

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
May 24, 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), Mary Carey Seavey, Carl Thibodeau, John Colbath and Steven Porter, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised that an item would be added to the agenda regarding a resident complaint in Birch Hill. There are also two Petition and Pole licenses added under Signing of Documents and under Special Event Permits, the license for Tuckerman Brewery should state pending receipt of liquor license for all dates listed except May 22, 2016. **Mr. Porter moved, seconded by Mr. Colbath, to approve the agenda as amended. The motion carried unanimously.**

CVFD SIDEWALK AGREEMENT

Conway Village Fire District Commissioners, Janine Bean and Steve Bamsey, joined the meeting.

Mr. Sires reviewed the sidewalk warrant article passed by the voters in April. Mr. Sires next reviewed that the Board of Selectmen submitted a proposed agreement regarding the sidewalks to the Conway Village Precinct. The Commissioners had some concerns regarding the proposed agreement submitted. The Conway Village Fire District Commissioners have now submitted a proposed agreement and are here to discuss same.

Mr. Porter moved, seconded by Ms. Seavey, to go with the initial two point agreement. Ms. Seavey questioned if this is the agreement that was discussed at our last meeting. Mr. Sires advised this proposed agreement today does not have information about the storage of the machine. This agreement just addresses the transfer of the machine and that no monies will be contributed by the District to the Town. This agreement distributed today only has the two points that were in the warrant article. Mr. Sires next advised that we have been assured by the District Commissioners that Conway Village will provide housing for the machine and funding for Pollard Street. Mr. Bamsey stated that they were ok with the original agreement with the town but that Paul was at a meeting and he and Greg Quint discussed housing the machine in Conway Village as this makes sense. The Commissioners would like to get the transfer complete first and then have discussion of where to store the machine. **The motion carried 5-0-0.**

DISCUSSION OF CONWAY VILLAGE ROUNDABOUT ENGINEERING SCHEDULE

Mr. DegliAngeli advised that Executive Councilor, Joe Kenney, had discussion of the proposed roundabout at a meeting recently and got in his mind that with the upcoming West Main Street project, which reconstructs Main to about Pollard and puts in a new water main for the District and upgrades two intersections, that this may be in conflict with the roundabout/dog bone which is in the State's 10 year plan. He felt it imperative that this be coordinated and

invited staff to a meeting this Thursday at 2:00 pm in Concord to discuss same. Staff is planning to attend. Mr. DegliAngeli next stated that we are currently in design on the Main Street project and was hopeful this would bid in 2017. The DOT now feels it will be a 2018 project and indications currently look like it will be 2018. Mr. DegliAngeli next reviewed that we have an issue that arose with Fairpoint and we are filing a complaint regarding same. It is imperative that this gets resolved for this project but it makes 2018 more likely for this project although we are still pushing for 2017. Mr. DegliAngeli next stated that Joe Kenney feels that although the 10 year plan is set, it is revisited every year. We explained to the Commissioner that it might be advantageous to move up the study of the roundabout, then the cost for this work may be a fraction of the total cost of the whole project. Mr. DegliAngeli next explained that this is the busiest intersection in the North Country. Mr. DegliAngeli next stated that Councilor Kenney is facilitating a meeting so we can make the arguments again. If the study can be done then we will know if we can move forward with the roundabout or continue with what is planned now. Mr. DegliAngeli next stated that it still makes sense to move forward now with the project to replace the main

Mr. Weathers questioned if in 2017 or 2018, depending on the funding, they will do the study and the initial project would stop at Washington Street. Mr. DegliAngeli stated almost –if the study is done and it is not the solution then we will go ahead and do the rest of the work. If the roundabout is a solution, then the DOT makes a decision of whether or not to do the lights or do the roundabout. Mr. DegliAngeli next stated that with regard to the roundabout, we know it fits geometrically and we know that we have two roundabouts in town that handle 16,000 trips a day and have three and four legs. The Conway roundabout would have 5 or 6 legs and would handle about 24,000 trips a day. However, until we do the study, we don't know if it will work until we do a model. Mr. Sires added that at the 10 year plan public hearing we asked that the modeling for the roundabout be moved up in the plan so we would know if it would work.

Mr. Weathers clarified that the state would still the Main Street project, do the engineering, and maybe or maybe not do the lights depending on if they do a roundabout. Mr. Weathers questioned if a roundabout is feasible would we do lights. Mr. DegliAngeli stated that if the roundabout is feasible we won't have to do the lights. Mr. Colbath questioned if we don't do the lights, then will Main Street be done in 2017. Mr. DegliAngeli reviewed that we do have the issue with Fairpoint and this could hold the project up. Mr. Colbath asked about the issue with West Main and Fairpoint. Mr. DegliAngeli explained we are paying someone to hold poles and we will be asking for reimbursement. We don't know yet if the hearing will be handled by the Attorney General's office or the PUC and we don't know how long this will take to be resolved.

Commissioner Janine Bean, stated that the cost of the project on Main Street will be a cost to the precinct and not the Town. The Town is not putting in any money for the project from the Railroad tracks to four-corners. This is all Precinct and State with the exception of the sidewalks.

Ms. Bean next stated there is concern regarding the meeting this Thursday as they (Conway Village) cannot be there. They don't want to see the roundabout and light discussion hold up the Main Street project. They need to get the leaded pipe out of the ground and any project that puts this project out further is not good.

Mr. DegliAngeli stated we aren't suggesting delaying the Main Street project. We are talking about from West Main Street to Washington Street. When the State first brought the West Main Street project they asked us to also go from Washington Street through to two intersections and they brought more funds for the project. The water main needs to stay on schedule. Our concern is to get the study for the roundabout at the intersection. He agrees

with Ms. Bean in that the highest priority is to get the main replaced this other issue doesn't need to hold this part of that project up.

Mr. Sires stated that what we are making sure of today is that when we have discussion with Commissioner Kenney, that we are conveying the wishes of this Board and that we are still on the same page. No action is needed, but we are going to convey this to Commissioner Kenney unless this Board wants something else. There were no issues raised by the Board.

Mr. Weathers stated that now that the precinct has turned over the sidewalks to the town, can the sidewalks be added. Mr. DegliAngeli stated that he was directed by this Board to ask the NHDOT to add money for the sidewalk and he will be making this request on Thursday.

DANA IVERSON BIRCH HILL

Dana Iverson appeared before the Board.

Mr. Sires reported that Mr. Iverson contacted the town with concerns he has regarding a rental property in his neighborhood in Birch Hill. The rental property is a private residence. Mr. Sires advised that Mr. Iverson has advised that he has also spoken with the police regarding his concerns.

Mr. Iverson advised that he lives at 147 Forbes Drive and the property he is here to discuss is two houses down from him. From Friday morning to mid Sunday it is like animal house. The noise level is above what is considered normal. The owners of the home list the house as a rental for sleeping 15 people. People come up to party and have no respect for the neighbors. He is here today wondering if something can be done. It is so bad he is considering selling his house and moving. Mr. Iverson next advised that he did speak to the realtor who at first asked him to call her when there are problems and she would evict them but now her attitude has changed and she won't do anything about the situation. There are different people in the house every week and it is totally out of control. The owner is not there. He can't sleep and they have to close the windows and doors and put on the air conditioner and they can still hear the noise.

Ms. Seavey questioned if there is a noise ordinance. Mr. Porter stated the town of Conway does not have a noise ordinance. Mr. Iverson asked if we could get a noise ordinance.

Mr. Thibodeau questioned if Mr. Iverson has contacted the owner of the property. Mr. Iverson stated that he did contact the previous owner; however, the property was sold about a month ago. He hasn't contacted the new owner yet. He has asked the realtor if the owner would put up a fence.

Mr. Iverson next commented that there are a lot of people there, a lot of cars, etc. If the police are called they quiet down for a little bit and then start up again. This goes on all hours of the night.

Mr. Weathers questioned if the town has contacted the police department. Mr. Sires stated we have not but we can do that. Mr. Weathers requested that Mr. Sires let the Police Chief know and also that we contact the realtor. There was further brief discussion as to whether they can be cited for disorderly conduct or disturbing the peace, etc. Mr. Sires advised that he will talk to the Police Chief about this matter

DISCUSSION OF VIDEO CAMERAS AT THE TRANSFER STATION

Mr. Sires first reviewed that the town now has cameras at town hall. We have not received any complaints since they were installed.

Mr. Sires next reviewed that a couple of things have happened at the transfer station and this has led us to the discussion today of having cameras at the transfer station. Mr. Sires stated the cameras would do a number of things such as provide a record of the interactions between the staff and the public, give us an objective view of enforcement situations, allow our staff to keep an eye on the overall situation of different areas of the transfer station i.e. the metals pile and, that video cameras promote good behavior overall.

Mr. Thibodeau asked about costs estimates, specifications and where the cameras would go. Mr. Sires suggested four cameras. One each for the trash window, overall site, guard shack, and at the commercial bay where the residential drop off is. The cost will be about \$2,500 from our existing vendor and we would convert an existing surplus server. Mr. Sires next stated that we could use funds from either the operating budget or from the Building Capital Reserve Fund. Mr. Thibodeau questioned if we will need to run a cable to the guard shack. Mr. Sires stated he is presuming the cameras are wireless but he will double check. Mr. Thibodeau commented that he doesn't feel that wireless work that well and that hardwired would work better. Mr. Sires stated that he will check into whether they are wireless and also costs for hardwired and bring information back to the Board. Mr. Thibodeau stated that he is favor of the concept but has questions. Mr. Colbath stated he is in favor as well and would want to find the money to do this sooner than later. Messrs. Weathers and Porter agreed.

STREETLIGHTS

- a. New light at the Recreation Center
- b. LED Conversion Program

Mr. Sires reported that he met with Randy Perkins of Eversource today.

Mr. Sires stated that with regard to a light on Route 302 at the entrance to the recreation department, the Board wanted a cost estimate. The installation of the light will be free and the cost will be \$20 per month if power exists to the pole now. We do have to find that out. It will be \$200 if we have to run power to the pole. It will be 50 watt high pressure sodium. Mr. Thibodeau questioned if we put in a streetlight if it can be LED. Mr. Sires stated under the current program we can't have an LED light as we don't have the rating down here yet. We would have to go through the conversion program first.

Mr. Sires next reviewed information in the Board's packet regarding LED lights and conversion. (See attached).

Mr. Sires reviewed that Eversource has given us a price of \$44,000 to install the lights. We would have to install them ourselves. Mr. Sires next advised that Paul DegliAngeli will be checking on this figure. Eversource can provide a rebate of about \$12,000 and so this investment pays us back over two years. This is something for the Board to think about for now. Mr. Sires next stated that staff feels we should start now to work on a warrant article for next year to handle the conversion. Randy from Eversource feels if we start now we would be able to have the rebate.

Mr. Thibodeau next referred back to the light at the recreation center and asked why we can't run a wire and put up our own LED Light. Mr. Colbath agreed and stated we should buy an LED light and put it up ourselves. There was further brief discussion.

Mr. Sires stated he will have further discussion with Eversource regarding LED rates, etc and bring information back to the Board.

Mr. Colbath questioned if there is grant money out there somewhere. Mr. Sires stated it is not typically for municipal lighting.

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Certification of Yield Taxes Assessed Tax Map/Lot 225-35
- b. Certification of Yield Taxes Assessed Tax Map/Lot 226-5
- c. Certification of Yield Taxes Assessed Tax Map/Lot 282-5
- d. Certification of Yield Taxes Assessed Tax Map/Lot 284-14
- e. Certification of Yield Taxes Assessed Tax Map/Lot 296-19
- f. Tax Collector's Warrant 2016
- g. Timber Tax Levy Tax Map/Lot 226-5 and 225-35
- h. Timber Tax Levy Tax Map/Lot 282-5, 284-14 and 296-19
- i. Requests to Trustees of the Trust funds for check in the amount of \$8,732.50 from Public Educational-Government Cable Television Trust Fund
- j. Request to Trustees of the Trust Funds for a check in the amount of \$56,000.00 from the Highway Equipment Capital Reserve Fund
- k. Request to Trustees of the Trust Funds for a check in the amount of \$85,838.22 from Infrastructure Capital Reserve Fund and, also, to transfer \$7,093 from the Infrastructure Reconstruction Capital Reserve Fund to the Traffic and Road Improvements account to be held for retainage on the West Main Street project
- l. Petition and Pole License – 1 pole (480/16) Davis Hill Road
- m. Petition and Pole License – 1 pole (52-2Z) Library Street

Mr. Colbath moved, seconded by Ms. Seavey, to sign the Certification of Yield Taxes Assessed Tax Map/Lot 225-35, Certification of Yield Taxes Assessed Tax Map/Lot 226-5, Certification of Yield Taxes Assessed Tax Map/Lot 282-5, Certification of Yield Taxes Assessed Tax Map/Lot 284-14, Certification of Yield Taxes Assessed Tax Map/Lot 296-19, Tax Collector's Warrant 2016, Timber Tax Levy Tax Map/Lot 226-5 and 225-35, Timber Tax Levy Tax Map/Lot 282-5, 284-14 and 296-19, Requests to Trustees of the Trust funds for check in the amount of \$8,732.50 from Public Educational-Government Cable Television Trust Fund, Request to Trustees of the Trust Funds for a check in the amount of \$56,000.00 from the Highway Equipment Capital Reserve Fund, Request to Trustees of the Trust Funds for a check in the amount of \$85,838.22 from Infrastructure Capital Reserve Fund and, also, to transfer \$7,093 from the Infrastructure Reconstruction Capital Reserve Fund to the Traffic and Road Improvements account to be held for retainage on the West Main Street project, Petition and Pole License – 1 pole (480/16) Davis Hill Road and Petition and Pole License – 1 pole (52-2Z) Library Street. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 5/26/16
- b. Payroll 5/26/16

Mr. Colbath moved, seconded by Mr. Porter, to approve the Accounts Payable Manifest dated 5/26/16 and Payroll dated 5/26/16. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 5/19/16

Mr. Thibodeau moved, seconded by Ms. Seavey, to ratify the Accounts Payable Manifest dated 5/19/16. The motion carried 4-0-1 with Mr. Colbath abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATIONS

- a. Tuckerman Brewing Co/Tuckerman Brewing Music Series 5/22/16, 6/24/16, 7/24/16, 8/2/16, 8/21/16, 9/3/16, 9/4/16, 10/8/16 and 10/9/16 (Pending receipt of liquor licenses for all dates except 5/22/16)

Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the Special Event Application for Tuckerman Brewing Co/Tuckerman Brewing Music Series 5/22/16, 6/24/16, 7/24/16, 8/2/16, 8/21/16, 9/3/16, 9/4/16, 10/8/16 and 10/9/16 Pending receipt of liquor licenses for all dates except 5/22/16 The motion carried unanimously.

CONSIDERATION OF MINUTES: 4/26/16 AND 5/10/16

With regard to the minutes of 4/26/16, under Election of Officers, it was noted there was no second to the nomination of David Weathers as Chair of the Board of Selectmen in the minutes. Ms. Seavey advised that she had seconded the nomination. **Mr. Colbath moved, seconded by Ms. Seavey, to amend the minutes of 4/26/16 to add Mary Seavey as the second for the nomination of David Weathers as Chair. The motion carried unanimously.**

Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the minutes of 4/26/16 as amended. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Porter, to accept the non public minutes of 4/26/16 as written. The motion carried unanimously.

With regard to the minutes of 5/10/16, Mr. Porter noted that under Board Reports and Comments on the Homestead, after "Ms. Seavey asked about the Homestead property" it should say "Mr. Porter stated that there is..." as he had responded. **Ms. Seavey moved, seconded by Mr. Thibodeau, to accept the minutes as amended. The motion carried 4-0-1 with Mr. Colbath abstaining.**

TOWN MANAGER REPORT

Recreation – Mr. Sires reported the recreation relocation group met last week and talked through some issues. We are preparing a summary/proposal now for the school and the town representatives will be going over it next week.

4th of July Planning – Mr. Sires reported a meeting is scheduled for this Thursday to discuss 4th of July planning.

Joe Kenney Meeting – Mr. Sires reported a meeting is scheduled with Joe Kenney for this Thursday afternoon.

Conway Lake – Mr. Sires reported a new informational sign will be going up at Conway Lake.

Saco River Launch Area – Mr. Sires reported we are working on getting the Saco River launch area ready for the season.

Intervale Lights – Mr. Sires reported that as of July 1, the lights in Intervale are now Conway's and we will let people know which ones are being turned off. We have put information on the poles.

Charter Cable – Mr. Sires reported that Charter Cable will be taking over for Time Warner Cable TV.

Channel 3 – Mr. Sires reviewed that the Town of Madison no longer participates regarding Channel 3. As of today they are on their own and they will have their own channel.

TV for Meeting Room – Mr. Sires reported there was discussion at a recent Planning Board meeting about getting a large screen television for the meeting room. We are looking in to the costs for this and are looking at about a 50" television for approximately \$500. We are still looking at costs and will bring information back to this Board.

LED Lights – Mr. Thibodeau stated that NHEC has an LED program and questioned if we could get this type of streetlights in Intervale. Mr. Sires stated he has asked about this and is awaiting information on same. If the lights are broken or no longer serviceable, they will replace them with LEDs.

Fairpoint – Mr. Colbath questioned if Mr. Sires will have discussion regarding the Fairpoint pole issue with Councilor Kenney. Mr. Sires responded in the affirmative.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported the Planning Board met two weeks ago and had a workshop. They discussed Master Plan updates for the trails plan. They also discussed lighting fixtures and will hold a public hearing on this matter. They are also looking at an amendment 131-67a to add a time limit for a builder to do work. The Planning Board meets again next Thursday.

Budget Committee – Mr. Colbath reported the Budget Committee met last week for an organizational meeting. Joe Mosca was elected Chair and Jim LeFebvre Vice Chair. The next Budget Committee meeting will be held in August.

ZBA – Mr. Colbath reported the ZBA met last week.

ESAA – Mr. Colbath reviewed that the ESAA warrant article was reduced by \$1 at Town Meeting and he told Carl Thibodeau he would pay the \$1. Mr. Colbath paid Mr. Thibodeau \$1. Mr. Thibodeau next reported that the Airport is moving forward with putting up a new terminal

building. They also met with Northern Boarders and will be meeting with the FAA. Mr. Thibodeau next reported that the Airport also has a new website www.easternslopeairport.com.

MWVEC – Ms. Seavey reported the MWVEC is scheduled to meet tomorrow.

Valley Vision – Ms. Seavey reported the Valley Vision Board has not met recently.

Conservation Commission – Mr. Weathers reported that the Conservation Commission received a Dredge and Fill application for Mason Brook off of East Conway Road.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Michael Callis thanked the Board for the work they do.

Daymond Steer of the Conway Daily Sun asked about “holding” poles from the discussion earlier. Mr. Weathers explained that during the road construction they literally have to hold the poles until the ground is compacted around it, etc.

Mr. Steer asked if everyone is happy with the sidewalk deal. Mr. Weathers reviewed that the Board had asked for a time period on the agreement but Conway Village preferred not to have a time period on the agreement.

Mr. Steer next asked if there are any more opinions from the Board on the roundabout. Mr. Weathers stated he would like to see a survey done first so we know if we can do it. Mr. Steer questioned if the town should contact the legislative delegation etc. Mr. Weathers reported they were at the public hearing held regarding the 10 year plan. Mr. Thibodeau stated that we have to determine if the roundabout is feasible first.

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

At 5:30 p.m, **Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non public session under NH RSA 91-A:3,II(c) to discuss a tax matter.** Included in the non public session was a property owner, Town Manager, Earl Sires, Tax Assessor, Tom Holmes, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 5:47 pm.

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

ADJOURN

At 5:48 pm the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary