

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
March 12, 2013

The Selectmen's Meeting convened at 4:17 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 the following items would be added to the agenda: The Manifest and Payroll dated 3/7/13 to Ratification of Documents and, also, MS-5 to Signing of the Documents. **Ms. Seavey moved, seconded by Ms. Sand, to approve the agenda as amended. The motion carried unanimously.**

PUBLIC HEARING: TO RECEIVE PUBLIC INPUT ON THE TOWN OF CONWAY
ACQUIRING LAND FROM PRIVATE CITIZENS AS FOLLOWS: TAX MAP/LOT #250-185,
250-197, 251-6, 251-76, 251-77, 251-80, 251-81, 251-93, 251-101, 251-108, 251-110,
251-119, 251-136, AND 251-138 (2ND OF 2 PUBLIC HEARINGS)

Mr. Weathers read aloud the Public Hearing notice regarding the town acquiring land from private citizens and opened the public hearing at 4:18 p.m.

Mr. Sires commented that Map/Lot 251-136 has been removed from consideration from the buyout program.

Mr. Weathers asked for public comments. There were no public comments and the public hearing was closed at 4:19 p.m.

DISCUSSION OF NHDOT'S PROPOSAL TO DISCONTINUE
STATE MAINTAINED STREETLIGHTS

Mr. Sires reviewed this matter was discussed at a previous meeting. Mr. Sires advised this matter is being brought back to see if the Board would like to indicate a position on the streetlights to send to the meeting that is scheduled for March 15, 2013 in Lancaster, NH. Mr. Sires further reviewed that he was also tasked with getting an opinion from the Chief of Police and reviewed a memo from Chief Wagner (see attached). Mr. Sires next reviewed an additional map of the lights with the Board that he had asked the DOT to provide. There was discussion of the streetlights by the Board. **Ms. Sand moved, seconded by Mr. Dickinson, that we direct Earl Sires and David Weather to communicate to the NHDOT in regard to streetlights that at the intersection of 113/302 that we keep 4 lights on and they can remove the furthest lights east and west, that they keep all the lights on the North-South Road and Route 302 and the one light at Rout 16/302, that they remove the light on the North-South Road at the Wal-Mart entrance, that they keep all lights on at the Route 112/16 intersection, and remove one of the two lights at North Road and Route 16. The motion carried unanimously.** Ms. Seavey stated that she voted in the affirmative on this motion but that her preference is to keep all of the lights on.

ELECTRIC BID

Mr. DegliAngeli reviewed that the Board made a motion at the meeting of 2/19/13 to go with the 31 month contract. Thereafter he advised the bidder and was then told that the price was higher and that they can't hold the pricing for more than one day or 48 hours at the most. Mr. DegliAngeli next advised that he did then call around to the other vendors and they all agreed they can't hold a price for more than 48 hours either and, also, they don't want to do the float pricing. The majority of the vendors also seem to be of the opinion that the price does follow the natural gas market and is better in the spring. Mr. DegliAngeli next stated that he could either negotiate on the phone for the best price or put this out to bid again but, if we do, we would have to award the contract the following day after the Board votes on same. Mr. DegliAngeli next reviewed that he has also since looked at the NHEC meters and they are up as well and if they stay up we might as well go to a new supplier for these accounts along with the PSNH accounts. Mr. DegliAngeli stated that he is bringing this back to the Board as the motion on 2/19/13 was specific. He wanted to bring this back to the Board as the price had changed. There was discussion by the Board as to whether to put this out to bid or to give Mr. DegliAngeli authorization to act based on a low bid received. **Ms. Sand moved, seconded by Mr. DiGregorio, to rescind the motion from the 2/19/13 meeting. The motion carried unanimously.** There was further brief discussion as to what process should be used. **Ms. Sand moved, seconded by Ms. Seavey, that we give Paul DegliAngeli the authority to use his expertise to choose the lowest bid based on where the market has gone. The motion carried unanimously.**

CONSIDERATION OF MUNICIPAL AGREEMENT BETWEEN THE NHDOT AND THE TOWN OF CONWAY REGARDING NHDOT MITIGATION LANDS

Mr. Sires reviewed a proposed Municipal Agreement between the NHDOT and the Town of Conway regarding mitigation lands (see attached). Mr. Sires also reviewed a map of the three parcels referred to in the agreement with the Board. Mr. Sires next reviewed that the agreement has also been reviewed by the Conservation Commission. There was brief discussion by the Board. **Ms. Sand moved, seconded by Mr. Dickinson, that we support the Memorandum of Agreement between the State of New Hampshire Department of Transportation and the Town of Conway. The motion carried unanimously.**

APPOINTMENT OF ZBA MEMBERS

The Board reviewed a memo requesting the reappointment of ZBA members, Phyllis Sherman and Dana Hysten to three year terms. Ms. Sand stated she would like to see these and any other positions that become available advertised in case someone else from the public is interested. There was brief discussion. The Board agreed to advertise for the positions. This matter would be placed back on a future agenda for consideration.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 274-24 (2012)
- b. Abatement Tax Map/Lot 292-2.1 (2012 LUCT)
- c. Certification of Yield Taxes Assessed Tax Map/Lot 293-8
- d. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 231-8
- e. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 258-53
- f. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 259-47
- g. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 262-83-012
- h. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 262-83-088

- i. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 280-71
- j. Timber Tax Levy Tax Map/Lot 293-8
- k. MS-5

Ms. Sand moved, seconded by Mr. DiGregorio, to sign the Abatement for Tax Map/Lot 274-24 (2012), Abatement for Tax Map/Lot 292-2.1 (2012 LUCT), Certification of Yield Taxes Assessed for Tax Map/Lot 293-8, Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 231-8, Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 258-53, Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 259-47, Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 262-83-012, Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 262-83-088, Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 280-71, and a Timber Tax Levy for Tax Map/Lot 293-8. The motion carried unanimously.

Mr. Sires reviewed the MS-5 is a statutorily required report on our finances. **Mr. Dickinson moved, seconded by Ms. Sand to sign the MS-5. The motion carried unanimously.**

CONSIDERATION OF BILLS

- a. Manifest 3/14/13

Ms. Sand moved, seconded by Mr. DiGregorio, to approve and sign the manifest 3/14/13. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest 3/7/13
- b. Payroll 3/7/13

Ms. Seavey moved, seconded by Mr. DiGregorio, to ratify the manifest dated 3/7/13 and the payroll dated 3/7/13. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Mt Washington Valley Art Association/Art in the Park/Schouler Park 8/10/13

Ms. Sand moved, seconded by Ms. Seavey, to approve the Special Event Application for the Mt. Washington Valley Art Association for Art in the Park in Schouler Park on 8/10/13. The motion carried unanimously.

CONSIDERATION OF MINUTES

2/19/13, 2/26/13 and 3/4/13 - **Ms. Sand moved, seconded by Mr. Dickinson, to approve the minutes of 2/19/13, 2/26/13 and 3/4/13 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Town Report – Mr. Sires reviewed that Town Meeting was held last week and we are now in the process of finalizing the Town Report. The Town Report will be ready on or about 3/29/13.

Hobbs Street Property – Mr. Sires reported the Town received a wetlands map from our consultant on the Hobbs Street property. We will be going over this and bringing this to the Board in the near future.

Carroll County Dispatch – Mr. Sires reviewed that the issue of county dispatch was brought up by the Town of Moultonborough. The County provides direct dispatch to smaller communities at no extra charge and there has been an effort to find a better way to fund it. We have attended meetings regarding this in the past. Another meeting to discuss dispatch has been scheduled however, due to a conflict with another meeting he and Mr. Weathers have to attend in Lancaster, they will not be able to attend. Mr. Sires stated that we can either write a letter of support or non support of this matter to send along or we can appoint someone else to go to the meeting. Mr. Weathers stated that we do use Carroll County dispatch at times for some areas of town and he is a little hesitant on losing them. He feels they are a good back up for the Town of Conway. He would like to see it stay the same as far as the Town of Conway is concerned. Mr. Weathers further added that other towns are looking for a different formula. Mr. Dickinson stated that he agrees with Mr. Weathers. Mr. Dickinson made a motion that we continue to use the dispatching service. There was no second to the motion. Mr. DiGregorio stated that he doesn't want to cut the connection with the dispatch center but feels that it is an unfair portion that we pay compared to other towns that use the service. Mr. DiGregorio next stated that he feels we should support the Town of Moultonborough to find an equitable formula. Ms. Sand stated that she feels we should have further conversation to see if there is a way to make this more equitable; however, she understands this may be hard to do. She would like to continue to search for a solution. Mr. Dickinson stated that the county tax is based on value assessment and it will continue to be divided up that way and the cost of dispatching is done the same way. To do anything else will gum it up. Mr. DiGregorio stated that he does understand this but would still like to investigate further. Mr. DiGregorio next stated that he feels we should send a letter to Moultonborough explaining that we can't attend this meeting but that we support their efforts to continue to identify a more equitable way of funding and, also, that we don't want to sever relations with the County. All agreed.

Meeting with MWVCC – Mr. Sires reported there have been efforts by groups to get a farmers market together in North Conway and a meeting is scheduled with representatives of the MWVCC to discuss same.

BOARD REPORTS AND COMMENTS

North Conway Community Center Meeting – Ms. Sand reported she met with North Conway Community Center representatives along with representatives of the SAU administration and Conway School Board to discuss the potential of the old SAU9 building site as an alternative site for the North Conway Community Building. There was discussion at the meeting concerning traffic flow for the school, the advantage of having a recreation area near the school instead of having to transport children, the potential for the building to be used for overflow from the school or for emergencies at John Fuller, etc. There was also discussion about setting up language that if the building was ever used for something other than the community center it would revert back to the school. Ms. Sand advised there was much discussion on a variety of subjects and, hopefully, they will get further information back from the school on the discussions so this can be moved on to see if this is a more viable site for the community center. There was also discussion at the meeting as to whether there may be other sites in North Conway Village; however, there are not any other sites that really make sense. Any other site would mean that children will have to be transported or would have to walk quite a ways. Ms. Sand stated they are now waiting for the school to provide feedback so they can continue discussions.

Valley Vision – Mr. DiGregorio reported we have been working with the Town of Madison regarding Valley Vision as now they broadcast their own information on Monday only on Channel 3. The town meeting in the Town of Madison is scheduled for this Saturday and there is an article on their warrant to ask voters for \$5,000 for the purpose of view only; however, the Selectmen did not support their own article. Mr. DiGregorio further added that we have been trying for several years now to negotiate with Madison regarding Channel 3 and we may now be notifying Time Warner that we may be shutting Madison off if the funds are not approved. Mr. DiGregorio further advised that we did notify Madison by letter that if Madison didn't support this they would be removed from using Channel 3. Mr. DiGregorio next advised that he will not be able to attend the Madison town meeting as he will be working. Ms. Sand suggested that someone from Valley Vision go to the meeting and give explanation. Mr. DiGregorio advised that he would ask about this.

Conservation Commission – Mr. Weathers reported that a Conservation Committee meeting is scheduled for tomorrow night, March 13, 2013, at the Whitaker Meeting House.

PUBLIC COMMENTS

There were no public comments.

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

At 5:50 p.m., **Ms. Seavey moved, seconded by Mr. Dickinson, to go into non public session under NH RSA 91-A:3,II(c) to discuss a tax matter.** The non public session included Town Manager, Earl Sires, Recording Secretary, Karen Hallowell, and property owners. **The motion carried by unanimous roll call vote.**

At 6:34 p.m. the Board returned to public session. A motion to seal the minutes of the non public session was made and carried in non public session.

MEDIA QUESTIONS

Tom Eastman of the Conway Daily Sun discussed the SB2 form of town meeting with the Board.

ADJOURN

At 6:55 p.m. **Mr. DiGregorio moved, seconded by Ms. Sand, to adjourn the meeting. The motion carried unanimously.** .

Respectfully submitted,

Karen J Hallowell
Executive Secretary