

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
June 21, 2016

The Selectmen's Meeting convened at 4:00 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 the Board will consider the 6/7/16 regular and non public minutes under the agenda items Consideration of Minutes. Also, the Non Public Session on today's agenda regarding real estate should state RSA 91 and not RSA 98. **Mr. Colbath moved, seconded by Mr. Porter, to accept the agenda as amended. The motion carried unanimously.**

REQUEST TO PLACE BENCH IN ROTARY PARK  
IN HONOR OF ROBERT THERRIEN

Terry McCarthy of the Rotary Club joined the meeting. Ms. McCarthy presented and reviewed pictures of a bench that the Rotary Club would like to place in Rotary Park in memory of Robert Therrien who was a caretaker of the park before he passed away. Ms. McCarthy stated they would like to put the bench facing Main Street and at the same angle as the rock in the park with the Rotary emblem. Ms. McCarthy further reviewed the picture of the bench with the Board and advised that the bench will have a base on it and this will make it easier to mow around and it would be easier to move if necessary. Ms. McCarthy next advised that it will be about eight weeks until the bench is ready. There was brief discussion by the Board. **Mr. Colbath moved, seconded by Ms. Seavey, to approve the bench in honor of Robert Therrien in Rotary Park. The motion carried unanimously.**

AGREEMENT FOR FLAGS ON UTILITY POLES IN NORTH CONWAY

Mr. Sires reported that Karen Umberger and Frank McCarthy are working on getting flags on poles in North Conway village. The utility companies allow municipal entities to place flags etc. on utilities poles and we have to enter into an agreement. The town also requires an agreement with anyone wanting to put flags up on poles as well, similar to the utility company agreement. With regard to history on this matter, the town has never done the flags or banners on poles and it has generally been done by non profits, etc, in the past. Further, the town does not have a budget for this and, also, we cannot just put items up in one section of town and not another.

Mr. Sires next advised that utility companies have gotten more stringent on this matter and some entities no longer allow it. Karen Umberger and Frank McCarthy are working on raising money for the flags and the town is working on contacting the utility companies. We need to determine if Fairpoint will allow the flags to be put up and are waiting to hear from them.

### TAP GRANT LETTER OF INTENT

Cort Hanson of the Mount Washington Valley Trails Association was present for discussion.

Mr. Sires gave a brief overview of the draft TAP grant letter of Intent to the NHDOT. Mr. Sires advised that this would be the first step in applying for a TAP grant to create non-motorized trails. This grant is for a piece of a recreation trail that will be in the town. The NHDOT requires that we send a letter letting them know we will be submitting a grant application. Mr. Hanson stated that this portion of the trail will go from Cranmore Mountain to Thompson Road and will tie in with the first section of the recreation path. Mr. Hanson next advised they are also working on a gravel path in Whitaker Woods. They would also, at some point, like to bring the trail from Thompson Road to Redstone. The trail will be for walking, bicycling, etc. **Mr. Thibodeau moved, seconded by Mr. Porter, to approve the letter of intent for the application for a TAP grant. The motion carried unanimously.**

### BUILDING CODE REVISIONS

Mr. Sires distributed information to the Board regarding Building Code Revisions and gave a brief overview of same. Mr. Sires requested the Board review the information and then we will re-agenda this matter for discussion in the future.

Mr. Thibodeau asked about the difference between BOCA and state building codes. Mr. Sires advised that the Building Inspector, David Pandora, will attend a future meeting of this Board to explain. The Board next questioned if a vote is required to expand inspections. Mr. Sires advised we can get this information to discuss at a future meeting.

### FOURTH OF JULY PREVIEW

Recreation Director, John Eastman, appeared before the Board. Mr. Eastman distributed and reviewed a copy of the schedule for the town Fourth of July celebration. Mr. Eastman next reviewed that the town is moving the parade back to Hillside Avenue and it will start at 1:30 pm and will be over approximately 2:00-2:15 pm. If anyone wants to be in the parade, they should contact the Recreation Department and fill out an application. Mr. Eastman next reviewed that events in Schouler Park will start with the national anthem at 3:45 pm.

Mr. Eastman next reviewed that he has been meeting with the town's Emergency Management Director Lt Walker and also North Conway Fire Chief Pat Preece for emergency management planning for the Fourth.

Mr. Eastman next distributed and reviewed a map of Schouler Park and reviewed vendor locations, first aid tent location, etc.

Mr. Eastman next reported that the town will be posting no parking on both sides of River Road from Main Street to the other side of the 2<sup>nd</sup> bridge. It will be no parking on both sides of the road. There will be someone in the area starting at 8:30 am to help facilitate letting people know about the parking. Also, for the parade in Conway Village, the town will be posting from the old Sunoco through to the post office from 7:00 am to 2:30 pm for no parking. They will be taking flyers to the businesses in Conway next week so they have notice. Also, the cones will be removed immediately after the parade.

Mr. Eastman next reviewed that with regard to weather , if there are any concerns for the fireworks, they will meet Monday morning and decide whether or not to postpone the fireworks. The rain date for fireworks is July 5, 2016. There is no rain date for the other entertainment however.

Mr. Eastman next reported that Conway Scenic Railroad will run trains again this year from Conway Village to Schouler Park. Mr. Sires stated there will be three trains and information on the fees and the schedule can be found on the Conway Scenic Railroad website.

Mr. Eastman next reported that information on the Fourth of July activities will be in the newspaper, on the Conway Recreation website, and on WMWV.

Ms. Seavey questioned if the horses will be in the parade. Mr. Eastman stated that he has met with Chief Solomon and we may do something different with the emergency vehicle placement in the parade such as have the horses and the emergency vehicles at different ends of the parade. They will try to have a buffer between horses and the fire trucks. Ms. Seavey stated she feels the finale for the parade should be the fire trucks. Mr. Eastman stated that he is talking with Justin Hussey and Chief Solomon to try and have a balance and try to make this work for everyone. Mr. Colbath stated that fire trucks are traditionally in the back of the parade and if you move them to the front they may conflict with the band. Mr. Eastman reiterated that he is working to try to balance this and will be talking further with Justin Hussey regarding the horse and wagon and with Chief Solomon. He will let Earl know what is going on and the order of the parade.

Mr. Thibodeau advised that he will open the Conway Marketplace to parking again and will put signs up. He also has parking available on Hobbs Street where the Department of Human Services building is located.

Mr. Eastman next reviewed that heard staff where in Portsmouth today to wrap up summer staff training for CPR, etc. They also did training with the police and Primex. Further, they did do exercises with the summer staff something similar to Survivor. These exercises are so they have an understanding of how to interact with the kids etc and also to teach them how to deal with different situations that could arise.

#### HISTORIC DISTRICT COMMISSION

Mr. Sires reviewed that at the last meeting of this Board there was discussion with Mary Kate Ryan from the State of New Hampshire on historic preservation and historic districts. Mr. Sires next reviewed that there was also discussion by the Board of a warrant article that passed in 1986 establishing an historic district commission. Mr. Sires advised that he did research article 25 from 1986 and reviewed same. Mr. Sires advised that this Board can go ahead and appoint people to this Board as they see fit. Mr. Weathers stated this committee would be advisory only. Mr. Sires responded in the affirmative and added that the Commission would make suggestions and recommendations. **Mr. Porter moved, seconded by Mr. Colbath, to go to the next step forward and put this out for volunteers to work on an advisory board for a Historic District Commission. The motion carried unanimously.** The Board next agreed an ad would be placed giving a 30 day response time.

#### CONSIDERATION OF NHDOT BRIDGE SCOUR AGREEMENT

Mr. Sires reviewed the proposed NHDOT Municipal Work Zone Agreement for the East Side Road covered bridge scour project. Mr. Sires next advised that staff met with the NHDOT

to look at the access area for this project in Davis Park. We have worked out a project with them for the access point and they will leave the access area of Davis Park in better condition and this is a benefit to the town. Mr. Sires next reviewed that the Board had also requested that this project be done after the summer season and this is now in the Agreement. They will start work after September 11, 2017 and the work will be done through September and October. **Mr. Colbath moved, seconded by Mr. Porter, that we enter into the Municipal Work Zone Agreement with the NHDOT for the bridge scour project as presented.** Mr. Weathers asked for a review of project. Mr. DegliAngeli reviewed previous discussions with the Board regarding the project. There was brief discussion by the Board. **The motion carried unanimously.**

### SOLID WASTE FACILITY TOURS

Mr. DegliAngeli stated that Transfer Station Foreman, David Sheaff, has talked about offering tours of the solid waste facilities to the public. We wouldn't need a budget for this and Mr. Sheaff would do the tours. We are bringing this idea to the Board to see their thoughts on this. Mr. Sheaff could explain how much trash is at the facility and review how much space we have available for the future. The tours could be done once a week and we would use a sign up sheet. The town used to do educational tours in the past for school children, Tin Mountain, etc., and now we would like to do this for the general public as an outreach. There was a brief discussion by the Board. **Mr. Porter moved, seconded by Mr. Colbath, to allow David Sheaff to set up tours and see what the response of the public is. The motion carried unanimously.**

Mr. Thibodeau asked about the status of the proposed security cameras at the transfer station. Mr. Sires reported he did meet with Paul DegliAngeli, David Sheaff, and our computer consultants to review types of equipment and they will be providing us with a revised budget. Mr. Thibodeau questioned if we looked at wireless cameras. Mr. Sires responded in the affirmative and advised we will be getting more information on same. Mr. Colbath mentioned wildlife cameras should be looked at as well.

### REVIEW OF RECEIPTS

Receipts were available for the Board's review.

### SIGNING OF DOCUMENTS

- a. Certification of Yield Taxes Assessed Tax Map/Lot 215-2
- b. Certification of Yield Taxes Assessed Tax Map/Lot 235-5
- c. Notice of Intent to Cut Wood or Timber Tax Map/Lot 252-48
- d. Permanent Application for Property Tax Credits/Exemptions-Tax Map/Lot 214-75-009
- e. Permanent Application for Property Tax Credits/Exemptions-Tax Map/Lot 254-29-082
- f. Timber Tax Levy Tax Map/Lot 215-2 and 235-5

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Certification of Yield Taxes Assessed for Tax Map/Lot 215-2, Certification of Yield Taxes Assessed for Tax Map/Lot 235-5, Notice of Intent to Cut Wood or Timber for Tax Map/Lot 252-48, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 214-75-009, Permanent Application for Property Tax Credits/Exemptions for Tax Map/Lot 254-29-082 and Timber Tax Levy for Tax Map/Lot 215-2 and 235-5. The motion carried unanimously.**

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 6/23/16
- b. Payroll 6/23/16

**Mr. Colbath moved, seconded by Mr. Thibodeau, to approve and sign the Accounts Payable Manifest dated 6/23/16 and Payroll dated 6/23/16. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 6/16/16

**Mr. Thibodeau moved, seconded by Mr. Porter, to ratify the Accounts Payable Manifest dated 6/16/16. The motion carried 4-0-1 with Mr. Colbath abstaining.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. American Legion Post 46/American Legion Campout Weekend and Fundraiser for our Troops & Veterans – 7/22/16-7/24/16
- b. Tin Mountain Conservation Center/Mt Washington Century Event – 7/30/16 (Pending receipt of Insurance)

**Mr. Colbath moved, seconded by Mr. Porter, to approve and sign the Special Event Application Permits for American Legion Post 46/American Legion Campout Weekend and Fundraiser for our Troops & Veterans scheduled for 7/22/16-7/24/16 and the Tin Mountain Conservation Center/Mt Washington Century Event scheduled for 7/30/16, pending receipt of insurance.** Mr. Thibodeau stated that, with regard to the American Legion Event, to please remind them to have enough trash receptacles for their event and, also, the noise after midnight is a concern. Mr. Sires advised that he will review the issues with them and he also thinks that 10:00 pm may be the deadline for noise. He will check on this and advise them of the concerns. Mr. Thibodeau stated that he is 100% in favor of the event but they need to have discretion in regard to the concerns raised. They are in a residential area and this should be taken into consideration. **The motion carried unanimously.**

Mr. Sires next advised that we received an email today from the organizers of the North Conway Getaway Relay Race Event that was scheduled to be held at Cranmore. They did not have enough sign ups and the event has been canceled.

CONSIDERATION OF MINUTES OF 6/7/16

**Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the regular and non public minutes of 6/7/16 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

ESAA – Mr. Sires reported an ESAA Board meeting is scheduled for Thursday, June 23, 2016.

CDFA Mountain Biking Meeting – Mr. Sires reported the CDFA is having a presentation regarding Mountain Biking as an economic tool

Regional Collaboration Meeting – Mr. Sires reported a Regional Collaboration meeting is scheduled for next week. This group focuses on affordable housing, cooperation between towns and other subjects.

North Country Council – Mr. Sires reported that he has been appointed to the North Country Council Board of Directors. The Town of Conway is a member this year and we have been participating for a few years now. He does feel we are getting value out of the membership.

Solar Energy – Mr. Sires reported and he and Mr. DegliAngeli met with representatives of a solar company. They did an initial review of their solar energy proposal to place a 1 megawatt solar generating facility on our old capped landfill. This would be a 20 year project. They would lease the land from the town, pay a PILOT, and we could also benefit by buying energy at a lower rate. Further, at the meeting, Mr. DegliAngeli also brought to their attention that we may also have additional space across the street behind the public works facility. They advised that we could use whatever other land that we may have available. Mr. Sires next stated that this is an interesting project and a more formal proposal will be given to the Board sometime in the future.

Meeting with PUC and Fairpoint – Mr. Sires reported that he and Paul met with the PUC and Fairpoint and we now have a clear understanding that they will move the poles. Holding the poles is still an issue and is still not determined. Fairpoint's position is that they are allowed by law to charge for holding the poles. Mr. DegliAngeli stated he thought that there was still some legal issues that we may be able to pursue and we will continue to discuss same with Fairpoint.

NHEC LED Lighting – Mr. Sires reported he spoke with Mr. Johnstone of NHEC and inquired if the lights in the former Intervale Lighting Precinct could be changed to LED. Mr. Johnstone advised that they could be changed and that we can do any other ones in North Conway that we want as well. This is different from Eversource where we are going to have to invest and pay for them over years. Mr. Sires next advised that the lights we are assuming we can convert and the other lights can be done over years or sooner depending on how many.

#### BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported that a Planning Board meeting is scheduled for Thursday, June 23, 2016.

ZBA – Mr. Colbath reported a ZBA meeting was held last Wednesday, June 15, 2016, and there was discussion about signage for Auto Zone and Red Barn.

ESAA – Mr. Sires reported an ESAA Board meeting is scheduled for Thursday, June 23, 2016 at 7:00 pm and it is open to the public. They have submitted a grant application for Northern Borders for \$250,000 in funding from Maine and New Hampshire for the terminal hangar. The next round of grant applications will go to the EDA. They are researching other grants as well. State representatives from Maine and New Hampshire have submitted letters of support for the Northern Borders grant. Mr. Thibodeau next stated that it is important for the Town of Conway to continue to support this local airport.

MWVEC – Ms. Seavey reported that a meeting of the MWVEC is scheduled for tomorrow.

Conservation Commission – Mr. Weathers reported that the last meeting of the Conservation Commission was held in June and there was discussion of trails, bike baths etc. Forester, Don Johnson, also gave a report. Mr. Weathers next advised that there will be no meeting of the Conservation Commission in July and the next meeting is scheduled for August.

PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no public comments or media questions.

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

At 5:23 p.m. **Mr. Colbath moved, seconded by Mr. Porter, to go into non public session under NH RSA 91-A:3,II(d) to discuss real estate matters. The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:01 pm.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes of this non public session. The motion carried by unanimous roll call vote.**

DRIVEWAY PERMIT REQUEST – HIGHLAND DRIVE

Public Works Director, Paul DegliAngeli, joined the meeting.

Mr. DegliAngeli advised the town received a driveway permit request for a property on Highland Drive in Rockhouse Mountain. An investor is buying three lots of record to develop on Highland Drive which is a private road in the Town of Conway. (Tax Map/Lots 299-32, 298-54 and 298-55). They are applying to put in one driveway shared by the three lots. Mr. DegliAngeli next reviewed the land and location with the Board. There was brief discussion by the Board. Mr. DegliAngeli next further reviewed they are not asking for three accesses. They are proposing a shared driveway for three lots. The Town Code allows for two lots serviced by one driveway and they are asking this Board for an exception.

Ms. Seavey left the meeting at 6:07 pm.

There was next brief discussion regarding access, emergency vehicles, etc. It was reviewed that if the access is granted to the lots we can't guarantee access by emergency vehicles. If this Board agrees to the access an agreement will need to be signed and recorded at the registry of deeds. **Mr. Thibodeau moved, seconded by Mr. Porter, that we will issue the permit allowing the third lot off of the singular driveway on Highland Drive (Tax Map/Lots 299-32, 298-54 and 298-55) provided they sign they sign the emergency services agreement. The motion carried 4-0-0.**

NON PUBLIC SESSION / NH RSA 91-A:II(a) - TOWN MANAGER EVALUATION

At 6:14 pm, **Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non public session under NH RSA 91-A:11(a) to discuss the Town Manager Evaluation. The motion carried by unanimous roll call vote.**

The Board returned to public session at 7:05 pm.

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

ADJOURN

At 7:05 p.m. the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary