

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
November 27, 2012

The Selectmen's Meeting convened at 4:22 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Howard C. Dickinson, Mary Carey Seavey and Stacy Sand, 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.

APPROVAL OF AGENDA

Mr. Weathers stated he would like to add a discussion regarding the transfer station to the agenda. All agreed. **Mr. DiGregorio moved, seconded by Mr. Dickinson, to approve the agenda as amended. The motion carried unanimously.**

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

- a. \$50.00 DARE donation from Phillip Murray to the Conway Police Dept.
- b. \$842.43 from the State of NH to Town of Conway PD for Operation Safe Commute

Police Lieutenant, Chris Perley, joined the meeting. Lt. Perley reviewed a donation of \$50.00 received from Phillip Murray for the DARE program. Lt. Perley stated they appreciate all donations to the DARE program.

Lt. Perley next reviewed a grant received from the State of New Hampshire in the amount of \$842.43 for Operation Safe Commute. This program was instituted two years ago and provides saturation patrols for key commuter times. This targets busy areas for aggressive drivers, etc.

Mr. Dickinson moved, seconded by Ms. Seavey to accept the \$50.00 DARE donation from Phillip Murray to the Conway Police Department and the \$842.43 from the State of New Hampshire to the Town of Conway PD for Operation Safe Commute. The motion carried unanimously.

TRANSFER STATION

Mr. Weathers reviewed the Town is doing renovations at the Transfer Station. Mr. Weathers next reviewed that the windows went down from three trash windows to one. Mr. Weathers stated that he has heard from the public on this matter. Mr. Weathers further added that he feels we should have two windows open and we should try this now instead of the one window as once we have the windows block up we won't be able to go back to two windows.

Mr. Dickinson moved, seconded by Mr. DiGregorio, that we leave two windows at the Transfer Station for trash. There was discussion by the Board. Ms. Sand stated she feels that the whole idea was to get down to one window as this was going to cut down on people throwing away recyclables. Ms. Seavey stated she is not in favor of one window. Ms. Seavey further added that the new person at the transfer station is doing a great job of patrolling

and, also, she feels that the traffic and congestion at the transfer station are bad enough and it will be worse if there is only one window. Mr. Dickinson agreed and added that he feels that we should not be opening and then shutting the second window. Mr. DiGregorio stated he would like to hear Paul DegliAngeli's timeline on renovations and how this would affect the renovations. Mr. DegliAngeli reviewed the transfer station plans with the Board. Mr. DegliAngeli further advised that the Town has blocked off two of the windows for the last three weeks and left only the small window open. We have been trying it out and staff has not recorded any significant backups but this is not the busy time of year either. Also, they have to go in and remove the trash more often as it builds up faster with just one window. Mr. DegliAngeli next suggested either put a board over the second window or put in a coil door on one of the windows and just keep it open during the busy times. Mr. DegliAngeli next briefly reported on recycling enforcement and advised that they have been sending out 10-14 letters every Wednesday since the new foreman has started to people who did not recycle. Mr. DiGregorio commented that he likes the idea of the coil door. Ms. Sand stated that she felt this Board made it clear that they didn't want the foreman to spend all his time dealing with enforcement as it was supposed to be less with one window and then he could do other duties. To count on the foreman's enforcement to take care of recycling is not enough. Also, this is a transfer station and not a dump. Mr. Sires questioned if we were to block the window with a rolling door when could this be done in the budget. Mr. DegliAngeli stated that this probably would not get done until next year. Mr. DegliAngeli next stated that also, in the future, if we need to do work on the wall next to where the last window is (which is the window that would be open) a second window would allow us to keep a window open during the work on the other window. There was next discussion regarding how much faster the trash builds up in the area with one window as opposed to three windows and how staff has to go in and clean it out more often. **The motion carried 5-0-0.**

Ms. Sand stated that she does not like the idea of the second window being open all the time. Ms. Sand next suggested that Mr. DegliAngeli give this Board a price on what the rolling door would cost. The Board agreed.

BUDGET PRESENTATIONS

Police - Police Chief, Edward Wagner, Police Lieutenant, Chris Perley, and Police Commissioners, Rodney King and David Doherty, were present for discussion.

Chief Wagner distributed information entitled "2013 Budget Talking Points" and reviewed same with the Board. (Copy attached).

Ms. Sand questioned raises. Chief Wagner explained the pay structure. Ms. Sand next questioned \$10,000 for computer repair and if they had an officer doing this work during his work time how did we compensate for this. Chief Wagner advised the officer did the work during his regular work hours. Chief Wagner next advised that this officer will be retiring half way through the next year. They have saved money in the past by having him fix the computers just as they have saved money with having an officer outfit police cars. There was next further discussion regarding raises. Mr. DiGregorio stated the police department request is for 4.5% and this is not in line with the rest of the town employees. Chief Wagner stated that in the last few years he feels they have been very comparable with where the town is for raises. Also, they have no control over where raises go –they evaluate and evaluate honestly and wherever this falls is not up to him as they come under the 30 town survey. Mr. DiGregorio asked about the police union contract. Chief Wagner advised they are asking for a three year contract with no changes. Mr. Sires advised the warrant article would have to state any changes to a contract, but it doesn't mean there will not be raises, it means there are no new clauses in the

contract. Ms. Seavey stated that the pay increases may sound high, but that maybe this is due to the quality of officers we have in the Town of Conway.

Mr. DiGregorio asked if the Police Department had the cadet program last year. Chief Wagner stated they requested it in their budget but it was cut from the budget. Ms. Sand stated that she felt that \$10 per hour for the cadet program is high as this is for training, although she does feel that it is a good program. Also, she feels that this may not be the year to reinstate the program.

Police Special Articles – Chief Wagner next briefly reviewed special articles being proposed by the Police Department. (See second page of handout attached).

Executive – Mr. Sires briefly reviewed the proposed Executive budget with the Board. Mr. Sires advised there is a 2.6% increase in this budget.

Ms. Sand questioned the secretarial line increase of 10%. Mr. Sires advised we had decreased overtime last year and this is an effort to add this into next year's budget. Overtime is for minute taking at night meetings. Also, staff has been using some of the overtime as comp time and some as overtime. Ms. Sand questioned if we have tried having staff come in late on meeting days to avoid overtime. Mr. Sires advised that this adds an extra burden as we then don't have coverage in the office.

With regard to vehicles, Ms. Sand next questioned if have looked into costs for a vehicle for the staff so that we can get people to where they need to go without putting wear and tear on employee's personal vehicle. Mr. Sires stated that we are looking to see if the police are getting more vehicles in the future but we could look at getting a new vehicle for the town hall employees as well. Mr. Sires advised that employees use for both out of town and in town travel, but generally only ask for reimbursement for out of town travel. Ms. Sand stated she does not feel this is right either to ask employees to use their own vehicles. Mr. Sires agreed and stated that the need may not be reflected in the budget as we were waiting to see if we get police vehicles for town use. Mr. DiGregorio stated that he feels that we should also fix the vehicles we get from the police in the proper way and this would be cheaper than buying a new vehicle. We need to budget to do repairs on the police vehicles. There was further brief discussion. Mr. Sires advised that we could present alternatives to the Board if they would like to see this. The Board agreed they would like to see further options for vehicles brought back to a future meeting.

Welfare – Mr. Sired reviewed the proposed Welfare budget which increases 6.9%. The increases are based on increases in the amount of assistance we may have in the coming year and for employee compensation.

Assessing – Assessor, Tom Holmes, joined the meeting. Mr. Holmes advised his department has three court cases scheduled for June and July of next year. One of the cases may settle and the other two will require additional expertise. There is \$16,000 in a line item which is a quote from an appraiser with expertise in the lodging industry. Mr. Holmes next stated that we could either spend money defending the cases or abate which would be hundreds of thousands of dollars; however he feels it is warranted to defend the cases.

Elections and Registration – Town Clerk/Tax Collector, Rhoda Quint, joined the meeting. Ms. Quint briefly reviewed the proposed 2013 Elections and Registrations budget with the Board and advised that the budget is basically flat. Ms. Quint further advised that there will only be one election in 2013 as opposed to the four elections held in 2012.

Finance – Bookkeeper, Lauri Roode, joined the meeting. Finance Director, Lucy Philbrick, was also present for discussion. Ms. Roode reviewed the proposed 2013 Finance budget with the Board. Ms. Sand questioned the increase in the information technology line item. Ms. Roode explained that this includes ten computers to be replaced and explained only five were replaced in 2012. Mr. Sires further explained that we do have a schedule that fluctuates a bit year to year for replacement of computers. Ms. Sand questioned the turnaround time for a computer. Ms. Philbrick advised four years. Ms. Philbrick further advised that in this line item there is also a new piece of equipment for the Planning Department at a cost of \$2,000.

Insurance - Ms. Roode reviewed the proposed 2013 Insurance budget with the Board. Ms. Roode advised this is liability insurance for town property and buildings and increases 2.5% due to premium increases. Ms. Sand questioned if this includes the police. Ms. Philbrick advised the police have their own line item for insurance.

Benefits – Ms. Roode reviewed the proposed 2013 Benefits budget with the Board. Ms. Roode advised the employee benefits line increases 4.8% and this is due to the fact that health insurance has increased 4.6%. Also, retirement increases 10.7% and workers' compensation increased 9%. Ms. Roode next reviewed that the town did receive a payment holiday on health insurance from the Local Government Center and this results in \$18,000 coming back to the town.

Debt Principal & Interest – Ms. Roode reviewed the proposed 2013 Debt Principal and Interest budget with the Board. Ms. Roode advised this is for the library bond. The principal payment goes down and the interest does as well.

TANS – Ms. Roode briefly reviewed the proposed 2013 TANS budget with the Board.

Building/Inspections - Mr. Sires reviewed the proposed 2013 Building and Inspections budget with the Board. Mr. Sires advised that this budget is basically level other than staff compensation which increases slightly. Also, this budget includes the Building Inspector and a portion of the upstairs front desk position. Ms. Sand stated that we keep budgeting for books and seminars but haven't been spending it all each year. Mr. Sires stated that with regard to books, this varies each year as they are updated. With regard to seminars, the Building Inspector was very busy with Transvale issues this year and this made demands on his time and this may be why he did not attend seminars.

Planning & Zoning - Mr. Sires reviewed the proposed 2013 Planning and Zoning budget with the Board. Mr. Sires advised this budget increases 1%. They have reduced the hours for the Code Compliance Officer over last year as we are in hopes demands on his time will decrease with regard to Transvale

Emergency Services – Emergency Management Director, Chief Steve Solomon, joined the meeting. Chief Solomon reviewed the proposed 2013 Emergency Services budget with the Board. Chief Solomon advised that this budget also includes contracts that he is not involved in. Chief Solomon further advised that his stipend does not change for 2013. We did add money for the Emergency Management Plan which was actually due in 2012. There are also typing and printing costs associated with updating the plan.

Chief Solomon next advised that they also will be requesting a warrant article for a generator for the Recreation Center. Mr. Sires reviewed that warrant articles will be discussed at the next Board of Selectmen meeting.

Chief Solomon next advised that with regard to the Hazard Mitigation Plan, this is a plan that FEMA requires the town to have to identify reoccurring hazards in town and to plan to help reduce same in the future. The plan was written in 2007, was approved in 2008 and now needs to be updated. Mr. DiGregorio questioned if dredging the river is on the list. Chief Solomon advised that it is but that we can't obtain permission to do the dredging.

Mr. Sires next distributed a copy of a Press Release to the Board entitled "Town of Conway commences Hazard Mitigation Planning Update" and reviewed same. (See attached).

Chief Solomon next advised simultaneously with the Hazard Mitigation Plan, they are also doing a Community Wildfire program.

Mr. Sires next reported on Transvale Acres advising that as far as the buyout program he has been advised that due to Hurricane Sandy this has pushed some of the decision making back. However, it is not a matter of if we are getting the buyout funds, but when we are getting the funds. Right now we are looking at December to receive the funds. Mr. Sires next reported there has been an uptick of people removing structures in Transvale. Also, we currently have a about nine active court cases going on. We are hoping that as folks see the town is serious and if we prevail in the court cases, that others folks will start to comply as well. Mr. Sires next advised that the town is now focusing on illegal septic systems. There are a number of them and these issues may be coming before the Board for Cease and Desist Orders.

Ms. Sand questioned if we are just focusing on Transvale. Chief Solomon responded in the negative and advised that we look at all parts of town but the concentration of cases we have now are in Transvale.

Legal – Mr. Sires reported that \$50,000 was budgeted for legal expenses in 2012 which was an increase of \$10,000 over 2011. This was an underestimate for 2012 and we are currently closer to \$60,000 in legal expenses for 2012; however, we are going to be able to cover this amount. Also, because of the Transvale matters and because of amounts requested by the Assessing Department to defend court cases we are going to end up being about \$15,000-\$20,000 over the legal budget at the end of the year. Mr. Sires next reviewed that the amount of \$86,000 is being projected for the 2013 budget but he hopes that as we proceed through court cases that others may drop their legal actions

APPROVAL OF NORCROSS CIRCLE PROJECT

Mr. Sires reviewed previous discussions held with the Board regarding the proposed construction of a roundabout with an island on the northwest corner of Norcross Circle. Mr. Sires stated this will help with traffic and, also, beautify the area. Mr. Sires next stated that there were some concerns regarding loss of parking and about fire trucks. He and Paul DegliAngeli have met with representatives of the North Conway Water Precinct and Fire Department and the Conway Scenic Railroad and have spray painted an outline of the project. After discussion they have all come up with a plan that all agree on. Mr. Sires next distributed a copy of a diagram of the plan and reviewed same (see attached). Mr. Sires reviewed that we will also end up now with about three more parking spaces with the new plan.

Ms. Sand stated that she did not see the spray painted area. Mr. Sires advised that it is gray in color and should still be there. Ms. Sand questioned if Joe Berry was invited to the meeting. Mr. Sires advised that these are town public parking spaces and they are not owned by the businesses in the area. Also, we are moving parking spaces from one area to another location. Ms. Sand stated she would like to see where the spaces are being moved to. Mr. Sires advised that he did speak with the Frame Shop owner and she didn't have any concerns and, also, he is not aware of any concerns of the property owner. Mr. Sires next added that we can go back and take a look at the area if the Board would like. Ms. Sand stated that she likes the idea of controlling the traffic, but is concerned about the businesses in the area, i.e., the frame store, etc, as this may be a little harder on them. Also, she does not know where the handicap parking is located. Mr. Sires suggested meeting with Ms. Sand at the site. Ms. Sand agreed.

Mr. DiGregorio stated he does have concerns about the rotary itself. Also, he has heard concerns from the mortgage company employees in that area. He himself is struggling with the rotary idea. He understands part of it is to try and stop people from going out the wrong way, but by putting the wings out there and having do not enter signs you could accomplish the same goal of having people not go in the wrong direction. Mr. Sires questioned what the concerns were for the mortgage company employees. Mr. DiGregorio advised parking. Mr. Sires pointed out that they actually gain parking but it is moved.

All agreed to hold this matter to the next agenda so that the Board would have additional time to view the area again.

TOWN HALL BUILDING OPTIONS

Mr. Sires reviewed that the Board had previously asked town staff to look at building options for town hall. Mr. Sires reviewed a memo regarding a Town Hall Building review with the Board. (See attached). There was discussion and the Board agreed to further review the memo and that this matter would be placed on a future agenda for further discussion. Ms. Sand also suggested that staff look into the property that is for two doors down from the Town Hall and advise the Board on this as well.

PROPOSED AMENDMENT TO ZONING AND BUILDING CODES COMPLIANCE PROCESS

Mr. Sires reviewed a memo regarding a proposed amendment to the Code Compliance process with the Board. (See attached). Ms. Seavey questioned what staff is looking to bring the time frame process into. Mr. Sires advised we are trying for about one month. Ms. Sand stated that the staff we have at town hall now is good and they are experienced; however, she would have concerns with this process if we had a staff turnover in the future. She also feels that we should emphasize that people can meet with the Board of Selectmen. Mr. Sires stated that the process could be changed if there is staff turnover. There was further brief discussion by the Board. The Board agreed they would like further time to review the matter and that this item should be brought back to the next meeting for further discussion.

REVIEW AND CONSIDERATION OF MOUNT WASHINGTON VALLEY SKI TOURING FOUNDATION ANNUAL OPERATING AGREEMENT

Mr. Sires reviewed this is the same agreement between the Town of Conway, Mount Washington Valley Ski Touring Foundation and the Conway School Board has had for several years. Mr. Sires gave a brief overview of the agreement. **Ms. Sand moved, seconded by**

Mr. Dickinson, that we approve the Operating Agreement with the Mount Washington Valley Ski Touring Foundation. The motion carried unanimously.

SIGNING OF DOCUMENTS

- a. Tax Abatement Map/Lot 203-137
- b. Tax Abatement Map/Lot 251-149.3, 277-140, 277-139

Mr. Dickinson moved, seconded by Ms. Sand, that we sign the Tax Abatement for Map/Lot 203-197 and the Tax Abatement for Map/Lots 251-149.3, 277-140 and 277-139. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. Manifest dated 11/29/12
- b. Payroll dated 11/29/12

Ms. Sand moved, seconded by Mr. Dickinson, to approve and sign the manifest dated 11/29/12 and the payroll dated 11/29/12. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

a. Manifest dated 11/21/12 – **Mr. Dickinson moved, seconded by Ms. Sand, to ratify the manifest dated 11/21/12 signed out of session. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no special event applications for the Board's consideration.

CONSIDERATION OF MINUTES

11/13/12 – Ms. Sand advised suggested one correction to the minutes of 11/13/12 as follows: on page 2, paragraph 4, line 4, should be changed from "... it would make it harder to get onto the North-South Road" to "... it would make it harder to get across the North-South Road." **Ms. Sand moved, seconded by Mr. Dickinson, to approve the minutes of 11/13/12 as amended. The motion carried unanimously.**

TOWN MANAGER REPORT

Public Hearing Notice - Mr. Sires reviewed a notice is being published and posted for a Public Hearing scheduled for December 11, 2012 in regard to FEMA flood maps.

Hobbs Street Property – Mr. Sires reported that the building at the Hobbs Street property is now down. Mr. DegliAngeli and his crew have demolished the building and the metal, brick and wood are gone. The site has been cleaned up. Mr. Sires next advised that the Town is expecting the wetlands analysis and map to be done this week and next week this Board can talk about the next step for the property.

Redstone Quarry – Mr. Sires reported that people have been getting into the Redstone Quarry area and taking out scrap. The Police have identified people responsible and they are working on this matter. Also, the town is in the process of gating the area and the NHDOT is also supposed to create a berm to limit access to the site.

Conway Pines – Mr. Sires reported that he attended the ribbon cutting ceremony for Conway Pines held yesterday, November 26, 2012.

North Conway Parking Lot – Ms. Seavey questioned if the entrance to the town parking lot between Bellini's restaurant and the Thai restaurant is private or open to the public. Mr. Sires stated that it is a private entrance but is used by the public.

Board Schedule – Ms. Sand stated that the calendar of Board of Selectmen meetings she has ends in January and questioned what the schedule would be thereafter. Mr. Weathers advised that starting in January, the Board generally meets weekly during the next couple of months unless there is a holiday.

BOARD REPORTS AND COMMENTS

Planning Board – Ms. Seavey stated that as a reminder, she is not available in December or the beginning of January for Planning Board meetings.

Valley Vision – Mr. DiGregorio reported that the Valley Vision Board has a meeting scheduled for tomorrow evening, November 28, 2012. Mr. DiGregorio next reported that he did talk to the Town of Madison and he was advised that their Board of Selectmen are in support of Valley Vision and they are going to put a warrant article out next year for residents to vote on for a contract of \$5,000.

Budget Committee – Mr. DiGregorio reported that two members of the Budget Committee, Betty Loynd and Ted Sares, recently resigned from the Budget Committee. At their last meeting, the Budget Committee appointed Mark Hounsell and Karen Milford to fill the vacancies.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

ADJOURN

At 6:53 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary