

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
May 2, 2017

The Selectmen's Meeting convened at 4:02 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, and Steven Porter; Town Manager, Earl Sires, and Recording Secretary, Holly Meserve.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Sires asked that item #9 be moved to after item #3. **Ms. Seavey moved, seconded by Mr. Colbath, to approve the agenda as amended. Motion carried unanimously.**

APPOINTMENT TO CONSERVATION COMMISSION

a. Appointments to Commission

Mr. Porter moved, seconded by Mr. Thibodeau, to reappoint Rob Adair to the Conservation Commission for a three-year term. Motion carried unanimously.

b. Consideration of donation of \$10,000 in Conservation Funds (LCHIP Fund) to the Upper Saco Valley Land Trust to assist the purchase of the Pine Hill Community Forest

Doug Burnell and Linda Comeau of the Upper Saco Valley Land Trust and Rob Adair, Conway Conservation Commission member, appeared before the Board. Mr. Adair stated this is for 436 acres on Pine Hill; the Conway Conservation Commission has \$12,400 in the LCHIP Incentive Program Fund and would like to make a \$10,000 donation.

Ms. Comeau reviewed funding for the parcel and stated there are grant requests in as well. Ms. Comeau stated it looks like they will meet their funding goals to be able to close on the property by March 31, 2018.

Mr. Burnell reviewed a map of the land. Mr. Burnell stated the property contains one of the top 10 ranked wetlands in Conway, there is a lot of river frontage, Odell Falls and Pine Hill; there are a lot of conservation features. Mr. Burnell stated they would eventually like to do more with the recreation path on this property as well. Mr. Burnell stated there are plans to set up a committee for managing this property; and the land trust plans on owning it in fee.

Mr. Weathers asked for Board comment; Mr. Colbath asked if this contained the proposed land for an Aquatic Center. Mr. Burnell answered in the negative and stated it seems they have folded up camp due to lack of funding. Mr. Porter asked what is the long-term plan for this project; preserve conservation land. Mr. Burnell stated we know of some possible ideas; the recreation path, and the cross-country team would like to have their meets here, so we want to work with them.

Ms. Comeau stated there is also a snowmobile trail on the property as well and they would like to work with them to keep that open. Mr. Colbath asked if they will be holding another forum similar to one they just had. Mr. Burnell stated that they don't have the full results from that yet, so they are not sure if they will be holding another one.

Mr. Weathers stated the wetlands are a good educational place; show how they work with the rest of the environment. Mr. Weathers stated he thinks there is an opportunity to do some selective forest management, and there were a lot of good ideas that came out of the forum.

Mr. Weathers asked for public comment; Daymond Steer of the Conway Daily Sun asked about the aquatic center and that it is no longer in the works. Mr. Burnell stated the Aquatic Center is outside of our area. Mr. Steer asked if there would be management for animals, and if there would be any fields in this mix or mostly forest. Mr. Burnell stated it is mostly forest, the only real field is where the High School is located. Mr. Weathers suggested creating some open space which will benefit all types of wildlife.

Ms. Seavey moved, seconded by Mr. Porter, to take \$10,000 from the LCHIP to assist with the purchase of the Pine Hill Community Forest. Motion carried unanimously.

RECREATION UPDATE

Recreation Director, John Eastman, appeared before the Board. Mr. Eastman submitted and reviewed the attached "Conway Parks and Recreation Department Winter Review and Spring/Summer Review". Mr. Colbath asked how the traveling basketball teams did. Mr. Eastman stated the girls were undefeated in the regular season and won the Carroll County tournament and the boys only lost one game in the regular season and won the Carroll County tournament.

Mr. Porter moved, seconded by Mr. Colbath, to keep the rates for swim lessons and summer camp the same. The motion carried unanimously.

REVIEW AND APPROVAL AUDIT FORM FROM PLODZIK AND SANDERSON

Finance Director, Lilli Gilligan appeared before the Board. Mr. Sires stated the form is included in your packet; he asked the Board to review and submit to him if there are any concerns regarding fraud.

FINANCE REPORT

a. Q1 expenditure and revenue update

Ms. Gilligan reviewed the Expenditure and Revenue reports with the Board. Ms. Gilligan stated this is the first 17 weeks of spending and revenues, and the goal at this stage is to have 67% of the budget left and we have 69.8% left. Ms. Gilligan stated she thinks we are sufficiently budgeted with all the projects going on.

Mr. Colbath asked how the nonprofits are paid. Ms. Gilligan stated any entity that is successful in the town warrant article will receive half the money after we send out the tax bills in the first week of July and the next payment is after the tax rate is set by the DRA in mid-November to early December.

Ms. Seavey asked for an explanation of employee benefits and why the sick leave incentive is so low. Ms. Gilligan stated it is paid the second pay period in January. Mr. Sires stated it is payment for accumulated amounts. Mr. Colbath asked if there were a maximum number of sick days that can be accumulated. Ms. Gilligan answered in the negative and stated there is not a cap. Ms. Seavey asked what is in the accumulative fund today. Ms. Gilligan stated she would get that information.

Ms. Gilligan gave an update on the revenue. Ms. Gilligan stated the Police income will be dropped thanks to the new law that you don't need to pay a fee for a concealed weapon permit. Ms. Gilligan stated the Police Department can no longer give accident reports to the public, it is now through the Department of Safety, so there will be a significant hit there. Mr. Colbath stated a State senator has put a bill in right of way to revert back to the Town, but where it will go who knows.

Ms. Gilligan stated that motor vehicle registrations tracking indicates to be up about \$54,000.

CALL FOR PUBLIC HEARING TO AMEND CHAPTER 115 SOLID WASTE

Mr. Sires asked the Board to set a public hearing for May 23, 2017. **Mr. Colbath moved, seconded by Mr. Thibodeau, to hold a public hearing on May 23, 2017 to amend Chapter 115 Solid Waste. The motion carried unanimously.**

DISCUSSION OF RECRUITMENT PROCESS FOR TOWN MANAGER POSITION

Mr. Thibodeau moved, seconded by Mr. Colbath, to post in-house the position of Town Manager for a period of two weeks and if no qualified applicants emerge, they will advertise externally. Motion carried unanimously.

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 276-277
- b. Certification of Yield Taxes Assessed Tax Map/Lot 218-35
- c. Certification of Yield Taxes Assessed Tax Map/Lot 263-58.3
- d. Certification of Yield Taxes Assessed Tax Map/Lot 266-158
- e. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 253-45.59
- f. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 272-52.17
- g. Notice of Intent to Cut Wood or Timber Tax Map/Lot 259-3
- h. Notice of Intent to Cut Wood or Timber Tax Map/Lot 260-58
- i. Timber Tax Levy Tax Map/Lot 263-58.3, 266-158 and 218-35
- j. Permanent Application for Property Tax Credit/Exemptions Tax Map/Lot 255-10
- k. Permit to Sell Raffle Tickets – Drawing 10/15/17

Mr. Colbath moved, seconded by Ms. Seavey, to sign the Abatement for Tax Map/Lot 276-277; Certification of Yield Taxes Assessed for Tax Map/Lot 218-35; Certification of Yield Taxes Assessed for Tax Map/Lot 263-58.3; Certification of Yield Taxes Assessed for Tax Map/Lot 266-158; Current Use Land Use Change Tax Collector's Warrant for Tax Map/Lot 253-45.59; Current Use Land Use Change Tax Collector's Warrant for Tax Map/Lot 272-52.17; Notice of Intent to Cut Wood or Timber Tax Map/Lot 259-3; Notice of Intent to Cut Wood or Timber for Tax Map/Lot 260-58; Timber Tax Levy for Tax Map/Lots 263-58.3, 266-158 and 218-35; Permanent Application for Property Tax Credit/Exemptions for Tax Map/Lot 255-10; and Permit to Sell Raffle Tickets for a drawing on 10/15/17. Motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 5/4/17

Mr. Colbath moved, seconded by Ms. Seavey, to sign the Accounts Payable Manifest dated 5/4/17. Motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 4/27/17
- b. Payroll 4/27/17

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the Accounts Payable Manifest dated 4/27/17 and Payroll dated 4/27/17. Motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATIONS

- a. Gibson Center for Senior Services/Annual Gibson Mayfest & Auction – 5/7/17
- b. Conway Village Congregational Church/5th Annual Spring Family Festival – 5/20/17
- c. MWV Chamber of Commerce/Community Expo – 5/23/17
- d. American Legion Post 46/American Legion Campout Weekend and Fundraiser for our Troops and Veterans – 7/20/17 through 7/22/17 (pending receipt of liquor license)
- e. American Cancer Society/Making Strides Against Breast Cancer Walk – 10/15/17

Mr. Colbath stated the Gibson Center is cutting it short aren't they, they are usually in before now. Mr. Weathers stated it is supposed to be submitted 90-days prior, not sure why it took so long.

Mr. Porter stated there have been concerns in the past years on how the American Legion function has been monitored. Mr. Sires stated that he could look into it. Mr. Thibodeau stated he is in favor of the function as it is a worthwhile cause, but there has been in the past quite a lot of controversy with the lateness of it and the music, could we ask them for a voluntary curfew. Mr. Porter stated it would be worthwhile to look into in order to respect to the neighbors. The Board agreed to not vote on the American Legion application tonight.

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the Special Event Applications for the Gibson Center for Senior Services/Annual Gibson Mayfest & Auction on 5/7/17; Conway Village Congregational Church/5th Annual Spring Family Festival on 5/20/17; MWV Chamber of Commerce/Community Expo on 5/23/17; and American Cancer Society/Making Strides Against Breast Cancer Walk on 10/15/17. Motion carried unanimously.

CONSIDERATION OF MINUTES 10/26/16 AND 4/18/17

Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the regular and nonpublic meeting minutes of 10/26/16 and regular meeting minutes of 4/18/17. Motion carried unanimously.

TOWN MANAGER REPORT

Mr. Sires stated he will be putting together a meeting with the Conway Police Department and our staff on how to enforce parking at Diana's Bath; he will report back to the Board next week.

Mr. Sires stated he is looking at the final code updates to Solid Waste and the Traffic Code as well as a Health Regulation that was adopted a few years ago; will be readopting something that the Board has already done.

Mr. Sires stated because funding is unsure at this moment all CDBG meetings have been canceled. Mr. Sires stated there will be a meeting with Lt. Walker to work on being ready for July 4th; looking at reaffirming that plan. Mr. Sires stated Valley Pride is this weekend, there was a snafu last year with people bringing the trash directly to the transfer station; and we made sure we were in contact with them to prevent that.

Ms. Seavey asked if there was anything in the health code that addresses deplorable housing with garbage. Mr. Sires stated there is and when we get that on the agenda we will review. Mr. Sires stated that ordinance is focused on health and if it is garbage that attracts animals we can deal with it, but if it is an accumulation of junk and not necessarily a health problem it is tougher to enforce.

Mr. Thibodeau asked what they do with all the trash accumulated on Valley Pride Day. Mr. Sires stated it mostly goes into containers at a drop-off location and hauled off by Waste Management. Mr. Thibodeau asked about recycling. Mr. Sires stated that is a problem if they go directly to the transfer station and why they should go to the drop off station. Mr. Colbath stated they really should not be bringing it to the transfer station. Mr. Sires stated it is preferable that they take it to the drop off station.

Mr. Colbath asked about the permit for Leavitt Road. Mr. Sires stated that will be discussed next week.

BOARD REPORTS AND COMMENTS

Mr. Porter stated the Planning Board met last week with the two new members Ray Shakir and Steven Steiner. Mr. Porter stated there is no meeting this week.

Mr. Colbath stated there was no Zoning Board of Adjustment meeting and he was unable to attend the Budget Committee meeting, but Ms. Seavey went in his place.

Mr. Thibodeau stated he had nothing to report.

Ms. Seavey stated the Economic Council has had some interest in selling some land. Ms. Seavey stated the Budget Committee was pretty uneventful; there were two people sworn in, Jim LeFebvre and Bob Drinkhall, and they formed a committee to look at the School Board and to see how the Budget Committee could look at cutting costs in the school. Ms. Seavey stated it passed with two opposing; it is a group of their board members with no outsiders, not sure the intent. Steven Steiner stated what has been happening is we have been asking the School Board for certain things and they ignore us, so he proposed an Ad-hoc committee to look economizing the school and be an advisory board to them.

Mr. Weathers stated they met with NHDOT at the Diana's Bath site and the Commissioner has other concerns as well in regard to pollution and overcrowding. Mr. Weathers stated NHDOT has agreed to post the road on both sides. Mr. Weathers stated the division that enforces that area comes from Lancaster; they will have signs available with the fine fee on them and hopefully they will be in place by Memorial Day weekend. Mr. Weathers stated they will have another meeting in regard to enforcement.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Mr. Steer asked the concept of advertising inhouse for the Town Manager's position and asked the standard operating procedure. Mr. Sires stated the Town Manager is not in the regular service of the Town, it is a position that appointment is made by the Board of Selectmen. Mr. Sires stated it is a contract and there is no set procedure. Mr. Sires stated inhouse advertising is an acceptable procedure. Mr. Sires stated the Board is taking a look in house of who is a good fit.

Mr. Steer stated there are only a handful of people qualified and you are losing two weeks of valuable search time as people inside already now knows the position is available. Mr. Steer stated this is a pretty high powered position and the Town should want to get the right person. Mr. Steer asked if this is open to the School and the Precincts. Mr. Weathers answered only within the Town organization.

Mr. Steer stated the voters approved the Board of Selectmen writing a letter regarding Student Debt. Mr. Sires answered May 9th. Mr. Steer asked about the Ad-Hoc Committee of the Budget Committee; where are the meetings held, and will it be posted. Mr. Weathers stated this is the first he had heard of it. Steven Steiner stated he should speak to the chairman of the Budget Committee.

Mr. Steer asked about the land being sold by the Economic Council. Ms. Seavey stated he should contact Jac Cuddy or Paul Chant; there is nothing concrete at this time, just some interest.

NON-PUBLIC SESSION / NH RSA 91-A:3,II(e) – CONSIDERATION
OF ACQUISITION, SALE OR LEASE OF REAL ESTATE

At 5:10 pm, **Mr. Colbath moved, seconded by Ms. Seavey, to go into nonpublic session under NH RSA 91-A:3,II(e) to discuss a real estate matter.** The nonpublic session included Town Manager, Earl Sires; Tax Assessor, Tom Holmes, and Recording Secretary, Holly Meserve. **Motion carried by unanimous roll call vote.**

The Board returned to public session at 5:19 pm.

Ms. Seavey moved, seconded by Mr. Thibodeau, to seal the minutes of this nonpublic session. Motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Porter, to rescind the sale of the Sargent Road property and release the escrow. Motion carried with Ms. Seavey abstaining from voting.

ADJOURN

At 5:23 pm, the meeting adjourned at the call of the Chair.

Respectfully submitted,

Holly Meserve
Recording Secretary