

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
April 5, 2016

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), Carl Thibodeau, John Colbath and Steven Porter, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

Selectman, Mary Carey Seavey, was not present due to illness.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised that Agenda Item 6 regarding Special Event Deposits would be rescheduled to a future agenda. **Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the agenda as amended. The motion carried 4-0-0.**

EAST SIDE ROAD COVERED BRIDGE SCOUR PROJECT

Mr. Sires reviewed that the NHDOT was before this Board this past December to discuss the bridge scour project. They have federal funding to reinforce the bridge abutments to prevent scour. There was a lot of discussion at the meeting in December as to whether the project was needed. The NHDOT has to enter into a work agreement and are now asking if the Board approves of moving forward with the project. Mr. Sires next reviewed the minutes of the December 1, 2015 meeting with the Board. Mr. Sires next reviewed that it was agreed to have a meeting at the staging area at Davis Park. Mr. Sires further advised that this may be advantageous to the town as the staging area will be cleared. Mr. Colbath questioned if they agreed to do the work after Labor Day. Mr. Sires responded in the affirmative. Mr. Weathers commented that there will be less usage at that time and the water is lower. Mr. Weathers further reviewed the project and stated that he still feels that it may not be needed yet. Mr. Porter asked what happens if we don't do the project. Mr. Sires stated we could be responsible for it in the future. The funding is available now and the safest approach is to have them do the project. Mr. Porter commented that it would be a shame if we didn't do it and then an act of nature happens and we should have. Mr. Thibodeau commented that they have not yet contacted him about going through his property on the other side. Mr. Colbath commented he feels this project should move forward especially for the landing area at Davis Park. **Mr. Porter moved, seconded by Mr. Colbath, that we recommend that the scour project takes place by the NHDOT in September of 2017. The motion carried unanimously.**

RECREATION SUMMER PROGRAM FEES

Recreation Director, John Eastman, joined the meeting. Mr. Eastman reviewed that the Board of Selectmen review summer program fees each year. Mr. Eastman advised that the summer program fee for 2015 was \$195 for eight weeks. They did have to increase staffing by at least two people based on attendance at the program and due to insurance requirements. Mr. Eastman next stated that his recommendation for the fee for the 2016 summer program is \$210. Mr. Eastman stated the fee comes out to be approximately \$27 a week. This is for 9:00 am to 4:00 pm activities. Also, they do open at 8:00 am for drop-off and allow until 5:00 pm for pick up. This year they will be looking at 17 councilors as opposed to 15 last year.

Mr. Eastman next stated that they will also be trying to use more portable toilets this year to save money as the well is not being done this year.

There was a discussion with the Board of the summer recreation program, trips, attendance, scholarship program, fees, staff training, etc.

Mr. Eastman next reviewed that last year they did offer an early bird fee and a late fee. Also, if you have multiple children, the first child is the regular fee; the second child is \$5 off, etc. Last year if someone paid early the fee was \$175. Mr. Eastman next reviewed that the program is for 8 weeks for children and for staff it is 9 weeks as staff goes through one week of training for the summer program.

Mr. Thibodeau asked about the well situation. Mr. Eastman stated it is not the well actually, it is the water supply. On their largest day last year there was 180 kids in attendance plus 16 staff and the amount of pressure it put on the well was substantial. They don't plan to close the bathrooms inside but they do want to add extra portable toilets outside as they feel it will take the strain off they system and save on repair costs. Public Works Director, Paul DegliAngeli, joined the meeting. Mr. DegliAngeli reviewed the system and the issues with it with the Board. Mr. DegliAngeli stated the flush valves fail at low pressures and so the well goes dry. There was further brief discussion regarding the well system.

Mr. Colbath moved, seconded by Mr. Porter, that we accept the \$210 program fee for the 8 week program. Mr. Eastman stated that are also times when someone want to use the program for just one week. He recommends a fee of \$85 for one week as staff still needs to order t shirts, etc. Mr. Eastman next advised that sometimes there are people who just want to come for one trip; however, he feels that could be a safety issue. There was brief discussion. **Mr. Colbath amended the motion, seconded by Mr. Porter, that we accept the \$210 program fee for the 8 week program and the \$85 weekly fee. The motion carried unanimously.**

SPECIAL EVENT DEPOSIT

This agenda item was moved to next agenda

RECREATION CENTER RELOCATION UPDATE

Mr. Weathers reported a meeting regarding the recreation center was held yesterday at the Junior High. At the meeting they set up a review board of two Selectmen, two people from the school, two people from the public (one will be selected by this Board and one will be selected by the School), two people from Friends of Conway Rec and John Eastman. Mr. Weathers next stated they have taken a tour of the building. Also, at yesterday's meeting Mr. Sires presented operating costs for our recreation program as the school did not have this information. They will look at heat and other costs. There was discussion of wall and floor repairs and, also, access to the building. Mr. Weathers next stated that if this move is to take place we will have to put it before the voters next year. We have to get our information in order so we have accurate data, look at parking, etc. There is also an issue of usage of a field in conflict with the junior high and John Eastman will be sitting down with Gretal to discuss same. Mr. Colbath questioned if the preschool is no longer a consideration for this space. Mr. Weathers stated it was voted by the school board that it will not be a consideration.

Mr. Weathers next stated that five people have come forward to volunteer to be on the committee - Ray Leavitt or someone from the Center Conway Fire Precinct, Jac Cuddy, Gary MacDonald, Peter Hall and Darcy Kane. Mr. Colbath questioned who the school appointed.

Mr. Weathers advised Kara Couture. There was brief discussion by the Board as to who to appoint to the committee. **Mr. Colbath moved, seconded by Mr. Thibodeau, to appoint Gary MacDonald to the committee. The motion carried unanimously.**

CHARTER AND CODE REVISION UPDATE

Mr. Sires reviewed that he has been working on the code project and we now have a draft which is available for review on the web. The project was to go through and update town laws that are in the code. What we found when we started going through the code is that there are three things for the town to operate which are the Town Charter, the town code which are the laws citizens have to comply with and, also, there are Board of Selectmen policies which deal with how we run our internal operations such as the personnel manual, loss prevention manual, etc. What we found when looking at all of this is there were things in the code that should be policies and vice versa and so we have sorted through this. Mr. Sires next stated that the first part of all this he would like to discuss is the Charter. Mr. Sires reviewed the charter was reviewed a couple years ago and it is actually in the charter that the Board review this periodically. There are some proposed changes to the charter. Mr. Sires asked that the Board review the proposed Charter and then we will have discussion again in a few weeks. The Board agreed.

VOTING DAY ASSIGNMENTS

Mr. Weathers reviewed that April 12, 2015 is voting day from 8:00 am to 7:00 pm. Mr. Weathers advised that he will be out of town and not available on this day. Mr. Thibodeau advised that he is running for office and that he can help but can't touch ballots. There was a brief discussion regarding voting day assignments. Mr. Porter and Mr. Colbath advised that they are available. Mr. Porter stated he can be there in the morning. Mr. Colbath stated that he can be there at any time and will stay through the count. It was agreed that staff would check with Selectman Seavey and confirm a schedule for the day.

REVIEW OF MONTHLY RECEIPTS

Monthly receipts were available for review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 231-83
- b. Abatement Tax Map/Lot 234-72
- c. Abatement Tax Map/Lot 240-3
- d. Notice of Intent to Cut Wood or Timber Tax Map/Lot 218-54, 218-34 ,218-33 & 218-8
- e. Notice of Intent to Cut Wood or Timber Tax Map/Lot 225-37
- f. Notice of Intent to Cut Wood or Timber Tax Map/Lot 255-5.12
- g. Notice of Intent to Cut Wood or Timber Tax Map/Lot 284-14
- h. Notice of Intent to Excavate Tax Map/Lot 226-1
- i. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 219-303
- j. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 230-39
- k. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 254-72
- l. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 256-10
- m. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 263-91
- n. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 288-16
- o. Permit to Sell Raffle Tickets – White Mountain Waldorf School – Drawing 5/4/16
- p. Permit to Sell Raffle Tickets – MWV Old Car Club – Drawings on Monday nights from 5/30/16 to 8/29/16
- q. Permit to Sell Raffle Tickets – MWV Arts & Valley Promotions – Drawing 8/6/16

- r. Permit to Sell Raffle Tickets – Vaughan Community Service – Drawing 6/25/16
- s. Permit to Sell Raffle Tickets – MWV Old Car Club – Drawing 9/11/16

Mr. Colbath advised that he is on the Board for Vaughan Community Service.

Mr. Thibodeau moved, seconded by Mr. Porter, to sign the Abatement for Tax Map/Lot 231-83, Abatement for Tax Map/Lot 234-72, Abatement for Tax Map/Lot 240-3, Notice of Intent to Cut Wood or Timber for Tax Map/Lot 218-54, 218-34 ,218-33 & 218-8, Notice of Intent to Cut Wood or Timber for Tax Map/Lot 225-37, Notice of Intent to Cut Wood or Timber for Tax Map/Lot 255-5.12, Notice of Intent to Cut Wood or Timber for Tax Map/Lot 284-14, Notice of Intent to Excavate for Tax Map/Lot 226-1, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 219-303, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 230-39, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 254-72, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 256-10, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 263-91, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 288-16; Permit to Sell Raffle Tickets – White Mountain Waldorf School – Drawing 5/4/16, Permit to Sell Raffle Tickets – MWV Old Car Club – Drawings on Monday nights from 5/30/16 to 8/29/16, Permit to Sell Raffle Tickets – MWV Arts & Valley Promotions – Drawing 8/6/16, and Permit to Sell Raffle Tickets – MWV Old Car Club – Drawing 9/11/16. The motion carried unanimously.

Mr. Thibodeau moved, seconded by Mr. Porter, to sign the Permit to Sell Raffle Tickets – Vaughan Community Service – Drawing 6/25/16. The motion carried 3-0-1 with Mr. Colbath abstaining.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 3/31/16
- b. Accounts Payable Manifest 4/7/16

Mr. Colbath moved, seconded by Mr. Porter to sign the accounts payable manifest dated 3/3/16. The motion carried 3-0-1 with Mr. Thibodeau abstaining.

Mr. Colbath moved, seconded by Mr. Porter, to sign the accounts payable manifest dated 4/7/16. The motion carried 4-0-0.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 3/24/16
- b. Payroll 3/31/16
- c. Plodzik and Sanderson 2015 Risk Assessment Questionnaire
- d. Certification of Yield Taxes Assessed Tax Map/Lot 234-77
- e. Certification of Yield Taxes Assessed Tax Map/Lot 257-2
- f. Certification of Yield Taxes Assessed Tax Map/Lot 257-4.2
- g. Certification of Yield Taxes Assessed Tax Map/Lot 283-26
- h. Gravel Tax Levy Tax Map/Lot 207-14.4, 263-117, 226-1, 238-1 and 207-14.5
- i. Timber Tax Levy Tax Map/Lot 257-2, 283-26, 257-4.2 and 234-77
- j. Permanent Application for Property Tax Credits/Exemptions Tax Map/Lot 264-27

Mr. Sires reviewed that with regard to Plodzik and Sanderson 2015 Risk Assessment Questionnaire listed above, this is a form that was filled out by David Weathers on behalf of the Board of Selectmen. Mr. Sires next reported that he and Lilli Gilligan had to fill out separate

forms as well. The forms from the auditors ask if you are aware of any fraud. **Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the Accounts Payable Manifest dated 3/24/16, Payroll dated 3/31/16, Plodzick and Sanderson 2015 Risk Assessment Questionnaire, Certification of Yield Taxes Assessed for Tax Map/Lot 234-77, Certification of Yield Taxes Assessed for Tax Map/Lot 257-2, Certification of Yield Taxes Assessed for Tax Map/Lot 257-4.2, Certification of Yield Taxes Assessed for Tax Map/Lot 283-26, Gravel Tax Levy for Tax Map/Lot 207-14.4, 263-117, 226-1, 238-1 and 207-14.5, Timber Tax Levy for Tax Map/Lot 257-2, 283-26, 257-4.2 and 234-77 and Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 264-27. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. White Mountain Harley Davidson/Sales Event with Cook Out and DJ – 4/16/16
- b. White Mountain Waldorf School/May Faire Festival – 5/14/16 (Pending Insurance)
- c. Conway Village Congregational Church/4th Annual Spring Family Festival – 5/21/16
- d. John Fuller Elementary School PTA/Flying Falcon Fun Run 5K and 1K – 5/22/16
- e. MWV Old Car Club/Monday Night Cruise Nights - Monday nights from 5/30/16 to 8/29/16 (pending insurance)
- f. Vaughan Community Svc & First Church of Christ Congregational/Strawberry Festival – 6/25/16
- g. MWV Art Association/Art in the Park – 8/6/16
- h. MWV Old Car Club/MWV Old Car Club 45th Annual Car Show – 9/11/16

It was reviewed that Items b and e are pending insurance.

Mr. Thibodeau moved, seconded by Mr. Porter, to approve the special event applications for White Mountain Harley Davidson/Sales Event with Cook Out and DJ – 4/16/16, White Mountain Waldorf School/May Faire Festival – 5/14/16 (Pending Insurance), Conway Village Congregational Church/4th Annual Spring Family Festival – 5/21/16, John Fuller Elementary School PTA/Flying Falcon Fun Run 5K and 1K – 5/22/16, MWV Old Car Club/Monday Night Cruise Nights - Monday nights from 5/30/16 to 8/29/16 (pending insurance), MWV Art Association/Art in the Park – 8/6/16, and MWV Old Car Club/MWV Old Car Club 45th Annual Car Show – 9/11/16. The motion carried unanimously.

Mr. Porter moved, seconded by Mr. Thibodeau, to approve the special event application for Vaughan Community Service & First Church of Christ Congregational/Strawberry Festival – 6/25/16. The motion carried 3-0-1 with Mr. Colbath abstaining.

CONSIDERATION OF MINUTES, 3/1/16, 3/9/16 AND 3/15/16

Mr. Colbath moved, seconded by Mr. Thibodeau to approve the minutes of 3/1/16, 3/9/16 and 3/15/16. The motion carried unanimously.

TOWN MANAGER REPORT

2015 Town Report – Mr. Sires reported the 2015 Town Report is now available. There is a lot of information in the report about the 250th Anniversary. Mr. Sires gave an overview of the front section of the report with information for 2015 and, also, reviewed the blue section in the back which prepares voters for 2016 voting. Mr. Sires next advised that the reports are available at various locations around town and is also on the web.

MWV Collaborative Meeting – Mr. Sires reported he attended a MWV Collaborative meeting a few weeks ago. There is also a skilled and ready workforce meeting that will be held on the 15h.

Intervale Lighting – Mr. Sires reported that he and Carl Thibodeau will be meeting with Sue Nelson in Intervale to go over the lights.

Transvale Court Case – Mr. Sires reported that we received a court decision on our last case related to Transvale. The case was before the Supreme Court. The property has an 80 square foot cabin that had been damaged and needs to come down. The Town did prevail in the court action and the structure needs to come down.

Emergency Management – Mr. Sires reported that there is now a Town of Conway Emergency Management Facebook page. The page was created by Lt. George Walker.

Conway Lake Signs – Mr. Sires reported the town is working with the Conway Lake Association regarding signs at Conway Lake. The Association will provide most of the funding to create a kiosk with information for the public regarding species in the lake, litter, boating, etc.

CDBG – Mr. Sires reported that a CDBG meeting is scheduled for this Thursday afternoon and he will be attending.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported the Planning Board will be meeting next Thursday. There is a site plan review for a commercial property in North Conway on the Homestead property on the agenda. The Planning Board will also be holding a public hearing on tree removal on a scenic road. Mr. Porter encouraged the public to attend the meeting.

Budget Committee – Mr. Colbath reported the Budget Committee met last week to wrap up minutes, etc. They will also have a meeting after the election.

ZBA – Mr. Colbath reported there was no ZBA meeting recently.

ESAA – Mr. Thibodeau reported that the ESAA met with the Northern Borders agency which is an arm of the federal government that provides grants for infrastructure, etc. They are now trying to determine if the ESAA will be eligible for \$250,000 of funding. Mr. Thibodeau next stated that he is happy that the Budget Committee is now supporting the ESAA now that they were advised that the Board of Selectmen will not put the funding in the budget and it will be kept as a warrant article. The Board of Selectmen voted to support the article unanimously and he hopes that the public will support it as well. Mr. Thibodeau next reported that the Canadian Air Force did some exercises at the airport such as mountain training, etc. This brought business into the valley. They may come back in April and, also, are planning to come back next year. Mr. Thibodeau next reported that there have also been a couple of life flights and pet flights out of the airport. There has been lots of activity.

Easter Egg Hunt – Mr. Weathers reported the Recreation Department did a great job with the Easter Egg Hunt. There was a large crowd and it was handled very well by John Eastman and staff.

Conservation Commission – Mr. Weathers reported that a Conservation Commission meeting is scheduled for next Wednesday at the Whitaker Meeting House.

Voting – Mr. Weathers reviewed that voting day is April 12, 2016 from 8:00 am to 7:00 pm at will be held at the recreation building.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked about the legal opinion received for the library and if it was from the town attorney. Mr. Sires responded that it was received from the Hastings and Malia Law Office.

Daymond Steer asked about the Charter and what the precinct does and what the town does. Will this clear up any of this with the districts etc Mr. Sires stated these are questions beyond the scope of the charter.

Daymond Steer asked about the site plan reivew for the next Planning Board meeting. Mr. Porter stated that there is a business coming in for a full site plan review and that someone from the Conway Daily Sun should attend the meeting.

Daymond Steer questioned if the Northern Borders people solicit for public comments. Mr. Thibodeau stated no –they are a federal agency and they look for projects for economic development.

NON PUBLIC SESSION / NH RSA 98-A:3.II(d) CONSIDERATION
OF ACQUISITION, SALE OR LEASE OF REAL ESTATE

At 5:27 pm, **Mr. Thibodeau moved, seconded by Mr. Colbath, to go into non public session under NH RSA 98-A:3,II(d).** The non public session included Town Manager, Earl Sires, Realtor, Greydon Turner, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 5:53 pm.

Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes of this non public session. The motion carried unanimously.

ADJOURN

At 5:54 pm the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary