

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 4, 2012

The Selectmen's Meeting convened at 4:18 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 advised that agenda item 8, Approval of Norcross Circle Project, would be moved to after the agenda item Approval of Agenda. Also, Agenda item 11, Consideration of whether to accept land at Tax Map/Lot 251-38, would be struck from the agenda. **Mr. DiGregorio moved, seconded by Mr. Dickinson, to approve the agenda as amended. The motion carried unanimously.**

APPROVAL OF NORCROSS CIRCLE PROJECT

Mr. Sires reviewed previous discussions held by the Board regarding the proposed Norcross Circle project. Mr. Sires also briefly reviewed a map of the proposed project with the Board.

Mr. Sires next advised that he met with Selectman Sand and others at the site today. Conway Scenic Railroad had some reservations about the project but stated go ahead and build it if that is what is needed.

Ms. Sand stated that after seeing the area today, she thinks this could be a nice improvement in terms of appearance; however, she recommends reducing the size of the inner circle and this will give a little extra space for busses, etc. Ms. Sand next stated that she was concerned with parking at one point but now that she sees where we are putting the parking she is happy with the plan.

Mr. DiGregorio stated that he went down to the area to look at the proposed plan as well. Mr. DiGregorio questioned if it is the intention to use low profile curbing similar to the roundabout on the North-South Road. Mr. DegliAngeli responded in the affirmative.

Mr. DiGregorio next stated that we have funds that either need to be returned or expended and he would like to see the bricks that are decaying on the esplanade fixed. Ms. Seavey advised that the MWVPA association met this morning. The money is there for the Norcross Circle project. If there are additions to that proposed project it has to go before the MWVPA. Ms. Seavey further explained that this would start another approval cycle and she doesn't know if this could be part of the approval process as we may not be able to use funds for repairs. Mr. Sires added that the process for the use of the money is that it has to be eligible under the guidelines of the grant and, also, the MWVPA, which is the lead group, would have to approve this as a project and then it goes to the Board of Selectmen and then on to the State Office for approval.

Ms. Sand moved, seconded by Ms. Seavey, that we approve the Norcross Circle project with the amendment of reducing the radius of the inner circle by two (2) feet. The motion carried unanimously.

TOWN HALL BUILDING OPTIONS

Mr. Sires reviewed that discussion was held last week regarding options to deal with the future of town hall –the building, the space needs, etc. The memo he distributed previously included five different options.

Mr. Sires next stated that Mr. DiGregorio wanted us to think more about adding onto this building and, also, Ms. Sand mentioned energy efficiency, etc. Mr. DegliAngeli next gave an overview of this option to the Board. Mr. DegliAngeli stated that in this building we think we can get about 2,200 to 2,400 square feet and this involves renovating the third floor, building a small addition for access, the elevator and the stairway. This also involves closing the front entrance and all access would be from the back of the building. Mr. DegliAngeli next explained that this would involve jacking the building up and putting in insulation. The rough estimate for this about \$700,000. Mr. Sires reviewed that we would also reconfigure both the second and third floors. Mr. DegliAngeli stated it seems this is the most we can do to stay in this building. Beyond that, if we were to expand, we would also have to look at adjacent properties for parking.

Ms. Sand stated that she had also suggested looking into the building that is for sale down the street. If we bought that building we could renovate it and this would also have the additional parking. She feels we should look at this building for an additional complex. She would not want us to eliminate this as a possibility. The building needs work but it is close enough to Town Hall that it should be a viable option. She is also looking at a disruption of services if we have this building jacked up, etc. and if we had the other building business could continue.

Mr. DiGregorio stated he does have concerns about adding weight to this building due to the structure of the building. He agrees we could go down a couple of different avenues as Ms. Sand had stated.

Mr. DegliAngeli suggested that we may also want to look at the option of renting the building down the street if it is still available if we just do town hall renovations.

Mr. Weathers reminded everyone that we are just in the preliminary stages of discussion regarding this subject. Mr. Sires next pointed out that there is also a do nothing but a few small repairs option to look at as well.

Ms. Seavey questioned the reason for staying in this building. Mr. Sires stated history and tradition but there are probably more locations that may be better for town hall.

TRAFFIC SIMULATION

There were approximately 25 people in attendance for this discussion.

Mr. DegliAngeli reviewed the Board saw a traffic simulation a few weeks ago and asked for further information.

Tom Gorrill of Gorrill-Palmer Consulting Engineers, Inc. next presented an actual average weekend as traffic exists now simulation and, also, a projected once all has been built model traffic simulation. These are during afternoon commuter hours. Mr. DegliAngeli reviewed the latter shows increased traffic and that the expansion will create more visits to Wal-Mart. Mr. DegliAngeli stated he believes the model is conservative and, also, pointed out that you don't see a queue on Hemlock Lane.

Mr. Gorrill next presented a traffic simulation of existing peak traffic on a Saturday with the current building and reviewed and held discussion on same.

Mr. Gorrill next presented a traffic simulation showing two roundabouts in peak traffic and reviewed same and discussed same.

A person named Jeff in the audience stated that this model shows a 50% increase in traffic but this is not reality and it is generally a lower increase in traffic to the store. This number is based on square footage. Jeff advised that this number was requested by the NHDOT. If we know it handles under these conditions they we know it would work.

Ms. Sand questioned an option of making everyone turn right out of Wal-Mart. Ms. Sand also asked about foot and non motorized traffic and how they get through this traffic flow. She understands that we have incorporated bike lanes but have we looked at traffic on foot. Mr. DegliAngeli reviewed the drawing with sidewalks, crosswalks, etc. Mr. Gorrill stated that it is safer for the pedestrian with the roundabout. There was further discussion and review of the plan.

Bayard Kennett asked Mr. DegliAngeli about the current Wal-Mart intersection. Mr. DegliAngeli advised that it is the highest accident intersection and, further, we have had no accidents on the roundabout.

A person named Sally McMurdo in the audience asked about bike lanes. Where are the bike lanes on the proposed expansion on the North-South Road and on Route 302. She is concerned about the traffic coming out of Wal-Mart. Mr. DegliAngeli stated that the bike lane where it is now is between lanes of traffic and on the southbound side of the North-South road is the only place this happens now. There was further review of the bike lane on the plans.

Mark Hounsell asked how many more developable properties are in the area. Mr. DegliAngeli stated that it depends on what the State does with the land from the bypass. Other than that there are four parcels. Also, there are also parcels opposite Settlers Green. Mr. Hounsell questioned if consideration has been give to those build outs as well. Mr. DegliAngeli advised that for this roundabout we did include an additional development of 100,000 square feet across from KGI; however we tried to include others but they did not want to participate and if they get developed in the future we would have to look at this all again.

An unidentified person in the audience asked if there are sidewalks planned for Wal-Mart as he sees kids walking from the High School. Mr. DegliAngeli stated there is a sidewalk on the Wal-Mart side but not on the school side.

Larry Garland stated it seems to him that all traffic on the model is vehicular traffic. Mr. Garland asked it is required to have a car to do shopping. He wants to make sure that adequate consideration is given to people without a car in this area. Mr. Garland added it doesn't seem that we are encouraging people on foot. He would like to see it made not so car-centric. Also, it doesn't seem easy to walk from Wal-Mart to Settlers Green. Mr. DegliAngeli

reviewed that if people are coming from Redstone or Wal-Mart to Settlers Green, there is a continuous sidewalk from Settlers Green to this proposed facility and there are sidewalks at both of the roundabouts.

Sharon Barber stated that moving the queue from Wal-Mart will not benefit traffic in this town and it will only benefit Wal-Mart. Ms. Sand stated that zoning allows for the construction of Wal-Mart and what the town is doing is not so much accommodating Wal-Mart but the area and looking long-term. Also, this will cost the town less if we do it now as Wal-Mart will be paying for this work. Unless zoning laws are changed, which wouldn't include this, we can't change it. Ms. Barber next suggested figuring out a way to keep Hurricane Mountain Road open all year round.

Mary Seavey left the meeting at 5:38 p.m.

Frank Hastings of North Conway stated that if we are increasing traffic 50% then this is more revenue for the town. He feels we should look at anything to help the community in the future.

Larry Garland questioned if there is a possibility for changes to the crosswalks etc, and, if so, when would this be done. Mr. DegliAngeli stated that if the Board of Selectmen approve this traffic solution then this goes back to the Planning Board and they continue with Site Plan Review. The Planning Board will not be concerned with the details of the road as that is the Board of Selectmen. If this Board chooses to form a committee for input on this –that is the Board's purview. Mr. Garland further talked about pedestrian traffic and questioned if this would be the time to talk about a dedicated recreation path. Mr. Sires stated he feels most recreation paths would avoid this area but that the Board of Selectmen has asked us to look into some of the properties behind. Mr. Garland stated that whatever we do, he hopes it doesn't preclude any of these types of options in the future. He doesn't want to see these options blocked by any plan.

Ms. Sand moved, seconded by Mr. Dickinson, that we accept the conceptual design for traffic patterns in regard to the southern section of the North-South Road and we would like to see those plans once they have a more specific design. The motion carried 4-0-0.

John Sokul, Attorney for Wal-Mart, questioned if the plans need a final approval from this Board. The Board advised yes, they would like to see them.

BUDGET PRESENTATIONS

Library - Library Trustees, Linda Fox Phillips and Linda Hutchinson joined the meeting.

Lucy Philbrick distributed a copy of the revised proposed 2013 library budget for the Board's review. Ms. Fox-Phillips stated that what they are asking for is basically level funding for 2013. Ms. Fox-Phillips further reviewed there is changes in employee benefits costs due to an employee going from a single plan to a married plan. They are planning on a 3% increase and this is due to what the town employees receive. Ms. Fox-Phillips next advised they are changing the salary line. In managing their previous budget they reduced the hours at the library. Since then they have heard complaints from patrons and now they would like to increase the hours at the front desk. Also with regard to salary, they budgeted for the head librarian salary for twelve months and three of those months is for the departed librarian and nine months is for a new librarian. Right now the Trustees are pitching in in the interim. Linda

Hutchinson next reviewed the operations budget with the Board and noted that this includes a one time purchase of a piece of equipment that they will not have to buy again

Trustees Fox-Phillips and Hutchinson next reviewed that they feel they will be coming in at or just a little under budget for 2012.

Ms. Sand questioned if the library is seeing a shift from books to electronic materials. Ms. Fox-Phillips stated that they see substantial generational changes. What they are seeing statewide is more people using tablets and other electronic devices. Also, they have a subscription to the State electronic book library and this is available to patrons. The cost of that subscription is going up. Mr. DiGregorio asked about charging people fees for this service as the library is paying for a subscription. Ms. Fox-Phillips stated that the founding principal of the library is to make things accessible to everyone and that the library doesn't charge. There was further brief discussion on electronic books.

Mr. DiGregorio next questioned where in the library's current budget does it reflect their legal fees. Ms. Fox-Phillips stated that if you look at actual –you will see some items are below the requested budget and legal fees will come out of those lines. However, they do expect to come in under budget at the end of 2012.

Mr. DiGregorio next asked if the Trustees could tell him the thought process of committing funds for the past Library Director in next year's budget. Ms. Fox-Phillips stated the Library didn't have sufficient money in the budget this year to pay her. Mr. Weathers asked if the Library will not hire a Library Director for three months in 2013. Ms. Fox-Phillips replied in the affirmative.

Ms. Philbrick stated the Library had a Special Article in 2012 for \$4300. Ms. Philbrick questioned if the library anticipates spending this by the end of the year. Ms. Hutchinson stated they do intend to spend this before the end of the year. Ms. Philbrick advised that if they do not spend it then we need to encumber the funds.

Sidewalk Maintenance – Mr. Sires reviewed previous discussions held regarding sidewalk maintenance. Mr. Sires stated that one the requests staff had was to compare the contract for all sidewalks versus doing the work in-house.

There was first brief discussion on the time period for plowing. All agreed that for 2012-2013 it will be status quo and that we are now looking for options for the 2013-2014 season.

Mr. DegliAngeli reviewed that discussion was held previously about the employees we have in the Parks Department from April to November and this person makes approximately \$15.00 per hour. If that employee were to go full time with the benefits package this ends up being approximately \$43,000-\$44,000 and this includes employee wages, benefits, taxes, etc. Mr. DiGregorio questioned if this would be two different employees or would you hire one person to do all year round. Mr. DegliAngeli advised it would be for one person year round and the person that we have now has expressed an interest. Mr. DegliAngeli next reviewed that the equipment would cost us about \$140,000 and we typically put a fifteen year life on that and so this figure is about \$10,000 per year plus maintenance it will be \$12,000 per year. This would be for owning and operating out own equipment. This total is \$56,000 per year. Mr. DegliAngeli next reviewed that we contract the services out now and all the work comes to \$48,324. The actual expenses for this past year for the person working for us is \$19,000 and so this bring this total to \$68,000 per year. Mr. DegliAngeli next added that it would be about \$12,000 per year less to do the work in house with the additional sidewalks.

Mr. DiGregorio questioned if Conway Village discontinues doing sidewalks would we be able to get machinery to that area to take care of the sidewalks. Mr. DegliAngeli stated that he thinks this would then require two people instead of one as this would be a large area to cover for one person. Mr. Weathers questioned if the Precinct discontinues the sidewalks in Conway Village does this have to go back to the voters. Mr. Sires stated that he would have to look into this.

Ms. Sand questioned if this employee would work like other employees –if there is no storm they would do other construction projects, etc. Mr. DegliAngeli responded in the affirmative.

Ms. Sand questioned if there would be a cost to get out of the current contract. Mr. DegliAngeli advised he would have to check into that.

Mr. DiGregorio questioned if we did this in the 2013 budget how would we buy the equipment. Mr. DegliAngeli advised that we would either buy this from the capital reserve fund or lease the equipment. Ms. Sand stated she would like to see a figure for next year's budget. Mr. DegliAngeli stated that he would also need to talk to the contractor as they bought equipment for this contract. Mr. Sires advised staff will research this and come back with costs.

Lighting - There was no discussion on this agenda item.

Warrant Articles – Mr. Sires reviewed list of proposed warrant articles and briefly reviewed same. (See attached).

Mr. DegliAngeli gave a brief overview of the landfill and expansion warrant articles.

Mr. Sires advised that with regard to new police articles, we would need to determine who will expend the funds, the Board of Selectmen or the Police Commission, or both.

With regard to the article for digitizing records, Mr. Sires advised that we could do this in house or send it out to a printer and we are still looking at this matter.

Town Clerk, Rhoda Quint, next discussed the proposed article for the Town Clerk/Tax Collector Software. Ms. Quint advised of the issues that brought this to light for her department, such as problems with merging assessing data to the tax collector, requirements for lien notices and notices of bankruptcy and other issues. Also, they are having difficulty with communications with the current software company and this causes delays. Ms. Quint stated she feels the Town of Conway needs to make an investment in a better system. With one of the new services she is looking at, people will be able to go to an online kiosk to see what taxes they owe and, also, there is a service so that people can also pay their bill on line. All of this will also help facilitate closing companies, etc, to have this information available to the public. Ms. Quint suggested the Board look at the Town of Madison website as they are using this software. Ms. Quint next reviewed other time saving features of the software such as printing deposit slips instead of writing out the information, etc. Ms. Quint next reminded the Board that she would not be in this position forever and neither will the Deputy and so they would be handing over a better system to the next person. Ms. Quint next advised that the product they are looking at is written specifically for the State of New Hampshire. Ms. Quint stated this product would have a big impact on her department and it would also benefit the public by being able to access and pay bills online.

Mr. Sires next reviewed the article concerning the re-codification of town ordinances. Mr. Sires advised the last time this was done was in 1985. This article would allow us to bring in a company to bring out code book up to date. The Company also has an attorney with New Hampshire expertise to review the codes.

The Board agreed they would like time to review the proposed warrant articles and this item should be brought back to the next meeting for further discussion.

Capital Reserves – Mr. Sires distributed schedules for the Capital Reserve Funds for the Board to review. (See attached). The Board agreed they would like time to review and this item will be brought back to the next meeting for further discussion.

PROPOSED AMENDMENT TO ZONING AND BUILDING CODES COMPLIANCE PROCESS

Mr. Sires reviewed discussions held last week in regard to the proposed Zoning and Building Code Compliance Process. Mr. Sires next distributed a copy of a proposed Amendment to Zoning and Building Code Compliant Process and reviewed the changes made with the Board. (See attached).

Ms. Sand moved, seconded by Mr. DiGregorio, to amend the Zoning and Building Code Compliance Process to reflect the changes read by Earl Sires. There was a discussion by the Board on the process. Ms. Sand stated that she would prefer to see that we give people a reminder of their right to meet with the Board of Selectmen earlier in the process. There was further discussion. Mr. Sires reviewed the Board needs to decide if they want to be the judge or to entrust staff with the authority to proceed. If allowing staff, this would allow them to proceed and move the process along. Mr. Weathers pointed out that with trying to move things along an example would be yard sales and by the time it comes to this Board, the yard sale season is over. Ms. Sand stated she felt that the language in #7 should be at step #3. Mr. DiGregorio stated he doesn't want to interfere with staff but he also doesn't want people to not have a chance to come before the Board of Selectmen. He wants to make sure that if people feel that staff is wrong then they have a place to go. Mr. Sires reviewed that anytime someone has called to talk to the Board of Selectmen we always check to make sure that they have spoken to the department head and/or Town Manager and then they come to the Board of Selectmen if they still want or need to. Mr. Sires stated that we could let people know any time during the process that they can always come to the Board of Selectmen. Mr. DiGregorio questioned what would happen in the future if the Town Manager or some of the present staff are not here anymore. Mr. Sires stated that you can they review and change the policy if the Board chooses. Mr. Sires reviewed with the Board that people can always talk to the Board of Selectmen or Town Manager at any time. Ms. Sand stated that she understands that people already have that right and now she is considering taking the language in #7 out but she would be happy with this process either way at this point. **The motion carried 3-1-0 with Ms. Sand and Messrs. Dickinson and Weathers voting in the affirmative and Mr. DiGregorio voting in the negative.**

APPOINTMENT OF LUIGI BARTOLOMEO TO THE ZONING BOARD OF ADJUSTMENT

Ms. Sand moved, seconded by Mr. DiGregorio, to appoint Luigi Bartolomeo to the Zoning Board of Adjustment with a term ending 2014. The motion carried unanimously.

APPOINTMENT OF GLENN SAUNDERS AS THE REPRESENTATIVE TO THE HENNEY HISTORICAL FUND COMMITTEE

Mr. Sires reviewed that Mr. Saunders has served in the capacity of the Town of Conway representative to the Henney Historical Fund Committee and is willing to continue as same. **Mr. DiGregorio moved, seconded by Mr. Dickinson, to appoint Glenn Saunders to the Henney Historical Fund Committee for a term ending June 20, 2018. The motion carried unanimously.**

SIGNING OF DOCUMENTS

- a. 2012 Equalization Municipal Assessment Data Certificate
- b. Notice of Intent to Cut Wood or Timber Map/Lot 247-112/113

Mr. Dickinson moved, seconded by Ms. Sand, to sign the 2012 Equalization Municipal Assessment Data Certificate and a Notice of Intent to Cut Wood or Timber Map/Lot 247-112/113. The motion carried unanimously.

CONSIDERATION OF BILLS

a. Manifest dated 12/6/12 – **Ms. Sand moved, seconded by Mr. DiGregorio to approve and sign the manifest dated 12/6/12. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

There were no documents signed out of session.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no Special Event Applications for the Board's consideration.

CONSIDERATION OF MINUTES

11/27/12 – **Ms. Sand moved, seconded by Mr. Dickinson, to accept the minutes of 11/27/12 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Hobbs Street Property – Mr. Sires stated that he is hoping the wetlands study regarding the Hobbs Street property will be done soon. After we receive the study this matter will be brought back before the Board to see how you want to proceed with the property.

Transvale – Mr. Sires reported that a group tour with staff of Transvale was done this morning to review the properties.

FEMA Buyout – Mr. Sires reported that he has not heard anything new since last week concerning the FEMA funds for the buyout program. Mr. Sires reviewed that it is not about if, but when, we will receive the money.

BOARD REPORTS AND COMMENTS

Next Meeting – Ms. Sand reported that she will miss most of next week's meeting due to another commitment.

Valley Vision – Mr. DiGregorio reported that the Valley Vision Board of Directors met last week and started to put together their next budget. Mr. DiGregorio further advised that Valley Vision is putting equipment in at Ham Arena.

Budget Committee – Mr. DiGregorio reported the next Budget Committee meeting is scheduled for December 12, 2012 at 6:30 pm in the meeting room at Kennett Middle School.

Tree Lighting – Mr. Weathers reported the tree lighting ceremony in Conway Village went well and there was a nice crowd.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

ADJOURN

At 7:49 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary