

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
January 15, 2013

The Selectmen's Meeting convened at 4:25 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 6 regarding a Boundary Line Adjustment for the North Conway Community Center, Item 14 regarding the Consideration of Minutes and Item 18 a NON PUBLIC SESSION regarding tax matters would be struck from the agenda. **Ms. Sand 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. \$40.00 cash donation from the KHS Boys Soccer Team to the Conway Police Department DARE program – Mr. Sires reviewed a donation was received by the Police Department from the High School Soccer Team for the DARE program. **Ms. Seavey moved, seconded by Ms. Sand, to accept the \$40 donation from the KHS Boys Soccer Team to the Conway Police Department for the DARE program. The motion carried unanimously.**

b. \$800 from the Friends of Conway Rec to the Town of Conway towards the purchase of replacing our girls and boys travel basketball team uniforms – Mr. Sires reviewed that a donation was received by the Town of Conway from the Friends of Conway Recreation for the purchase of girls and boys travel basketball team uniforms. **Mr. DiGregorio moved, seconded by Ms. Seavey, to accept the donation of \$800 from the Friends of Conway Rec to the Town of Conway for the purchase of girls and boys travel basketball team uniforms. The motion carried unanimously.**

PUBLIC HEARING: TO DISCUSS PROPOSED CHARTER AMENDMENTS

Town Attorney, Peter Malia, was present for discussion.

Mr. Dickinson reviewed a motion of the table from the Selectmen's meeting of 10/30/12 as follows: Mr. Dickinson moved that we proceed with the proposed updates to the Town Charter as presented by the Town Attorney in a memo dated 9/12/12. **Mr. Dickinson moved to take the motion off the table. The motion carried unanimously.**

Mr. Weathers opened the public hearing at 4:30 p.m.

Mr. Sires reviewed discussions over the past year concerning the Charter. Mr. Sires stated this public hearing is one of the steps required by State law to move the process along. Attorney Malia reviewed that we have identified twelve areas of the Charter to amend and this is

just a housekeeping endeavor to bring the Charter into compliance. Attorney Malia further advised that the proposed changes have been submitted to the State of New Hampshire for review. We did get one change back from the State regarding the paragraph in the Charter regarding regulating highways (Part III, Section II) the last sentence should read as follows: Notwithstanding the above, RSA 41:11 authorizes the Board of Selectmen to adopt regulations to regulate highways not otherwise regulated by the commissioner of the department of transportation. Attorney Malia advised that we have made this change as suggested and no other changes were suggested by the State. Attorney Malia next suggested the Board make a motion to move this matter to the ballot.

Mr. Weathers asked for public questions or comments. There were none. Mr. Weathers closed the public hearing at 4:35 p.m.

**Mr. DiGregorio made a motion, seconded by Mr. Dickinson, that we authorize town counsel to file a final draft of the proposed amendments and a letter indicating the amendments are legal with the town clerk, and that the amendments be placed on the ballot at the next municipal election. The motion carried unanimously.**

There was next further review of Mr. Dickinson's motion from earlier in the meeting. Mr. Weathers re-read the motion to the Board. Ms. Sand stated that since we have made modifications since the 9/12/12 memo should we state this as well. Mr. Malia stated they are the same twelve amendments but they have just been cleaned up. He doesn't think the motion requires you to use the same language and feels this Board has proceeded with the proposed amendments and can move forward. **Mr. Dickinson amended his motion to state that we proceed with the proposed updates to the Town Charter as presented by the Town Attorney in a memo dated 9/12/12 and as amended.** The Board agreed. **The motion carried unanimously.**

Mr. Sires stated that the next step would be to place an article on the warrant. Mr. DiGregorio asked whether this will be one article or twelve separate articles. Attorney Malia stated he would send language for one article to the Attorney General for review. All agreed.

#### BOUNDARY LINE ADJUSTMENT – NORTH CONWAY COMMUNITY CENTER

This item was removed from the agenda. There was no discussion held.

#### VALLEY VISION BUDGET

Mr. Sires reviewed that each year the Town of Conway considers a Memorandum of Agreement with Valley Vision. We have rolled over the same agreement for the past few years. Valley Vision comes in each year to present their budget and a plan on how to use the money for the coming year.

Bill Edmunds of Valley Vision next reviewed the proposed budget with the Board. (See attached). Mr. Edmunds reviewed there are no changes in the amount of money requested for next year. Mr. Edmunds further reviewed the Valley Vision budget runs from May to April.

Mr. Edmunds next reviewed Valley Vision had a good year in 2012. They added new cameras and live broadcasting from Kennett High School and the Ham Arena. Further, they did much better in sponsorships this past year and took in a larger amount than anticipated and

have carried approximately \$1,800 over to this year and this will help them get through the spring season.

There was next a brief discussion with the Board regarding live broadcasting, equipment, and sponsorships.

Mr. Sires next advised that he would update the Memorandum of Agreement and bring same to the next meeting for the Board's consideration. Mr. Sires further reviewed the Memorandum of Agreement is also contingent upon voter approval.

Mr. Sires next reported that we have also contacted the Town of Madison and advised them we are looking forward to cooperating with them regarding Channel 3, however, they need to ask voters for funds for same. Mr. DiGregorio stated it is his understanding that the Town of Madison will have a warrant article but they need to determine if this will be from franchise fees or direct taxpayer dollars.

TOWN OF CONWAY/CERTIFICATE OF AUTHORIZATION TO ACCEPT FUNDS  
AND ENTER INTO A GRANT AGREEMENT WITH NHDES REGARDING  
HOUSEHOLD HAZARDOUS WASTE DAY

Mr. Sires reviewed that the Town of Conway operates the transfer station for a district and Household Hazardous Waste Day allows people to bring certain items to the transfer station for disposal. Household Hazardous Waste Day is usually held in September. The Authorization presented today is to apply for a grant to carry out this program and this is managed by our Public Works Department. Mr. Sires requested the Board authorize Mr. DegliAngeli to apply for, accept, and manage this grant.

Ms. Sand questioned if there is a date set yet for Household Hazardous Waste Day. Mr. Sires stated that no specific date has been set yet. Ms. Sand stated that Household Hazardous Waste Day always falls on the same day as a Jen's Friend event. Mr. Sires advised that he will look into the date for Household Hazardous Waste Day and advise. **Ms. Sand moved, seconded by Mr. Dickinson, to authorize the Town of Conway to submit the grant agreement to the NHDES and approve the Town of Conway Certificate of Authorization to Accept Funds regarding Household Hazardous Waste Day. The motion carried unanimously**

REAFFIRM INVESTMENT POLICY

Finance Director, Lucy Philbrick, and Bookkeeper, Lauri Roode, joined the meeting. Ms. Philbrick reviewed the Investment Policy with the Board (see attached). Ms. Philbrick advised nothing has changed with the policy but it is required that it be reaffirmed annually. **Ms. Sand moved, seconded by Mr. DiGregorio, to reaffirm the Investment Policy for the Town of Conway. The motion carried unanimously.**

SIGNING OF DOCUMENTS

- a. Permanent Application for Property Tax Credit/Exemptions Map/Lot 202-212
- b. Permanent Application for Property Tax Credit/Exemptions Map/Lot 203-012/56
- c. Permanent Application for Property Tax Credit/Exemptions Map/Lot 216-006/66
- d. Permanent Application for Property Tax Credit/Exemptions Map/Lot 231-93
- e. Permanent Application for Property Tax Credit/Exemptions Map/Lot 254-128/29

- f. Permanent Application for Property Tax Credit/Exemptions Map/Lot 265-350/161
- g. Permanent Application for Property Tax Credit/Exemptions Map/Lot 275-13/18
- h. Warrant for Collection of Expenses

**Mr. DiGregorio moved, seconded by Ms. Sand, to sign the Permanent Application for Property Tax Credit/Exemptions Map/Lot 202-212, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 203-012/56, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 216-006/66, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 231-93, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 254-128/29, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 265-350/161, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 275-13/18, and the Warrant for Collection of Expenses. The motion carried unanimously.**

#### CONSIDERATION OF BILLS

- a. Manifest dated 1/17/13 - **Ms. Sand moved, seconded by Ms. Seavey, to sign the manifest dated 1/17/13. 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)

- a. Mt Washington Valley Chamber of Commerce/Ice Carving Entertainment Event 1/19-1/21/13 – **Ms. Sand moved, seconded by Mr. DiGregorio, to approve the Special Event Application for the Mount Washington Valley Chamber of Commerce Ice Carving Entertainment Event scheduled for 1/19/13 through 1/21/13. The motion carried unanimously.**

#### CONSIDERATION OF MINUTES

This matter was removed from this agenda.

#### TOWN MANAGER REPORT

Budget Committee – Mr. Sires reported the Budget Committee met on January 9, 2013. Most of the discussion centered on the Library and Police Department. The Budget Committee indicated they would like to see what the impact of the \$18,000 would be on the library budget. There was also discussion on the police contract, etc. Mr. DiGregorio added that there was also discussion on police pay raises, the matrix, and the cadet program. With regard to the cadet program most were giving input on whether they see value in the program and if it is the right time to bring this back into the budget. Mr. DiGregorio next pointed out that there are a number of officers and retired officer who were in the cadet program. This item was taken out of the budget in the past but the Police Department sees a lot of value in the program and would like to reinstate same. Mr. DiGregorio next stated that with regard to the discussion with the Library and the money that was to be reduced –the Trustees took this out of the pay and benefits line item and it was brought to their attention that they should bring back information on how they realistically would handle the reduction. They asked the Trustees to bring back information on how they would deal with the reduction in the overall budget.

Mr. Sires next reported there was also brief discussion at the Budget Committee meeting regarding the Conservation Commission budget. There was a question on the acquisition fund. Mr. Sires advised that he responded that the Conservation Commission is completing a plan with the USVLT for open space, etc. Also, the Conservation Commission is having discussions regarding acquisition plans with landowners in the town.

Building Security – Mr. Sires reviewed that discussions have been held in the past concerning building security. We have been working on getting unauthorized entry alarms, etc. Also, based on recent events, we realized we also need to look at the Recreation Center as well. A meeting was held yesterday to look at the building security with the Police, Emergency Management Director Steve Solomon, Recreation Director, John Eastman, and others and we have come up with a list of some simple changes. Also, they do have an emergency plan for emergency situations and John Eastman will be going over this to make sure it is up to date. Also, with regard to the Recreation Building, they discussed issues with the building and security. We need to make sure areas are locked, etc, so that we can control access to the building. There was also discussion at the meeting regarding a phone in the gym, additional lighting, access and entry for the Teen Center and, also, to get some outward video cameras for outside of the building. Mr. Sires advised that this would also go for the Town Hall building as well. Mr. Sires next advised that the police, as part of their officer training, need to go through all of our public buildings so that they are familiar with same.

Mr. Sires next stated that it is late in the budget process but we will be looking over this in the next week or so to see if we want to phase some of these items in next year. Some of this may just require changing locksets, etc, but he feels it is important to have this discussion this year.

### BOARD REPORTS AND COMMENTS

North Conway Community Center (NCCC) – Ms. Sand stated that she is looking for the support of this Board as last week we had talked about the possible use of the old school building property for the NCCC; however, she hasn't had the chance to talk with the NCCC yet. Ms. Sand stated she would like to see a committee formed with school officials, town officials and the NCCC to talk about the old school property and brainstorm on same and maybe even get a warrant article on the school ballot this year to possibly move this process along. Mr. Sires commented that he spoke with Mark Miller of the NCCC who advised they are looking at either downscaling on the existing site or looking at the site near Whitaker. This item was removed from the agenda earlier to see how this pans out. Mr. Weathers questioned if Ms. Sand would like to wait for the NCCC to get back to her first. Ms. Sand stated that she would like to be able to have a gathering to see if this all makes sense. She thought that the old school building was owned by SAU9 but it is the Conway School District that owns the site and it is strictly Conway's building. Further, she does not know if this is the direction people want to go but it seems that business owners felt strongly about protecting the viewscape in North Conway Village.

Ms. Seavey stated that before spinning too many wheels, she feels that we should get the NCCC's opinion on whether they are willing to buy the property. Ms. Sand stated she still feels that we need to have this discussion. Ms. Seavey stated that before we get too far –she knows that the NCCC building also has things they can and can't do due to the way the land was granted etc and we need to find out if they can even purchase this property. Ms. Sand stated that these are the questions that need to be discussed at a meeting and, also, it is her

understanding that the building proposed by the NCCC would fit at the old school location. Mr. DiGregorio stated that he is torn on this and understands what Ms. Sand is trying to do but he does not feel it is a Board of Selectmen function to help a private entity move or build their property. If they came to this Board and asked for help he may feel differently; however, he doesn't feel it is right for the Board of Selectmen to be doing this. Ms. Sand stated that we have a lot of property in town owned either by the town, school, or the districts and there is no discussion between each and that this will be a way we can work together –to have a committee to have this conversation. She is trying to make a connection between the different auspices of the town to see if this is an option. Mr. Weathers stated that he goes along with what Mr. DiGregorio is saying. Mr. Weathers added that if the NCCC asks for us to set up a meeting and asks for us to be a mediator then we can consider this; however, he does not want to do that at this point. He would like to see the NCCC make the initial contact and would like to hold off to see them make the first step and contact the school, etc.

After further brief discussion, Ms. Sand advised that she is withdrawing her request at this time.

House Bill – Mr. DiGregorio stated that it is his understanding there is a bill in Concord submitted the a Representative in Southern New Hampshire regarding the Budget Committee being allowed to vote again after the voters vote on the budget to amend the number if they so choose. Mr. DiGregorio stated that this Board did not take a position on a similar bill that was proposed in the past and feels that we should take a stand on the issue. Mr. Dickinson requested the bill number and Mr. Sires advised we would look into same.

Conservation Commission/Land Acquisition Account – Mr. Weathers advised the Conservation Commission is looking at three parcels of land on West Side Road. They are getting appraisals now and this should be done in February. There are stewardship plans on all three parcels and at this point we are just awaiting the appraisals.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

Erik Eisele questioned the Zoning Petition received by the town regarding building heights. Mr. Sires advised the Town did receive a Zoning Petition and that we would email him a copy of same tomorrow.

#### NON PUBLIC SESSION/NH RSA 91-A:3,II(C) – TAX MATTER(S)

This matter was removed from the agenda. There was no discussion.

#### ADJOURN

At 5:28 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary