. Sires reviewed information provided in the agenda packet with the Board regarding portable toilets. (See attached). Mr. Sires advised the Health Officer and other staff have been working with the town attorney to look at this issue and to develop the proposed local health regulation under RSA 147:1. Mr. Sires advised that if a portable toilet is in the floodway and then gets taken down a river this proposes a health risk to the community. Mr. Sires next reviewed that the only way someone would be able to have one in a floodway is through the public event process and this would be with some restrictions.

Mr. DiGregorio questioned how many people this affects. Mr. Sires stated that right now we have had requests from people with campsites to have a portable toilet and we have told them then could not. As far as he knows, no one is using a portable toilet in Transvale and he doesn't know if anyone is using one anywhere else in town as well. Mr. DiGregorio asked about construction sites. Mr. Sires stated that theoretically you are not allowed to build in a floodplain and a portable toilet wouldn't be placed in a floodplain either. There was further brief discussion. Ms. Sand questioned if composting toilets would come under this regulation. Mr. Sires explained the regulation is just for traditional portable toilets. If a composting toilet can be picked up and put in your car, that would be okay; however no structures i.e. porta potties that can't be readily moved are not allowed. **Mr. DiGregorio moved, seconded by Ms. Sand to**

**accept the wording of the proposed local regulation regarding portable toilets in the floodplain conservation district. The motion carried 3-0-0.**

APPOINTMENT OF ALTERNATE BOARD OF SELECTMEN  
REPRESENTATIVE TO PLANNING BOARD

Mr. Sires stated that, as per the Planning Director, a formal appointment for an Alternate Board of Selectmen representative to the Planning Board needs to be made. Mr. DiGregorio stated that he does not believe it needs to be a formal appointment and that the Board of Selectmen Chair can make alternate appointments to committees when needed. There was brief discussion and the Board agreed that this is something that should be looked into and brought back for further discussion.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 235-8 (2010)
- b. Abatement Tax Map/Lot 235-8 (2011)
- c. Abatement Tax Map/Lot 235-85 (2010)
- d. Abatement Tax Map/Lot 235-85 (2011)
- e. Abatement Tax Map/Lot 291-2.2
- f. Permit to Sell Raffle Tickets/Vaughan Community Service/Drawing 9/20/12
- g. Pole License Petition/Fairpoint Communications/Pole #955/10 ½ on Thompson Road

**Ms. Sand moved, seconded by Mr. DiGregorio to sign the Abatement Tax Map/Lot 235-8 (2010); Abatement Tax Map/Lot 235-8 (2011); Abatement Tax Map/Lot 235-85 (2010); Abatement Tax Map/Lot 235-85 (2011); Abatement Tax Map/Lot 291-2.2; and, the Permit to Sell Raffle Tickets/Vaughan Community Service/Drawing 9/20/12. The motion carried unanimously.**

**Ms. Sand moved, seconded by Mr. Weathers to sign the Pole License Petition for Fairpoint Communications Pole #8855/10 1/2 on Thompson Road. The motion carried 2-0-1 with Mr. DiGregorio abstaining.**

CONSIDERATION OF BILLS

- a. Manifest dated 8/9/12
- b. Payroll dated 8/9/12

**Ms. Sand moved, seconded by Mr. DiGregorio to approve the manifest and payroll dated 8/9/12. The motion carried 3-0-0 .**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest dated 7/26/12

**Ms. Sand moved, seconded by Mr. DiGregorio, to ratify the manifest of 7/26/12 signed out of session. The motion carried 3-0-0.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Reach the Beach/14<sup>th</sup> Annual Reach the Beach Running Event – 9/14/12

**Ms. Sand moved, seconded by Mr. DiGregorio, to approve the Special Event Application for the Reach the Beach Running Event scheduled for 9/14/12.** Mr. DiGregorio questioned if this was the event that the Town of Madison had trouble with last year. Mr. Sires replied in the affirmative. Mr. Weathers stated that there is only one road crossing for this event in the Town of Conway and that the trouble last year was further down the road in Town of Madison. Mr. Weathers further added that this is why we do special event permits so that we can work with event holders and, with this event, we have a place and method for them to cross the road. Ms. Sand noted that that this event utilizes nonprofit organizations along their route and they can make money by supporting the runners along the way. **The motion carried 3-0-0.**

#### CONSIDERATION OF MINUTES: 7/24/12

**Ms. Sand moved, seconded by Mr. DiGregorio, to approve the minutes of 7/24/12 as written. The motion carried 3-0-0.**

#### TOWN MANAGER REPORT

County Dispatch Meeting – Mr. Sires reported that a meeting was scheduled for tomorrow with the Carroll County Commissioners to discuss county dispatch; however, the Commissioners are not ready to have the discussion and this meeting was postponed.

MWVCC – Mr. Sires reported he has been invited to attend a strategic planning meeting of the Mount Washington Valley Chamber of Commerce on Thursday, August 9, 2012 at the Mt. Washington Hotel.

Animal Rescue League of NH – Mr. Sires reported the Town and the Animal Rescue League have reached an agreement on a contract.

Abenaki Project – Mr. Sires reported the Abenaki project is moving along. Bob Cottrell went through and finished cleaning out the gift shop at the Abenaki site. Also an outdoor sign is being made for the property and this should be done in the next month or so.

Canoe Launch – Mr. Sires reported it was busy this past weekend at the new canoe launch area and the Pow Wow was also at Hussey Field. Some things were moved around for the launch etc, and all worked well for the weekend. Further, the whole project worked well and now we are coming to the end of the season. We will hold another meeting with all involved again to discuss completing the canoe launch project.

Budget Committee – Mr. Sires reported a Budget Committee meeting is scheduled for tomorrow evening, August 8, 2012. Mr. Sires advised that he would be giving a midyear report to the Committee. Mr. Sires next advised that the legal budget is at 15% now and we are only a little over half way through the year. This is mainly due to Transvale issues. Mr. Sires advised we will keep an eye on this and we are trying to identify other areas of the budget where we can save money.

Tax Deeding– Mr. Sires reported the deed date is approaching and is August 22, 2012. Rhoda Quint has been keeping everyone aware and noticed. Also, he and Tom Holmes will be taking letters to property owners tomorrow.

#### BOARD REPORTS AND COMMENTS

Charter Review – Mr. DiGregorio questioned if the Board would be meeting with the Town Attorney in September to review the Charter. Mr. Sires replied in the affirmative stating that Peter Malia will meet with the Board and advised the Board what they can and can't change in the Charter and what can go to the voters in April. Mr. DiGregorio questioned if we are still going to have someone from the LGC come in to discuss this as well and, also, he feels we should invite the Precinct representatives to the meeting. Mr. Sires advised he would check on the availability of the people at the LGC for a meeting.

Meeting Schedule – The Board agreed they will not hold a meeting on September 11, 2012 due to Election Day. The Board agreed to hold a meeting instead on September 18, 2012.

Ice Rink – Mr. DiGregorio stated he feels the subject of the ice rink needs to come up again. We don't have anything in our budget this year and we should tell the public; however, this does not mean we can't talk about a future budget. Also, he feels this will give somebody a chance to step up for this year to fund the rink. He feels we need to let the public know now. Mr. Weathers stated this was never in our budget. Mr. DiGregorio agreed that it was not in our budget but he thinks this was cloudy to the public and we need to get the word out that there will not be an ice rink this winter season if no one steps up. Ms. Sand questioned if somebody does step up with the costs for staffing, fixing, etc, can we put this under our insurance. Mr. Sires stated that in the meeting that was held regarding the ice rink the issue came up that the town should manage the rink but he did not commit to this. Mr. Sires stated he likes the model that the community events are funded by the Community Events Committee. Mr. Sires next reviewed that we don't have anything in our budget to do this this year. John Eastman has stated that if it does get funded he can handle staffing and operations of the rink. Also, it could go onto our liability insurance as a town function on town property and may not make a significant change in the premium. If we find out differently about the insurance premium we can then have discussion regarding this at budget season. Mr. DiGregorio stated we need to decide now if we are going to do the managing end of this if people do come forward with funds for the rink. Mr. Weathers stated that management is paid for by the town and the funds for an employee at the rink would be from an outside source. Mr. Sires stated that funding would come from an outside source but the employee(s) would be Town of Conway temporary employees. Mr. Sires next pointed out that there would be some resources expended, i.e., his and John Eastman's time, etc. **Mr. DiGregorio moved, seconded by Ms. Sand, that the town would be willing to assume the management of the rink provided it was funded in 2012-2013 by an outside source.** Ms. Sand stated that we would need to see a more specific budget and hours of operation. All agreed. **The motion carried 3-0-0.**

Lake Dams – Mr. DiGregorio commented that he read an article in the LGC publication regarding lake dams. Mr. DiGregorio questioned if our dam gets inspected. Mr. Sires replied in the affirmative and further advised that we also have an emergency action plan, take care of the dam, etc. Mr. Sires suggested having Paul DegliAngeli appear before the Board and give explanation on same. The Board agreed.

Conservation Commission – Mr. Weathers reported that a Conservation Commission meeting is scheduled for tomorrow night at 6:30 p.m. at the Whitaker Meeting House. Mr. Sires reported he emailed the proposed deed from the State of NH for the 11 acre parcel to Mr. Pinkham for the Conservation Commission to look at tomorrow night.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

NON PUBLIC SESSION/NH RSA 91-A:3,II(c) – TAX MATTERS (4)

A 4:59 p.m. **Ms. Sand moved, seconded by Mr. DiGregorio, to go into non public session under NH RSA 91-A:3 II(c) to discuss tax matters.** Tax Collector, Rhoda Quint, Town Manager Earl Sires, and Recording Secretary, Karen Hallowell were included in the non public session. **The motion carried by unanimous roll call vote.**

At 6:10 p.m. the Board returned to public session. A motion to seal the minutes of was made and carried in non public session.

NON PUBLIC SESSION: NH RSA 91-A:II(a) - TOWN MANAGER EVALUATION

At 6:12 p.m. **Ms. Sand moved, seconded by Mr. DiGregorio, to go into non public session under NH RSA 91-A:II(a) to discuss to discuss the Town Manager Evaluation.** Town Manager, Earl Sires, was included in the non public session. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:50 p.m.

ADJOURN

At 6:50 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary