

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
March 10, 2015

The Selectmen's Meeting convened at 4:05 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Stacy Sand, and Carl Thibodeau, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

Mary Carey Seavey was not present due to a vacation.

PLEDGE OF ALLEGIANCE

Mr. Weathers led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Weathers advised that an Intent to Cut for Tax Map/Lot 223-35 has been added to Signing of Documents. **Ms. Sand moved, seconded by Mr. Thibodeau, to approve the agenda as amended. The motion carried unanimously.**

CONSIDERATION OF UNANTICIPATED REVENUE LESS THAN \$10,000/RSA 31:95-B, III (B)

a. \$288.55 from NH Department of Highway Safety to Town of Conway PD for Operation Safe Commute

Police Lieutenant, George Walker, appeared before the Board. Lt. Walker reviewed this grant was received for extra patrols to be done during commute time. **Ms. Sand moved, seconded by Mr. Thibodeau, to accept the \$288.55 from the NH Department of Highway Safety to the Town of Conway Police Department for Operation Safe Commute. The motion carried unanimously.**

REVIEW OF NHDOT CONWAY 29256 PAVEMENT REHABILITATION FOR ROUTE 302

Robert Davis and Jim Marshall of the NHDOT joined the meeting. Also present for discussion was Public Works Director, Paul DegliAngeli.

Messrs. Davis and Marshall displayed drawings of the Conway 29256 pavement rehabilitation plan for Route 302 and reviewed same with the Board. Mr. Davis also advised that the plans will be on the NHDOT website as well.

Mr. Davis advised that the project starts just east of the Route 113 intersection and will go to the Maine border. The project will be done in sections. The first section from Route 113 to project station 144 (about one mile). They will raise the grade of the road 8 inches. The next section is Center Conway and they will do drainage work. They will not raise the road but will do reconstruction of the roadway and will place 8 inches of stone and then 6.5 inches of pavement. The next section of the project is the bridge section and this will be a separate project. This project will go out to bid in 2016 and this will be a realignment. They will avoid this section due to the bridge work that will be done in the future but will put a $\frac{3}{4}$ inch pave shim the width of the road for approximately 1200 feet. The remainder of the project will go to the Maine border and this will be a 12 inch reclaim the full width of road. They will raise the grade approximately 12 inches and will also do drainage work. Also after the road reconstruction there will be some utility poles relocated. Mr. Davis next advised that with regard to the railroad tracks, they have

been asked to reestablish the rails and make improvements; however, it is exempt right now. With regard to traffic control, they will have the contractor do half of the road at a time and will allow a mile and one quarter at a time. The contractor will have to complete the segment before moving on. There will be some backups during peak hours and they are trying to work it so it doesn't impact fall foliage and Fryeburg Fair and they are aware of this. They will try to finish segments by September and this will be a two season project. Mr. Davis next advised that they will advertise this project on the 31st of this month and then it will go to Governor and Council. It will then take about 2-3 months to get the paperwork in place for the project. They won't be starting the project until June/July of this year. They will start at the Conway end and work toward Center Conway. Mr. Davis next reiterated that they will be restricting the contractor to one and one quarter mile at a time. There will be backups of traffic at times. Mr. Weathers asked if all work will be done by September 1, 2015. Mr. Marshall and Mr. Davis advised they will still be doing drainage work and off roadway work after September 1. Mr. Weathers asked if the bridge will be done in the second season. Mr. Marshall responded in the negative and advised it would be the following season.

Mr. Marshall next presented a Municipal Work Zone Agreement and Municipal Sidewalk Agreement for the Board to consider. Mr. Weathers advised both agreements will be reviewed and placed on the next agenda.

Mr. Davis next reviewed work that will be done in front of town hall, curbing, etc.

Ms. Sand stated that there are seasonal businesses along the stretch of highway including Saco Bound Canoe and McSherry's Nursery and questioned if there is any way to hold off on this part of the road until April or May of next year so they are not impacted. Mr. Marshall stated they will take a look at the construction sequence to see if this is possible. Mr. Davis added that they will require the contractor to maintain access to the businesses on the road and, also, they will not be working on weekends either.

Mr. Weathers asked about construction hours. Mr. Marshall advised 7:00 am to 7:00 pm.

REVIEW AND CONSIDERATION OF RECOMMENDATIONS FOR 2015 FOREST FIRE WARDEN/DEPUTY REAPPOINTMENTS

The Board reviewed the list of reappointments for 2015 Forest Fire Warden Deputy reappointments. Mr. Weathers advised that Tim Roberts has moved and is not on any of our departments and should be removed from the list. Mr. Thibodeau pointed out that the addresses listed for Mr. Kemp and Mr. McCarthy are incorrect. Mr. Sires advised we will ask that the information be clarified and updated. **Mr. Weathers moved, seconded by Ms. Sand, to make the recommendations for 2015 Forest Fire Warden/Deputy reappointments. The motion carried 4-0-0.**

APPROVAL TO USE PEG FUNDS TO PAY FOR DISPOSAL OF ELECTRONIC EQUIPMENT OWNED BY THE TOWN AND USED BY VALLEY VISION

Mr. Sires reviewed that Bill Edmunds from Valley Vision was before the Board recently and advised that there is town equipment that is not working or obsolete. Mr. Sires next advised that to dispose of these materials at the town transfer station we charge a fee. Mr. Sires stated that it makes sense to fund payment of this disposal with the PEG Fund instead of town funds. The estimated amount for the disposal of the equipment is approximately \$150-200. **Mr. DiGregorio moved, seconded by Ms. Sand, that we approve of up to \$250 to dispose of equipment owned by the Town and used by Valley Vision.** Ms. Sand questioned if the equipment does not work at all or if it is worth it to give people a chance to buy it. Mr. DiGregorio

advised that it is old equipment such as VHS equipment etc and not working. Ms. Sand stated that she does not want to see us sending stuff to recycle that does work. **The motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED AMENDMENT TO PERSONNEL
MANUAL: SICK LEAVE FOR REGULAR PART TIME EMPLOYEES

Mr. Sires reviewed a proposed amendment to the Non Union Personnel Manual regarding sick leave for regular part time employees with the Board. There was a brief discussion. **Ms. Sand moved, seconded by Mr. Thibodeau, that we amend the Personnel Manual to change the sick time definition of part time employees and have it retroactive to January 1, 2015. The motion carried unanimously.**

SCHEDULE FOR ELECTION DAY

The Board discussed a schedule for Selectmen on Election Day, April 14, 2015. Mr. DiGregorio advised he could be there from 4:00 pm to 7:00 pm, Mr. Weathers will be there from 8:00 am until noon, Mr. Thibodeau will be there from noon to 4:00 pm and Ms. Sand stated she will be there in and out and at the end of the day. The Board further added that Ms. Seavey usually is at the polls from around 2:00 pm until close.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 276-246
- b. Notice of Intent to Cut Wood or Timber Tax Map/Lot 260-56
- c. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 276-210
- d. Permit to Sell Raffle Tickets/Children Unlimited – Drawing 6/16/15
- e. Permit to Sell Raffle Tickets/North Conway FD Explorers - Drawings every Monday April 2015
- f. Notice of Intent to Cut Wood or Timber Tax Map/Lot 233-35

Ms. Sand moved, seconded by Mr. Thibodeau, to sign the Notice of Intent to Cut Wood or Timber Tax Map/Lot 260-56, Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 276-210, Permit to Sell Raffle Tickets/Children Unlimited – Drawing 6/16/15, Permit to Sell Raffle Tickets/North Conway FD Explorers - Drawings every Monday April 2015 and Notice of Intent to Cut Wood or Timber Tax Map/Lot 233-35 The motion carried unanimously.

Ms. Sand moved, seconded by Mr. Thibodeau, to sign the Abatement Tax Map/Lot 276-246. Mr. DiGregorio advised he would be abstaining from voting on this item as he is related to the person. The motion carried 3-0-1 with Mr. DiGregorio abstaining.

CONSIDERATION OF BILLS

- a. Manifest 3/12/15

Ms. Sand moved, seconded by Mr. Thibodeau, to approve the manifest dated 3/12/14. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest 3/5/15
- b. Payroll 3/5/15

Mr. Thibodeau moved, seconded by Mr. DiGregorio, to ratify the Manifest dated 3/5/15 and Payroll dated 3/5/15. The motion carried 3-0-1 with Ms. Sand abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Walk MS North Conway 2015/National Multiple Sclerosis Society – 5/3/15
- b. Craft Fairs/Gibson Center for Senior Services – 5/23/15-5/24/15, 7/4/15-7/5/15, 9/5/15-9/6/15 and 10/10/15-10/11/15
- c. Craft Shows/Joyce Endee Productions – 5/23/15-5/24/15, 10/10/15-10/11/15 and 10/17/15-10/18/15
- d. Be Kind Fest/Visiting Nurse Home Care & Hospice – 6/5/15

Ms. Sand moved, seconded by Mr. Thibodeau, to approve the Special Event Application for Walk MS North Conway 2015/National Multiple Sclerosis Society – 5/3/15, Craft Fairs/Gibson Center for Senior Services – 5/23/15-5/24/15, 7/4/15-7/5/15, 9/5/15-9/6/15 and 10/10/15-10/11/15, Craft Shows/Joyce Endee Productions – 5/23/15-5/24/15, 10/10/15-10/11/15 and 10/17/15-10/18/15 and the Be Kind Fest/Visiting Nurse Home Care & Hospice – 6/5/15. The motion carried unanimously.

CONSIDERATION OF MINUTES 2/3/15, 2/10/15 AND 2/13/15

Mr. Thibodeau moved, seconded by Ms. Sand, to approve the minutes of 2/3/15, 2/10/15 and 2/13/15 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Conservation Commission – Mr. Sires reported that the Conservation Commission completed the purchase of the conservation land on West Side Road this past Monday. The land will be available for public use in the future for hiking, biking, etc.

Emergency Management – Mr. Sires reported that an Emergency Management meeting is scheduled with emergency personnel to talk about ice dams, thaw, flooding evacuations, etc., due to spring weather related issues.

Audit – Mr. Sires reported the Auditors were at town hall this week to do the town audit.

Recodification – Mr. Sires reported information regarding the recodification project was received this week. We are looking over the information and then will schedule a meeting of the committee.

Opinion on Warrant Article – Mr. Sires reviewed that the Board recently asked him to speak with the Town Attorney regarding a warrant article from 1997. A copy of the opinion has been provided to the Board. Mr. Sires further next advised that he did also receive calls regarding this matter from Janine Bean and Tad Furtado. Mr. Sires next stated that to sum this up the language for the article could be town or town services but if you read the town meeting minutes it is about dissolving precincts. Attorney Malia's opinion is that a judge would look at the minutes and how this was presented to the voters and that the opinion would be that this is not for a service being handed over only. Mr. Thibodeau stated that if the Conway Village article passes this year, then the town would have to put a warrant article on next year. Mr. DiGregorio stated that he feels there is still the issue that the law requires towns to take care of sidewalks. He feels these issues will just take time to sort out. Mr. Sires next advised that Attorney Malia is also reaching out to the NHMA regarding this matter and is waiting to hear back. Mr. Thibodeau stated he feels it would be in the towns best interest to post a warrant article that is clear on this in the future.

BOARD REPORTS AND COMMENTS

ESAA – Mr. Thibodeau reported the ESAA is now meeting quarterly.

Planning Board – Mr. Thibodeau reported that the Planning Board did not meet two weeks ago as there was no business to transact. The next Planning Board meeting is scheduled for March 12, 2015.

Budget Committee – Ms. Sand reported the last Budget Committee meeting was held after the School Deliberative meeting.

Healthcare Study Committee – Ms. Sand reported that she and Mike DiGregorio are working on finalizing information for the last Healthcare Study Committee meeting. The meeting is scheduled for March 16, 2015 at 4:00 p.m. and hopefully all the committee representatives will be present. Recommendations by this committee will be voted on at this meeting and then written up to give to the Boards and we hope to have the report out by mid April. Mr. Sires commented that the town did receive another health insurance rebate from Health Trust for 2014.

LMWVSWD – Ms. Sand reported that a LMWVSWD meeting will be scheduled for sometime in the next couple of weeks.

Deliberative Session of Town Meeting – Mr. Weathers reported that Town Meeting was held on March 2, 2015 and went only about an hour to hour and a half. An amendment for fuel was made to the budget. Mr. Weathers next stated that he hopes to see more public turnout at the meetings in the future.

Town Report – Mr. Sires stated that the 2014 Town Report will be available in early April.

Voting Day – Mr. Weathers reviewed that voting day is April 14, 2015.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

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

The non public session was canceled.

ADJOURN

At 5:03 p.m. the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary