

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
May 23, 2017

The Selectmen's Meeting convened at 4:03 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 Executive Secretary, Karen Hollowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda. The motion carried unanimously.

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

- a. \$500 from Ted Phillip to the Town of Conway PD to be applied to the line 1307 (equipment)
- b. \$500 from Bruce and Alexandra Lyman/Hayden Baker to the Drew Family Cemetery Association
- c. \$250 from Robert and Mariclare O'Neal to the Damon O'Neal Scholarship Fund

Police Lieutenant Walker appeared before the Board. Lt. Walker reviewed a donation of \$500 was received and asked that it be applied to the equipment line. **Mr. Thibodeau moved, seconded by Ms. Seavey, to accept \$500 from Ted Phillip to the Town of Conway PD to be applied to the line 1307 equipment. Motion carried unanimously.**

Finance Director, Lilli Gilligan, appeared before the Board. Ms. Gilligan reviewed a donation of \$500 was made to the Drew Family Cemetery Association. These funds are held by the Trustees of Trust Funds. **Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the \$500 from Bruce and Alexandra Lyman/Hayden Baker to the Drew Family Cemetery Association. The motion carried unanimously.**

Ms. Gilligan next reviewed a donation of \$250 to the Damon O'Neal Scholarship Fund. This fund is also held by Trustees of Trust Funds. **Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$250 from Robert and Mariclare O'Neal to the Damon O'Neal Scholarship Fund. The motion carried unanimously.**

VALLEY VISION REQUEST FOR FUNDS FROM PEG EQUIPMENT FUND

Bill Edmonds, General Manager of Valley Vision, appeared before the Board. Mr. Edmonds stated that he is requesting \$11,126 from the PEG Equipment Fund for the purchase of equipment for the town of Conway. Mr. Colbath questioned if this is for replacement or for new equipment. Mr. Edmonds stated replacing some equipment that they keep repairing. He does not feel it is worth it to spend more money to keep repairing the old equipment. Mr. Edmonds reviewed the list of equipment he is requesting with the Board. There was brief

discussion. Mr. Colbath questioned the balance in the fund. Ms. Gilligan advised there is a balance of \$33,841.14 in the fund. **Ms. Seavey moved, seconded by Mr. Colbath to award the \$11,126. The motion carried unanimously.**

APPROVAL OF LETTER OF SUPPORT FOR LIBRARY APPLICATION
FOR LCHIP GRANT FOR INSULATION

Conway Public Library Trustee, Stacy Sand, and Library Director, David Smolen, appeared before the Board. Ms. Sand advised that she is also on the Library Building Committee. Ms. Sand reviewed the insulation issue at the library with the Board with asbestos and vermiculite. They had people come in to look at this and bids for removal are \$35,000 to \$45,000. They figure the best way to insulate is at the floor level. They intend to apply to LCHIP for a grant. Ms. Sand next reviewed that hopefully by June the library will be considered an historic building. They are still going through this process. Ms. Sand next stated that they finished the roof project and the best way to insulate is at the ground level and by removing the vermiculite. They are asking that the Board of Selectmen endorse and sign a letter of support for the grant. Ms. Sand next advised that there may be other grant funds available as well and they are making efforts to get as much help with the project as they can for this work. Mr. Weathers reviewed a draft letter from the Town to LCHIP in support of the grant. **Mr. Porter moved, seconded by Mr. Porter, to send the letter of support. The motion carried unanimously.**

MAIN STREET PROJECT/CONWAY VILLAGE

- a. Intersection Improvements Review
- b. Review and consideration of Federal Surface Transportation Block Grant Program and State Aid Highway Program/Revised Local Project Agreement

Public Works Director, Paul DegliAngeli, joined the meeting. Mr. DegliAngeli reviewed improvements proposed to date for the Main Street project in Conway as have been discussed in the past. Mr. DegliAngeli next reviewed additional intersections improvements that are being suggested to the previously discussed improvements. These additional improvements would involve the minor taking of adjacent properties. Mr. DegliAngeli next advised that a meeting is scheduled with the NHDOT for this Friday to further discuss the additional improvements and questioned if the Board would be in favor of pursuing same. Mr. DegliAngeli further explained that we may need to allocate additional funds for the proposed improvements. However, these are traffic improvements and should be 100% NHDOT but they say they want community participation.

There was next a brief review of the proposed Agreement. Mr. DegliAngeli stated that the Board could consider this but he does need to find out if there are eminent domain costs. Mr. Sires suggested holding off consideration of this agreement until the next meeting. The Board agreed. The Board was also unanimous in agreement that the additional improvements need to be pursued. Mr. DegliAngeli advised that he will have plans in future to present to the Board for further review.

Mr. DegliAngeli next referred to a paragraph 1 of the proposed agreement and advised that he also has questions about this language. It states that the duties and responsibilities will be the Town of Conway's. They want to fix this area and then we own it for maintenance. This is news to us. He is not sure if this is just boilerplate language and needs to ask about this language.

EASTMAN ROAD

Mr. Colbath asked about the rerouting of traffic on Eastman Road. The State did not put in another turn lane. He has received a couple of complaint about the area in front of Walmart. The immediate right lane used to turn onto North-South Road and now it has been changed and this causes problems in this area. Mr. Weathers agreed it is causing problems with the flow of traffic. Mr. Colbath added that they did restripe the area and paint arrows. Mr. DegliAngeli commented that we argued against this change when they came to see the Town. There was further brief discussion. Mr. DegliAngeli suggested that we send a letter to ask them to change it back. The right lane use should be dedicated to right turn only.

REVIEW AND CONSIDERATION OF MUNICIPAL WORK ZONE AGREEMENT FOR NHDOT ROUTE 16 PROJECT

Mr. Sires reviewed a proposed Work Zone Agreement for the NHDOT Route 16 Resurfacing Project. Mr. DegliAngeli reviewed that representatives of the NHDOT did come before this Board at a previous meeting to discuss this project. Mr. DegliAngeli reviewed that this project is for work on Route 16 from Burger King to the Bartlett town line. There was brief discussion by the Board. **Mr. Colbath moved, seconded by Mr. Porter, to sign the Municipal Work Zone Agreement for the NHDOT Route 16 Project. Motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED AMENDMENT TO BUILDING PERMIT APPLICATION TO REQUIRE BUILDING SET BACK INSPECTIONS FOR ONE OR TWO FAMILY RESIDENTIAL STRUCTURES

Mr. Sires reviewed proposed changes to the Building Permit Application. This was briefly discussed at the last meeting and there was a question of whether other language should be added regarding including other items such as septic etc. Mr. Sires advised that he spoke with David Pandora regarding this matter and these issues will take additional review in the future. Mr. Sires suggested that the language presented today be adopted. The Board also asked that language be added to conduct foundation inspections prior and post foundation construction. It was agreed that this language should be added to the form. **Mr. Thibodeau moved, seconded by Mr. Porter, to include this language in the Building Permit Application as written. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED CHANGES TO CHAPTER 152/VEHICLES AND TRAFFIC

Mr. Sires reviewed proposed changes to Chapter 152/Vehicles and Traffic (See attached). There was brief discussion by the Board. **Mr. Thibodeau moved, seconded by Ms. Seavey, to approve the proposed amendments to Chapter 152 as presented. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED CHANGES TO THE NON UNION PERSONNEL MANUAL

Mr. Sires reviewed proposed changes to the Non Union Personnel Manual. (See attached). There was brief discussion. **Mr. Colbath moved, seconded by Mr. Porter, to approve the amendments to the non union personnel manual as presented. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF LETTER TO THE
TOWN OF EATON REGARDING RECREATION FEES

Mr. Weathers reviewed a proposed letter prepared to send to the Town of Eaton in response to their letter regarding the recreation fee formula. **Ms. Seavey moved, seconded by Mr. Thibodeau to send the letter to the Town of Eaton as drafted. Motion carried unanimously.**

REVIEW AND CONSIDERATION OF FRAUD STATEMENT FOR AUDITORS

Mr. Sires reviewed the fraud statement questionnaire requested by the Auditors along with the Board's responses to same. Mr. Sires noted that with regard to a plan for IT, we do not have a plan at this time, but will be meeting with our computer company people in the near future. **Mr. Thibodeau moved, seconded by Ms. Seavey to approve the audit questionnaire for David Weathers' signature. The motion carried unanimously.**

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 265-161.101
- b. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 259-21
- c. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 259-25
- d. Certification of Yield Taxes Assessed Tax Map/Lot 214-32
- e. Certification of Yield Taxes Assessed Tax Map/Lot 223-3
- f. Certification of Yield Taxes Assessed Tax Map/Lot 223-34
- g. Certification of Yield Taxes Assessed Tax Map/Lot 240-22
- h. Certification of Yield Taxes Assessed Tax Map/Lot 258-75
- i. Certification of Yield Taxes Assessed Tax Map/Lot 261-46
- j. Certification of Yield Taxes Assessed Tax Map/Lot 263-16
- k. Certification of Yield Taxes Assessed Tax Map/Lot 265-157.1
- l. Certification of Yield Taxes Assessed Tax Map/Lot 282-1.102
- m. Land Use Change Tax Tax Map/Lot 259-21
- n. Land Use Change Tax Tax Map/Lot 259-25
- o. Land Lease Agreement with NH Solar Garden – Landfill
- p. Land Lease Agreement with NH Solar Garden – Transfer Station
- q. Notice of Intent to Cut Wood or Timber Tax Map/Lot 265-161.102
- r. Permit to Sell Raffle Tickets/Conway Area Humane Society – Drawing 9/23/17
- s. Permit to Sell Raffle Tickets/Vaughan Community Service – Drawing 6/24/17
- t. Timber Tax Levy Tax Map/Lot 258-75
- u. Timber Tax Levy Tax Map/Lot 261-46, 214-32, 223-34 and 240-22
- v. Timber Tax Levy Tax Map/Lot 265-157.1, 223-3, 282-1.102 and 263.16
- w. Requests to Trustees of Trust funds for the following
 - \$ 8,467.33 from the Public Educational–Government Cable Television Trust Fund;
 - \$ 6,186.82 from the CRF for Infrastructure Reconstruction; and
 - \$44,194.32 from the CRF for Highway Equipment

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve and sign the Abatement for Tax Map/Lot 265-161.101; Current Use Land Use Change Tax Collector's Warrant for Tax Map/Lot 259-21; Current Use Land Use Change Tax Collector's Warrant for Tax Map/Lot 259-25; Certification of Yield Taxes Assessed for Tax Map/Lot 214-32; Certification of Yield Taxes Assessed Tax Map/Lot 223-3; Certification of Yield Taxes Assessed for Tax Map/Lot 223-34; Certification of Yield Taxes Assessed for Tax Map/Lot 240-22; Certification of Yield Taxes Assessed for Tax Map/Lot 258-75; Certification of Yield Taxes Assessed for Tax Map/Lot 261-46; Certification of Yield Taxes Assessed for Tax Map/Lot 263-16; Certification of Yield Taxes Assessed for Tax Map/Lot 265-157.1; Certification of Yield Taxes Assessed for Tax Map/Lot 282-1.102; Land Use Change Tax for Tax Map/Lot 259-21; Land Use Change Tax for Tax Map/Lot 259-25; Land Lease Agreement with NH Solar Garden – Landfill; Land Lease Agreement with NH Solar Garden – Transfer Station; Notice of Intent to Cut Wood or Timber for Tax Map/Lot 265-161.102; Permit to Sell Raffle Tickets/Conway Area Humane Society – Drawing 9/23/17; Permit to Sell Raffle Tickets/Vaughan Community Service – Drawing 6/24/17; Timber Tax Levy for Tax Map/Lot 258-75, Timber Tax Levy for Tax Map/Lot 261-46, 214-32, 223-34 and 240-22; Timber Tax Levy for Tax Map/Lot 265-157.1, 223-3, 282-1.102 and 263.16; and, Requests to Trustees of Trust funds for the following: \$8,467.33 from the Public Educational–Government Cable Television Trust Fund, \$6,186.82 from the CRF for Infrastructure Reconstruction and \$44,194.32 from the CRF for Highway Equipment. Motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 5/25/17
- b. Payroll 5/25/17

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve and sign the Accounts Payable Manifest dated 5/25/17 and Payroll 5/25/17. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 5/18/17
- b. Tax Collector's Warrant 2017

Mr. Colbath moved, seconded by Ms. Seavey, to ratify the Accounts Payable Manifest dated 5/18/17 and Tax Collector Warrant 2017. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Tuckerman Brewing Co/Tuckerman Brewing Music Series – 5/27/17, 5/28/17, 6/3/17, 6/10/17, 6/11/17, 7/1/17, 7/2/17, 8/5/17, 8/6/17, 8/19/17, 9/2/17 and 9/3/17 (pending receipt of liquor license)
- b. White Mountain Milers/8 Week Summer Series – Tuesday Nights from 6/6/17 to 8/8/17
- c. Vaughan Community Svcs/First Church of Christ Congregational/Strawberry Festival 6/24/17
- d. American Legion Post 46/American Legion Campout Weekend and Fundraiser for

- our Troops and Veterans – 7/20/17 to 7/22/17 (Pending receipt of Liquor License)
- e. Tin Mountain Conservation Center/Mt Washington Century Cycling Event – 7/29/17 (Pending receipt of insurance)
 - f. Conway Area Humane Society/Bark in the Park – 9/23/17 (Pending receipt of insurance)

Mr. Weathers reviewed the list of events with the Board. Mr. Sires advised that he spoke with John Kiesman, Commander of the American Legion, about the Board's concerns and Mr. Kiesman was happy to limit the music for the event to 10:00 pm. **Mr. Colbath moved, seconded by Mr. Porter to approve the special events applications for Tuckerman Brewing Co/Tuckerman Brewing Music Series – 5/27/17, 5/28/17, 6/3/17, 6/10/17, 6/11/17, 7/1/17, 7/2/17, 8/5/17, 8/6/17, 8/19/17, 9/2/17 and 9/3/17 (pending receipt of liquor license); White Mountain Milers/8 Week Summer Series – Tuesday Nights from 6/6/17 to 8/8/17; American Legion Post 46/American Legion Campout Weekend and Fundraiser for our Troops and Veterans – 7/20/17 to 7/22/17 (Pending receipt of Liquor License); Tin Mountain Conservation Center/Mt Washington Century Cycling Event – 7/29/17 (Pending receipt of insurance); and the Conway Area Humane Society/Bark in the Park – 9/23/17 (Pending receipt of insurance). Motion carried unanimously.**

Mr. Thibodeau moved, seconded by Ms. Seavey to approve the special event applications for Vaughan Community Services/First Church of Christ Congregational for a Strawberry Festival scheduled for 6/24/17. The motion carried 4-0-1 with Mr. Colbath abstaining.

CONSIDERATION OF MINUTES: 5/9/17

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the minutes of 5/9/17 as written. Motion carried unanimously.

TOWN MANAGER REPORT

North Country Council – Mr. Sires reported he and Tom Holmes attended a North Country Council meeting on May 17.

4th of July Planning – Mr. Sires reported a 4th of July planning meeting is scheduled for Thursday, May 25, 2017.

LMWVSWD Meeting – Mr. Sires reported a LMWVSWD meeting is scheduled for Friday, May 26, 2017.

IT Meeting – Mr. Sires reported a meeting regarding IT is scheduled for May 30, 2017.

Historic Curtain – Mr. Sires reported that the Conway Historical Society is thrilled the historic theater curtain will be coming there way. We are now working on getting it there.

Diana's Bath/West Side Road Parking – Mr. Sires reported the NHDOT has put out lighted signs today on West Side Road regarding no parking. Over the past weekend the Police Department did get calls about people illegally parked and the police did go out and ticket people. Hopefully this weekend people will see the signs. Also, the fine will be \$100 as per the vote of the Board earlier in today's meeting. Mr. Colbath commented that he received a call that there were 40 illegally parked cars.

Student Debt Letter – Mr. Sires reported that we are waiting for information and a draft letter will be presented at the June 6 meeting.

BOARD REPORTS AND COMMENTS

LMWVSWD – Mr. Colbath reported that he is unable to attend the LMWVSWD meeting scheduled for Friday; however, Stacy Sand, who is the alternate, will be at the meeting.

ESAA Fly In – Mr. Thibodeau reported the ESAA hosted a Fly In this past Saturday.

MWVEC – Ms. Seavey reported the MWVEC had a special meeting regarding land. This was a status update only and nothing has changed.

Stark Road – Mr. Weathers reported the road crew is doing work on Stark Road. Mr. DegliAngeli reviewed the work being performed including drainage work, box cuts, and paving.

West Main and Hobbs Street – Mr. Thibodeau asked about the work being done in Conway Village on West Main and Hobbs Street. They are cutting around manholes. Mr. DegliAngeli reviewed they are raising the manholes and those roads will be overlaid this year.

Asphalt – Mr. Colbath asked if we are contracted for asphalt. Mr. DegliAngeli responded in the affirmative and added it is the best price he has seen.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked how many internal candidates applied for the Town Manager position. Mr. Sires commented that we only had one person apply. Mr. Steer asked if the person will be vetted. Mr. Weathers advised the Board will be going into non public session to have discussion.

Mr. Steer next asked about the bridge work over the Saco River. Mr. Weathers commented that it seems to be on time.

Mr. Steer next asked if the traffic fine will be \$100 for the area of West Side Road near Diana's Bath. Mr. Weathers responded in the affirmative.

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

At 5:35 pm, **Mr. Colbath moved, seconded by Ms. Seavey, to go into non public session under NH RSA 98-A:3,II(d) to discuss consideration of acquisition, sale or lease of real estate.** The non public session included Town Manager Earl Sires, Tax Assessor, Tom Holmes, Public Works Director, Paul DegliAngeli, Gary McDonald, and recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:36 pm.

Mr. Colbath moved, seconded by Ms. Seavey, to seal the minutes of this non public session. Motion carried unanimously.

NON PUBLIC SESSION / NH RSA 91-A:3 II(a) THE DISMISSAL, PROMOTION OR
COMPENSATION OF ANY PUBLIC EMPLOYEE

At 6:38 pm, **Mr. Thibodeau moved, seconded by Ms. Seavey, to go into non public session under NH RSA 98-A:3, II (a) to discuss the dismissal, promotion or compensation of any public employee. The motion carried by unanimous roll call vote.**

The Board returned to public session at 7:45 pm

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

ADJOURN

At 7:45 pm, the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary