

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
July 12, 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 noted that two special event applications are pending receipt of insurance certificates. **Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda as amended. The motion carried unanimously.**

PRESENTATION OF AUDIT – PLODZIK & SANDERSON

Tyler Paine, CPA, and Sheryl Pratt, of Plodzik and Sanderson joined the meeting. Also, present was Finance Director, Lilli Gilligan.

Mr. Paine and Ms. Pratt reviewed the 2015 audit with the Board. (A copy of the report is on file at Town Hall). There was discussion with the Board.

NHDOT - PROJECT 14958 CONWAY, NH 16 BRIDGE OVER THE SACO RIVER

NHDOT representatives, Bill Saffian, Senior Project Engineer. David Scott, Project Manager, and Trent Zanes, Highway Design Engineer were present for discussion. Also present was Town of Conway Public Works Director, Paul DegliAngeli. Members of the public were also present.

Mr. Scott advised the NHDOT is here to discuss the rehabilitation of the bridge over the Saco river. Mr. Scott advised they discussed this matter previously with the town but at the time the configurations by Walmart were not complete yet. They needed to be complete for them to figure out traffic configurations for the project being discussed today.

Mr. Saffian next reviewed a PowerPoint presentation regarding the bridge project, traffic, detours, etc, with the Board. They will also be taking part of the island out near Walmart and changing the lighting. (A copy of the presentation is attached hereto).

Mr. Saffian stated that striping of the lane is up for discussion. Mr. DegliAngeli stated that 11'5" is preferable.

The Board and members of the public discussed concerns regarding increased stress to the covered bridge due to traffic during this construction. A citizen, Steve Chase, asked about deadlines for the project. Lt Mattei of the Conway Police department stated he has concerns with traffic on Washington Street. Mr. DegliAngeli suggested returning the covered bridge two lanes. Lt. Mattei suggested making the road one way only. There was further discussion on the Covered bridge and the traffic pattern. Trent Zanes of the NHDOT suggested they go back to the NHDOT and look at this traffic matter further. There was a further discussion about traffic on the bridge and traffic patterns during construction. Mr. Thibodeau next asked about

increased stress to the covered bridge and if the NHDOT has looked at this issue. There was discussion by the NHDOT and the Board regarding the covered bridge. Mr. Zanes suggested the NHDOT take a look at the concerns and get back to the Board on this matter.

John Arruda stated this is a busy area and questioned why the NHDOT would not have two shifts a day working to get this project done by June 1 as there is a lot of traffic.

Chief Solomon asked about emergency access and also asked about the Main Street project. Mr. Scott advised this bridge work is scheduled for 2017 and Main Street is 2018. Mr. DegliAngeli stated that a meeting was held this morning with the NHDOT, utility company, etc and there are issues now with the Main Street project that we were not aware of before and the scope of work is growing. We are not sure at this point if the project will be at a point to put a shovel in the ground in 2017 due to utility work, etc. Also the DOT drainage is in line with the catch basins and there are a lot of turns to get to the main line. The DOT this morning felt the utilities will have to move lines and Fairpoint indicated they will not have time to get this done for the original construction start date. We are trying to work through all this now and this project will also now cost the NHDOT more money.

Karen Umberger stated she is concerned with widening of the lanes and traffic on the bridge. Mr. Saffian reviewed the widths of the roadway etc. They are making it level and there will be no sidewalk. Ms. Umberger asked if people will still be able to walk across the bridge. Mr. Saffian responded in the affirmative and stated he feels it will be safer.

Steve Chase next asked about Mr. Arruda's suggestion of two shifts. Mr. Saffian advised they have put the contract out and have a start and deadline dates for the contractor. Mr. Chase asked if they can shorten the time for the contractor to complete the project. Mr. Scott stated there is a cost to that. They can't just have the bridge crew work more hours; they would have to bring in another shift. They can however, take these concerns back to the NHDOT. Mr. DegliAngeli asked if the documents will say the contractor has to shut down if not complete on the completion date. Mr. Saffian stated there will be language included in the contract to further incentivize the schedule.

Executive Councilor Joe Kenney asked that the NHDOT look and make sure that they are not doing other major capital projects in the area at the same time as this could impact traffic as well.

Mr. Scott stated they will advertise this project in September and they will look into whether they can shorten the construction time.

There was next further discussion regarding the impact to the covered bridge, weight on the bridge, travel directions, etc. Mr. Colbath stated that the State of NH has people that look at the covered bridges and he would defer to them as to what they think is a temporary solution for this covered bridge. There was further brief discussion. Mr. Zanes agreed they should see what their in house people have to say on this matter. Mr. Scott stated they will get a recommendation and bring information back to the Board.

There was next brief discussion regarding consideration of Municipal Work Zone Agreement. Mr. Scott gave a brief overview of a Municipal Work Zone for this project. Mr. Scott stated that some communities have town police on site. The NHDOT has jurisdiction and ask that the Town enter into this Municipal Work Zone Agreement. Mr. Weathers advised that the town attorney is reviewing the agreement. Mr. Scott questioned who will be the signatories on the agreement. Mr. Sires stated it should be the Selectmen and it can be signed out of session or it can be set up for just the Chair signature.

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

- a. \$4,200 from the Conway Area Lions Club to the Town of Conway PD for training expenses
- b. \$1,414.69 in public donations in Schouler Park on 4th of July
- c. \$2,525 booth fees in Schouler Park collected for 4th of July

Lt. Mattei of the Conway Police Department appeared before the Board. Mr. Mattei advised that on June 24 the Lions Club hosted a golf tournament at Indian Mound Golf Course and would like to donate funds that were raised in the amount of \$4,200 to the Conway Police Department for simmunitions training equipment. Lt. Mattei next gave a brief description of the equipment and its uses. Lt. Mattei requested the Board accept the \$4,200 and put same in their equipment line. There was brief discussion by the Board. **Mr. Colbath moved, seconded by Mr. Porter, to accept the \$4,200 from the Conway Area Lions Club to the Town of Conway Police Department for training expenses. The motion carried unanimously.**

Finance Director, Lilli Gilligan, next reviewed that \$1,414.69 in public donations made at Schouler Park on 4th of July were received by the Town. Also, the town received \$2,525 for booth fees for Schouler Park for the 4th of July. Ms. Gilligan next reviewed that in previous years the funds went to the Preservation Association to help pay for celebrations and now Recreation Director, John Eastman, has brought this in house. Ms. Gilligan next stated that her recommendation is to create a new revenue line that supports patriotic purposes to identify the amounts and be able to discuss it in future years. Ms. Seavey questioned if we can move the money and use it in another year to help offset costs for the Fourth of July in future years. Ms. Gilligan explained that when money comes in, with the exception of reimbursements for purchases, it is normal and standard to put it as revenue in the budget and not for further expenditures. It is general fund revenue. **Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$1,414.69 in public donations in Schouler Park on 4th of July and \$2,525 for Schouler Park booth fees collected for 4th of July. The motion carried unanimously.**

Q2 FINANCIAL UPDATE

Expenditures – Finance Director, Lilli Gilligan, reviewed expenditures to date with the Board.

Revenues – Ms. Gilligan reviewed revenues to date with the Board. Ms. Gilligan pointed out that there is a new revenue line for town hall water. All residents on the water system are paying except for one property. A letter has been sent and we may have to shut the water offer if this is not paid in two weeks.

- c. CRF's – Ms. Gilligan reviewed CRF spending to date.

REQUEST FOR AMENDMENT TO DRIVEWAY PERMIT
646 PEQUAWKET – MAP/LOT 278-48

The person who requested this agenda item, Robert Nelson, was not present for discussion. It was agreed that this would be put on an agenda for a future meeting. Also, no drawings, etc., have been received regarding the request.

PARKING REGULATIONS – DEPOT STREET: TIME LIMIT BUS PARKING

Mr. Sires stated that this matter was placed on the agenda based on complaints received from people in town and, also, from staff about a particular business that is parking at

the Depot Street Park every day. The parking is then not available for other businesses in town and, also, we are having trouble getting our parks maintenance equipment into the area. Mr. Sires asked that the Board consider time limit parking. Mr. DegliAngeli commented that this would be done by amending our ordinance. There was a brief discussion by the Board regarding parking in North Conway. Mr. Weathers questioned where the village ends at that section of town. Mr. DegliAngeli stated that some say it is at Depot and some say Artist Falls Road. Mr. Porter stated he feels it is Artist Falls. Mr. Weathers stated he feels that we need to clear this up as well. North Conway Fire Chief, Pat Preece, commented that a lot of businesses use the lot for parking so as not to take up the parking along the street. He feels that car and bus parking are two separate issues on Depot Street. With regard to parking time limits, the Board agreed to reagenda this matter for further discussion. Mr. Thibodeau requested a map of the area.

VIDEO RECORDING POLICY

Mr. Sires reviewed that the town had video equipment installed at town hall and the recreation department. The purpose is to have a video record for protection of employees and the public. We saw this as a deterrent and also as a back up if needed.

Mr. Sires next reported that a gentleman came in to town hall and asked if there is audio recording. Mr. Sires stated he had to think about this as we have never had to review any of the tapes. It turns out that along with video we were recording audio. We looked into the matter further and the NHMA advised that we can record video and not audio. Mr. Sires stated that he then contacted our provider and ceased recording audio. Mr. Sires next advised that this never was an issue as we never had an occasion to review the tapes. We are acting according to law now.

Mr. Sires next stated that he is now suggesting that the town have a policy regarding the cameras. Mr. Sires reviewed a proposed policy with the Board. Mr. Thibodeau questioned if the tapes were assessable by anyone. Mr. Sires advised it is wifi based but it is not available over the internet and only a few employees have access.

Ms. Seavey questioned if department heads have access and feels it should be listed on the policy. The policy should state Board of Selectmen, Town Manager, Public Works Director, Recreation Direction, Chief of Police. The Board agreed this should be added. **Ms. Seavey moved, seconded by Mr. Thibodeau, to adopt the policy.** It was agreed department heads would be added to the policy. **The motion carried unanimously.**

NHMA POLICY PROPOSALS

Mr. Sires reviewed that each year the NHMA puts out information and asked for recommendations on policy proposals. Mr. Sires requested that the Board look over the information and provide him with any comments. If there is any particular policy the Board would like to support or not please let him know. Please bring the information to the next meeting on July 26, 2016. Also, any floor proposals the Board may want should be brought to the meeting on July 26, 2016 as well.

APPOINTMENT OF CITIZEN REPRESENTATIVES TO AMBULANCE/NON PRECINCT FIRE AGREEMENT COMMITTEE

Mr. Sires reviewed that the Board had asked for citizen representatives for the Ambulance and Non Precinct Fire Agreement Committee. Stacy Sand and Bob Barriault are knowledgeable and willing and have agreed to be on the committee. Also, they both live in non

precinct areas of town. Mr. Sires next reviewed that a meeting to discuss the non precinct fire agreement is scheduled for Tuesday, July 19, 2016 at 5:00 pm. There was brief discussion by the Board. **Mr. Colbath moved, seconded by Mr. Porter, to appoint Stacy Sand and Bob Barriault to the Ambulance/Non Precinct Fire Agreement Committee. The motion carried unanimously.**

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 254-29.086
- b. Certification of Yield Taxes Assessed Tax Map/Lot 262-92
- c. NHDES Local Government Financial Services Test for Conway for year ending 2015
- d. NHDRA 2016 MS-535
- e. Notice of Intent to Cut Wood or Timber Tax Map/Lot 244-12
- f. Notice of Intent to Cut Wood or Timber Tax Map/Lot 252-60
- g. Notice of Intent to Cut Wood or Timber Tax Map/Lot 286-7
- h. Permit to Sell Raffle Tickets/ Mountain Meadow Riders Snowmobile Club - Drawing 2/11/17
- i. Petition and Pole License/NHEC Pole 3622 Artist Falls Rd and Thompson Road
- j. Petition for Pole, Conduit and Cable Location/Fairpoint/Placement and licensing of approximately 80' of 2-4' conduit, buried cable, from Manhole 1-1 on E Main Street to Pollard Street
- k. Timber Tax Levy Tax Map/Lot 262-92
- l. Waiver of Municipal Liability Pursuant to RSA 671:41, l(c)(2)&(3) between the Town of Conway and Daniel S. Robins as Trustee under Daniel S. Robins Declaration of Trust dated 2/15/14 - Tax Map/Lots 296-15 and 297-3

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Abatement for Tax Map/Lot 254-29.086; Certification of Yield Taxes Assessed for Tax Map/Lot 262-92; NHDES Local Government Financial Services Test for Conway for year ending 2015; NHDRA 2016 MS-535; Notice of Intent to Cut Wood or Timber for Tax Map/Lot 244-12; Notice of Intent to Cut Wood or Timber for Tax Map/Lot 252-60; Notice of Intent to Cut Wood or Timber for Tax Map/Lot 286-7; Permit to Sell Raffle Tickets/ Mountain Meadow Riders Snowmobile Club for drawing on 2/11/17; Petition and Pole License/NHEC Pole 3622 Artist Falls Rd and Thompson Road; Petition for Pole, Conduit and Cable Location/Fairpoint/Placement and licensing of approximately 80' of 2-4' conduit, buried cable, from Manhole 1-1 on E Main Street to Pollard Street; Timber Tax Levy for Tax Map/Lot 262-92; and, Waiver of Municipal Liability Pursuant to RSA 671:41, l(c)(2)&(3) between the Town of Conway and Daniel S. Robins as Trustee under Daniel S. Robins Declaration of Trust dated 2/15/14 for Tax Map/Lots 296-15 and 297-3. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 7/14/16

Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the Accounts Payable Manifest dated 7/14/16. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 6/30/16
- b. Accounts Payable Manifest 7/7/16
- c. Payroll 7/7/16
- d. Notice of Intent to Cut Wood or Timber Tax Map/Lot 255-6
- e. Notice of Intent to Cut Wood or Timber Tax Map/Lot 290-32

Ms. Seavey moved, seconded by Mr. Porter, to ratify the Accounts Payable Manifest dated 6/30/16; Accounts Payable Manifest dated 7/7/16; Payroll dated 7/7/16; Notice of Intent to Cut Wood or Timber for Tax Map/Lot 255-6; and, Notice of Intent to Cut Wood or Timber for Tax Map/Lot 290-32. The motion carried 3-0-2 with Mr. Colbath and Mr. Thibodeau abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION

- a. Ski and Snowboard Outlet/Ski and Snowboard Annual Sale – 7/23/16-8/6/16
- b. NH Intertribal Native American Council/Lou Black Eagle Saco River Pow Wow – 8/6/16-8/7/16 (Pending Insurance)
- c. Frosty's Ski Shop/Skizilla Monster Sale – 8/7/16-8/21/16
- d. Northeast Passage/Three Notch Century Ride – 9/10/16-9/11/16
- e. White Mountain Milers-Tri Tek Events/White Mountain Milers Half Marathon and 5K – 10/20/16 (Pending Insurance)

Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the Special Event Applications for the Ski and Snowboard Outlet/Ski and Snowboard Annual Sale for 7/23/16-8/6/16; NH Intertribal Native American Council/Lou Black Eagle Saco River Pow Wow for 8/6/16-8/7/16 pending receipt of insurance certificate; Frosty's Ski Shop/Skizilla Monster Sale for 8/7/16-8/21/16; Northeast Passage/Three Notch Century Ride for 9/10/16-9/11/16; and the White Mountain Milers-Tri Tek Events/White Mountain Milers Half Marathon and 5K for 10/20/16 pending receipt of Insurance certificate. The motion carried unanimously.

CONSIDERATION OF MINUTES: 6/21/16

Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the regular and non public minutes of 6/21/16 as written. The motion carried unanimously.

TOWN MANAGER REPORT

ESAA – Mr. Sires reported he attended an ESAA Board of Directors meeting on June 23, 2016. Mr. Sires further advised that he also attended another meeting at the airport on July 8, 2016 to discuss capital funding.

MWVEC Regional Collaboration – Mr. Sires reported he attended a meeting of the MWVEC Regional Collaboration group on June 29, 2016. There was discussion about various economic resources available to the community.

Cranmore Mountain – Mr. Sires reported he attended a meeting with Ben Wilcox of Cranmore Mountain. Mr. Wilcox gave an update on proposed condo development and advised they hope to proceed with same.

North Country Council – Mr. Sires reported he will be attending a director's meeting at North country Council tomorrow.

Non Precinct Fire Agreement Meeting – Mr. Sires reviewed that a meeting to discuss the non precinct fire agreement is scheduled for Tuesday, July 19, 2016 at 5:00 pm here at town hall.

Food Waste Diversion – Mr. Sires reported North Country Council will be making a presentation on Food Waste Diversion here at Town Hall on Tuesday, July 19, 2016 at 10:00 am.

Transportation Advisory Committee – Mr. Sires reported he will be attending a Transportation Advisory Committee meeting at North Country Council on July 21, 2016.

First Bridge – Mr. Sires reported there have been a lot of positive comments on the little park project at Frist Bridge. Mr. Sires reviewed that a bench was donated to the town and when the town crew was putting in the bench a piece of granite was found and used for the area as well.

Meeting with NHDOT and Fairpoint – Mr. Sires reviewed a meeting was held with the NHDOT and Fairpoint earlier today to discuss utilities for the upcoming Main Street project. Based on the complexity of utility relocation the schedule for this project may be extended to 2018.

MWV Trails Association – Mr. Sires reviewed that the MWV Trails Association is working on a recreation trail grant. The Board of Selectmen had approved and sent a letter of intent for same to the NHDOT. A response was received back from the NHDOT that they feel the project is eligible for the grant and so we are proceeding with the application.

Recreation Relocation – Mr. Sires reported that a meeting was scheduled to take place yesterday to continue the discussion of possibly moving recreation to the middle school, however the meeting was canceled. The school is still working on this and having discussion and they will provide us with a proposal in the future.

Intervale Lighting Precinct – Mr. Sires reviewed that the Intervale Lighting Precinct is no longer in existence and the town has taken over lighting. The lights the town decided not to fund have been turned off. We have had some inquiry about the lights but, so far, no one is interested in taking any over. We may hear more about this once they have been shut off. The Town did post signs on every pole.

Fourth of July – Mr. Colbath commented that he heard wonderful feedback about the Fourth of July events. Mr. Sires stated it was a great parade this year but we may be looking at starting it in a different location next year.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported that a Planning Board meeting is scheduled for Thursday night, July 14, 2016.

ZBA – Mr. Colbath reported that a ZBA meeting is scheduled for Wednesday, July 20, 2016.

Budget Committee – Mr. Colbath reported the Budget Committee is scheduled to meet on Wednesday, August 10, 2016.

ESAA – Mr. Thibodeau stated that the ESAA full board met in June. Also, previously the bylaws for the ESAA were changed to include a representative for Carroll County and Dave Sorensen attended the most recent meeting as the representative.

Mr. Thibodeau next reported that the ESAA executive committee met last week and discussed the new hangar project. Representatives from Maine and New Hampshire attended as well as the Maine DOT and NHDOT. These folks are trying to find funds to put up the hangar project. Mr. Thibodeau next advised that they have also applied for cross border grants from Maine and New Hampshire. Mr. Thibodeau next stated that he stresses that part of the interest in this is due the Town of Conway's support of the airport.

MWVEC – Ms. Seavey reported that the MWVEC has not met recently.

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

Conservation Commission – Mr. Weathers reported that the Conservation Commission will not be meeting in July. The next meeting is scheduled for August.

Conway Lake Association – Mr. Weathers suggested that a thank you letter be sent to the Conway Lake Association for the kiosk. The Board agreed. **Mr. Thibodeau moved, seconded by Mr. Colbath, to send a letter to the Conway Lake Association. The motion carried unanimously.**

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer questioned when the construction of the airport hangar will start. Mr. Thibodeau advised it will be in 2018.

Mr. Steer stated that with regard to the audio/video issue discussed earlier, he received a letter from the person who brought up the issue of audio and he wanted the town to hold the audio. Mr. Sires advised that the town got rid of the audio as soon as we found out about the issue.

Mr. Steer asked if the covered bridge discussed earlier is a state bridge. Mr. Weathers responded in the affirmative.

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

This agenda item was canceled. There was no non public session for NH RSA 91-A:3,II(d) for the consideration of acquisition, sale or lease of real estate.

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

At 6:52 pm, **Mr. Colbath moved, seconded by Ms. Seavey, to go into non public session under NH RSA 91-A:II(a) to discussion the Town Manager evaluation.** The non public session included Town Manager, Earl Sires. **The motion carried by unanimous roll call vote.**

At 7:05 pm, the Board returned to public session.

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

ADJOURN

At 7:06 p.m. the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary