

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
January 29, 2013

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 there would be a change to the order of agenda items #4 and 5. Also, an item regarding \$1500 from the Peg Fund to Valley Vision would be added to the agenda. **Ms. Seavey moved, seconded by Mr. DiGregorio, to approve the agenda as amended. The motion carried unanimously.**

NORTH CONWAY COMMUNITY CENTER

a. Request for the Board of Selectmen to support and facilitate discussion of alternatives for the expansion of recreation facility -

Ryan Sommer of the North Conway Community Center and Burr Phillips of Civil Solutions joined the meeting. Mr. Sommer stated that he is asking for the Board of Selectmen's support and help to facilitate discussions of alternatives for the expansion of the North Conway Community Center, sites, and to hopefully move this along. Mr. Weathers questioned if they will be just talking about the site. Mr. Sommer replied in the affirmative. Mr. DiGregorio questioned if they are scrapping their other plans. Mr. Sommer stated they are looking at alternatives. They are looking at the other site and, also, at having a smaller facility. After five years they are looking to go back to the drawing board and are looking for this Board's help to help them go in the right direction. Mr. DiGregorio clarified that they are not looking for this Board to tell them or force them into one position or another. Mr. Sommer agreed. Mr. DiGregorio next questioned if other groups will be in the discussions they plan to have. Mr. Sommer stated yes –they are looking to have other groups join in the discussions as well. Ms. Seavey asked if they are looking for someone from the Town to be a representative. Mr. Sommer stated yes – he personally would like to have someone from the Town on that Board and that it either be Mr. Sires or a member of the Board of Selectmen. Ms. Sand reviewed discussion held at the last Selectmen's meeting wherein this Board felt that if the North Conway Community Center came before us and asked for help it would be supported. Ms. Sand next stated that she would be happy to be on this committee. There was further brief discussion by the Board. Mr. Sommer stated he would like to have a meeting next week. Mr. Weathers clarified that this Board of Selectmen does not have a final say on funding or your building, etc., this is for the North Conway Community Center Board to decide. Mr. Sommer agreed and added that the meetings will be more of a sounding board. **Ms. Seavey moved, seconded by Mr. DiGregorio, to have Stacy Sand as the Board of Selectmen representative.** Mr. Weathers asked if anyone else was interested in serving as well. No one else voiced interest in serving at this time. **The motion carried unanimously.** Mr. Sommer advised he would get together with Ms. Sand regarding a meeting date. All agreed.

b. Conditional License Agreement for the Mud Bowl – Mr. Sires reviewed previous discussion held regarding a request by the North Conway Community Center for a Conditional License Agreement for Mud Bowl. Mr. Sires reviewed a proposed Conditional License Agreement with the Board and recommended the Board sign same. Mr. Sommer agreed and acknowledged that the North Conway Community Center has reviewed the proposed agreement as well. **Mr. DiGregorio moved, seconded by Ms. Sand, to accept the Conditional License Agreement between the Town of Conway and the North Conway Community Center. The motion carried unanimously.**

PUBLIC HEARING TO TAKE PUBLIC COMMENT ON A REQUEST FOR
AN ACCESS EASEMENT ACROSS TOWN OWNED LAND BY THE
NORTH CONWAY COMMUNITY CENTER

Ryan Sommer of the North Conway Community Center and Burr Phillips of Civil Solutions were present for discussion.

Mr. Weathers read aloud the public hearing notice to receive public comments on a request for an access easement across town owned land by the North Conway Community Center and opened the public hearing at 4:32 p.m.

Mr. Weathers questioned if this would be for a possible new entrance off the golf course parking lot. Mr. Sommer responded in the affirmative. Mr. DiGregorio questioned if this would also be on the property the North Conway Country Club is using to get into their parking lot. Mr. Sommer and Mr. Phillips both responded in the affirmative. Mr. Phillips next described the location of the parking lot. Mr. DiGregorio questioned if the North Conway Community Center would have to get an easement from the Country Club as well. Mr. Sommer advised they would and that they have been in contact with the North Conway Country Club regarding same.

Mr. Weathers next asked to public comments. There were no public comments. The public hearing was closed at 4:36 p.m.

Mr. Weathers advised that this was the first of two public hearings on this matter. The next public hearing is scheduled for 2/12/13.

CONSIDERATION OF LETTER OF SUPPORT FOR HB 340 WHICH REQUIRES
THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION TO RESURFACE
A PORTION OF EAST CONWAY ROAD IN THE TOWN OF CONWAY

Mr. Sires reviewed HB 340 and advised that this is supported by Representatives, Buco and Butler and Senator Jeb Bradley. (Copy attached). Mr. Dickinson advised that he ran into Tom Buco who asked that the Board of Selectmen consider giving their support to this bill. Mr. Dickinson stated that, as we all know, if you drive down East Conway Road it is a mess. This bill is a first attempt at this and to draw an official response from the NHDOT although we don't know if there will be money for the work. The Board next reviewed a proposed letter of support. (See attached). There was brief discussion by the Board. Mr. Dickinson advised this letter of support needs to get to the appropriate people for a meeting tomorrow morning. **Mr. Dickinson moved, seconded by Ms. Sand, that we support and all sign the letter that is going to be presented tomorrow at the hearing for HB340. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED CHARTER
AMENDMENT ARTICLE FOR 2013 WARRANT

Mr. Sires reviewed the Board recently held a public hearing regarding proposed Charter amendments and now the next step in the process is to present an article of all the proposed changes to the voters. Town Counsel has prepared the article and all of the proposed changes are listed in the article. (Copy attached). Mr. Sires next reviewed that items listed are housekeeping issues to bring the Town Charter up to date with state law, etc. **Ms. Sand moved, seconded by Mr. DiGregorio, to place the Charter amendments changes article onto the 2013 Warrant. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF AUDIT QUESTIONNAIRE

Finance Director, Lucy Philbrick, and Bookkeeper, Lauri Roode, joined the meeting. Mr. Sires reviewed that the Town has received the same audit questionnaire in the past and this is required to be completed and signed. Mr. Sires next reviewed the questionnaire with the Board. The Board agreed that the form should be completed as reviewed and brought back to the next meeting for signature.

2012 FINANCIAL REPORT

Mr. Sires and Ms. Philbrick reviewed revenue, expenditures and fund balance reports with the Board for 2012. (See attached). Mr. Sires advised the reports are unaudited.

Mr. Sires advised that with regard to expenditures the legal budget was overexpended largely due to matters concerning Transvale Acres.

Mr. Sires further reviewed the town did receive a healthcare holiday of about \$35,000 from the NHMA for 2012.

Mr. Sires next reviewed the police also had \$102,000 remaining in their budget. Ms. Philbrick advised this was due to insurance costs. Also, they had expected one of their employees to retire in 2012 but didn't and the earned benefit amount in the budget was about \$35,000. Mr. Sires advised that if the Board had questions on these matters, we could ask the Police Chief to respond. Mr. DiGregorio stated he is happy that the Commissioners did this and is glad this was brought back to the town.

Mr. Sires next advised that the highway budget was overspent by about \$24,000 and this is partly in part because of vehicle maintenance.

Mr. Sires next reported that with regard to Solid Waste we were about \$55,000 underexpended and this was largely due to not hiring staff until later in the year.

Mr. Sires next stated that in adding this all up, it came to just under \$200,000 that we underexpended for the year. Some lines were over and some were under but staff kept an eye on same. Mr. Sires advised that he would be taking this information to the Budget Committee tomorrow evening.

APPROVAL OF FEMA GRANT: TRANSVALE BUYOUT

Mr. Sires advised that we have received good news regarding the FEMA grant for the Transvale Buyout. We had a snag in the process recently and FEMA had advised an historic

review needed to be done. The State of New Hampshire's Historic Preservation office has done a good job of getting this information turned around timely. If the Board approves this FEMA grant tonight, officials will pick up the paperwork tomorrow and, hopefully, get this on the next Governor and Council agenda.

Mr. Sires next advised that a meeting was held last Thursday with Transvale people who are signed up for this program. This meeting was to let them know the timing of the project and to answer questions. Some property owners do still have some things to do to get themselves ready to go. When the grant funds are received, we will need to balance the fact that some folks are in a critical living situation and that some need help sooner than others. There are fourteen homes to purchase this year and so we are going to try to get to those in need the most first. Some properties do have encumbrances and this may slow down the process. Mr. Sires further reviewed that during the taking process, the town will have to go through its regular process of getting recommendations from the Conservation Commission and Planning Board, etc.

Mr. Sires next reviewed the information for the grant with the Board. Mr. Sires stated if the Board chooses to approve this grant a motion should be made for same. **Ms. Sand moved, seconded by Mr. Dickinson, that we approve the hazard mitigation grant agreement with the NH Department of Safety, Homeland Security and Emergency Management for the Transvale Acres Buy out project. The purpose of this project is to acquire and demolish properties that are located in the floodplain and floodway. Project funding totals \$738,803 with \$554,102 coming from the NH HSEM grant and a local match of \$184,701 which is the proceeds from the award of a Community Development Block Grant. The motion carried unanimously.**

\$1500 FROM PEG FUND TO VALLEY VISION

Mr. Weathers reviewed an invoice from Radiant Communications Corp for \$1500 with the Board. Mr. DiGregorio reviewed this is for a transmitter we had originally budgeted for a few years ago. We had received a free one and now we need this additional one as a back up if the Board approves same. There was brief discussion by the Board. **Mr. DiGregorio moved, seconded by Mr. Dickinson that we authorize the \$1,500 expenditure for Radiant Communications Corp for Valley Vision to purchase the transmitter. The motion carried unanimously.**

SIGNING OF DOCUMENTS

- a. Raffle Permit – Gibson Center for Senior Services – Drawings last Friday/Monthly
- b. Permanent Application for Property Tax Credit/Exemptions Map/Lot 255-23
- c. Permanent Application for Property Tax Credit/Exemptions Map/Lot 266-89

Ms. Sand moved, seconded by Mr. Dickinson to sign the Raffle Permit for the Gibson Center for Senior Services with drawings the last Friday/Monthly, the Permanent Application for Property Tax Credit/Exemptions Map/Lot 255-23, and the Permanent Application for Property Tax Credit/Exemptions Map/Lot 266-89. The motion carried unanimously.

CONSIDERATION OF BILLS

a. Manifest dated 1/31/13 – **Ms. Sand moved, seconded by Ms. Seavey, to sign the manifest dated 1/31/13. 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. MS Walk North Conway 2013/National Multiple Sclerosis Society 5/5/13 – **Ms. Sand moved, seconded by Ms. Seavey, to approve the Special Event Application for the National Multiple Sclerosis Society MS Walk North Conway 2013 scheduled for 5/5/13.** Ms. Sand questioned why there are no police required for this event. This walk route is Schouler Park to Settlers Green and other events have been charged for police. Bark in the Park is required to have police at the start of their walk. There was brief discussion by the Board. Mr. Sires suggested we inquire with the police on this matter and report back. All agreed. **Ms. Sand moved, seconded by Mr. Dickinson to table the motion. The motion to table carried unanimously.**

CONSIDERATION OF MINUTES

1/15/13 – **Ms. Sand moved, seconded by Mr. Dickinson, to approve the minutes of 1/15/13 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Town Land – Mr. Sires reported that in looking at ways to generate revenue for the town, a parcel of land has been identified by the landfill that may be a candidate for timbering. We have contacted the town forester and he agreed. This could generate \$7-10,000 for the town. If the Board has concerns we could ask the forester to come in and supervise this work. Mr. Weathers explained this would be a multi benefit cut. There would be a release cut and a harvest cut. There would be no clear cuts done. One of the areas has not been done in 22 years. Mr. DiGregorio questioned if we are looking at this for money or because it makes good sense. Mr. Weathers replied for both reasons. Ms. Sand questioned if we need a permit to cut or if this has to be put on the agenda for public comment. Mr. Weathers stated that, normally, the Conservation Commission is in charge of lands. If there is any type of encroachment on land use, such as Whitaker Woods, we would post for same. For this proposed work, we could put out a public notice that there is going to be a timber harvest. Ms. Sand questioned if we have the Conservation Commission's approval on this one. Mr. Weathers stated that this will be reviewed at the Conservation Commission meeting in two weeks. Mr. Sires pointed out that this piece of land we are discussing is not Conservation Commission land, but that we wanted to let this Board know what is going on.

HB 122 – Mr. Sires reviewed this Board had previous discussion regarding HB 122 in regard to budgets. He and Mr. Dickinson called and spoke with the NHMA regarding this bill and the feedback was that this bill would be substantially changed before it goes forward.

Budget Committee – Mr. Sires reported the Budget Committee meets tomorrow night at 6:30 pm in the Professional Development Room at Kennett Middle School. Warrant Articles will be discussed.

Buildings – Mr. Sires reported a budget is being developed to present to the Board regarding burglary and security upgrades at the Recreation Center and Town Hall. An estimate for the Recreation Center would be in the \$8,000 to \$12,000 range. The upgrades suggested

would be for lighting, locks, and other basic upgrades to security. He would recommend funding from the Recreation Revolving Fund for the Recreation Department upgrades. Mr. Sires next reviewed that upgrades to the guard shack at the transfer station was discussed at the last meeting. We have a balance remaining in our Capital Reserve Funds for Buildings and he would like to propose that funding for the guard shack come out of this fund. Also, he would suggest a burglar deterrent system for town hall at about \$6,000. Mr. Sires stated that we need some type of alarm system for unauthorized entry at Town Hall. Mr. DiGregorio suggested having a discussion regarding security issues in non public session. Mr. Sires stated he would look into this for the next meeting.

Hobbs Street Property – Mr. Sires reported he had a meeting with the soil scientist, Barry Keith, who had good comments on how to move forward. We will be bringing a map to the Board for review in the future and then we can have discussion on how to package the property for future sale.

BOARD REPORTS AND COMMENTS

Planning Board – Ms. Seavey reported the Planning Board met last Thursday, January 24, 2012. There was a public hearing regarding the petitioned warrant article regarding building heights in North Conway Village. This article was not recommended by the Planning Board. Mr. DiGregorio questioned if any people attended the public hearing. Ms. Seavey responded in the affirmative and added that the people who attended spoke to both sides of the article.

MWVEC – Ms. Seavey reported a copy of the MWVEC 2012 report was placed in the Board's mailboxes for review.

Around the State House – Mr. Dickinson reported there will be an Around the State house program on Valley Vision. One subject that will be discussed is HB340, which is Representative Bucu's bill for improving East Conway Road.

County Dispatch – Mr. Dickinson asked about the copy of a letter the Board received recently concerning County dispatch. Mr. Sires reviewed he and Mr. Weathers attended meetings in the past concerning county dispatch. Mr. Sires further reviewed that the letter Mr. Dickinson is referring to was received from the Town of Moultonborough regarding County dispatch and is contacting newly elected officials and inviting them to have discussion with county officials. Mr. Weathers further explained that the letter brings other towns up to speed on the issues.

Budget Committee – Mr. DiGregorio reported a Budget Committee meeting is scheduled for tomorrow evening, Wednesday, January 30, 2013, and will be held at Kennett Middle School.

NH Roads Scholar - Mr. Weathers reported that town employees, William Kennett and Jeremy Gibbs have achieved the status of Roads Scholar One, Richard Anderson and Lance Foss have achieved the status of Roads Scholar Two, and Bob Gray, III, has achieved the status of both Roads Scholar Two and Senior Roads Scholar through the Technology Center of UNH and all are congratulated.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Erik Eisele of the Conway Daily Sun questioned if the Board had heard about State Representative, Karen Umberger, submitting legislation to have a member of the Board of

Selectmen on the School Board. The Board indicated they were not aware of this legislation. Mr. Eisele advised that he would get the Board information on same.

ADJOURN

At 5:52 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary