

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
November 1, 2016

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 (Chair), Mary Carey Seavey, Carl Thibodeau, John Colbath, and Steven Porter; Town Manager, Earl Sires, and Executive 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 agenda item 9 regarding Solar Garden Agreements will be discussed in Non Public session under NH RSA 98-A:3,II(d). Also, item 8 will be moved up on the agenda. **Mr. Colbath moved, seconded by Ms. Seavey, to approve the agenda as amended. The motion carried unanimously.**

PUBLIC HEARING - PROPOSED LAND EXCHANGE BETWEEN THE  
NORTH CONWAY COMMUNITY CENTER AND THE TOWN OF CONWAY  
INVOLVING PORTIONS OF TAX MAP/LOTS 218-28, 29 AND 30.(HEARING 1 OF 2)

Mr. Weathers opened the public hearing at 4:04 pm regarding a land exchange proposed by the North Conway Community Center with the Town of Conway and read aloud the public hearing notice.

Mark Butterfield was present for discussion.

Mr. Sires reviewed a map of the parcels for the proposed land exchange. Mr. Porter commented that the Planning Board agreed with the proposed exchange. Mr. Sires commented that the Conservation agreed as well.

Mr. Weathers asked for public comments. There were none. Mr. Weathers closed the public hearing at 4:06 p.m.

UPDATE ON SPIRIT OF THE HOLIDAY – HOLIDAY PARADE AND TREE LIGHTING

Recreation Director, John Eastman, joined the meeting. Mr. Eastman reported that the Celebrations Committee has decided to relocate the holiday parade this year from Conway Village to North Conway. Mr. Eastman stated he met with Chief Wagner and Lt Walker on this matter. Every year Santa goes from the Red Jacket to Shoulder Park in North Conway for the tree lighting. This has to be approved by the State. Also the Chief has to absorb the costs for this in his budget. The Chief has said that having the events two weeks in a row is time consuming and more costly. Mr. Eastman next advised that the Committee has discussed this as well and it was decided to have the parade and tree lighting on in North Conway on one day and a tree lighting only in Conway Village the following weekend for this year. There was next brief discussion regarding attendance etc.

CONSIDERATION OF NON PRECINCT FIRE AGREEMENT  
WITH NORTH CONWAY WATER PRECINCT

North Conway Fire Chief, Pat Preece, was present for discussion.

Mr. Sires reviewed a proposed Non Precinct Fire Agreement between the Town and the North Conway Water Precinct with the Board. Mr. Sires further reviewed that the North Conway Water Precinct Commissioners have also reviewed the agreement and plan to sign it at their meeting tomorrow night. Mr. Sires next reviewed that this is almost the same agreement as we have had for the past 20 years with one slight change in that Eaton is not part of the agreement any longer. Further, this agreement has been worked out with input and comments from all five fire departments in town. There was brief discussion by the Board. **Mr. Colbath moved, seconded by Ms. Seavey, to approve and sign the Non Precinct Fire Agreement between the Town of Conway and the North Conway Water Precinct out of session upon receipt of a signed copy from the North Conway Water Precinct.** Mr. Porter asked about an agreement with Conway Village. Mr. Sires stated that we have met with Conway Village and they have agreed in principal to the formula; however, we just need to figure out the fire budget for the contract at this point. Mr. Sires next reviewed that the agreement will go before the voters in the spring and also the current agreement doesn't expire until 2018 but we are being proactive on this due to town meeting schedule. **Motion carried unanimously.**

#### REVIEW OF PROPOSED CHARTER REVISION AND SET PUBLIC HEARING DATE

Mr. Sires reviewed that this items is part of the Code project that was started a few years ago. After reviewing the code it was determined that some items should have been in the Charter and vice versa and we have been sorting this out. There are also some items in the code that should be policy, i.e. the personnel manual, as they are not law and we have been sorting this out as well.

Mr. Sires next reviewed the law regarding amending the Charter and that a public hearing is required regarding proposed changes. Mr. Sires next gave an overview of the proposed changes to the Charter. There was brief discussion by the Board. Mr. Colbath questioned if the proposed changes were reviewed by the Town Attorney. Mr. Sires responded in the affirmative. Mr. Colbath next suggested that the proposed changes also be sent to the NHMA for review as well. **Mr. Porter moved, seconded by Ms. Seavey, to set a public hearing for November 15, 2016 or as soon thereafter as possible. The motion carried unanimously.**

#### REVIEW OF CODIFICATION PROJECT: REVIEW OF PROPOSED CHANGES TO CONWAY CODE

Mr. Sires next reviewed proposed changes to the Conway Code with the Board. Mr. Sires reviewed that we haven't changed law but took care of things that are outdated, etc. The proposed changes are updating the code. Mr. Sires next requested that the Board review the information provided and we will schedule this again for a future agenda for discussion. The proposed changes are also available on the town web page for the public to review.

#### REVIEW OF SOLAR GARDEN AGREEMENTS

It was agreed that the matter would be discussed in non public session.

#### EVERSOURCE SERVICE AREA RELAMPING PROJECT

Public Works Director, Paul DegliAngeli, was present for discussion.

Mr. Sires reported we need updated information from Eversource regarding this this matter and we have not received it to date. Mr. Sires gave a brief overview of possible options. There was brief discussion regarding fixtures, wattages, electric charges, etc. Mr. Sires advised that more information would be provided to the Board in the future.

CONSIDERATION OF WAIVER OF MUNICIPAL LIABILITY – MAP/LOT 299-51 ON THE SPUR

Mr. DegliAngeli reviewed that we have done Waivers of Municipal Liability for lots around town. Mr. DegliAngeli next reviewed that there are several lots for sale in Rockhouse Mountain and it seems ridiculous to him to issue driveway permits to these lots as the roads don't meet the town standards. Mr. DegliAngeli suggested that the Waiver of Municipal Liability be a standard form for anyone wanting permits on these roads to grant these waivers. These are existing lots of record created in the 1960's and the roads don't conform. The solution to him is that we make this waiver part of the deed for lot owners for issuing permits on these roads. There was brief discussion by the Board. It was reviewed that this is a waiver for emergency services. The Board agreed that these Waivers can be signed in the future, including the one presented today.

ADOPTION OF 2017 HEALTH INSURANCE RATES

Finance Director, Lilli Gilligan, reported that the health insurance rates from Health Trust have been set and the premium increase is 3.8% for the town with no changes. Ms. Gilligan further reported there was an email thread today asking about increases by communities and some communities are looking at 20% increases. Conway has the lowest rate increase of the Health Trust groups that were participating in the email conversation today. Ms. Gilligan next reviewed that the dental insurance is not increasing. There was brief discussion by the Board regarding contribution amounts, experience, etc. **Mr. Porter moved, seconded by Mr. Colbath, to allow Earl Sires to sign the contract with Health Trust. The motion carried unanimously.**

CONSIDERATION OF WARRANT ARTICLE FOR  
REVISING ELDERLY EXEMPTION AMOUNTS

Tax Assessor, Tom Holmes, appeared before the Board.

Mr. Holmes reviewed a memo and proposed warrant article regarding revising the elderly exemption with the Board. (A copy of the memo is attached hereto). There was brief discussion by the Board regarding income and assets. **Mr. Thibodeau moved, seconded by Ms. Seavey, that we modify the elderly exemption rules to mirror what Tom Holmes has written in the memo at \$28,000 for a single person and \$37,000 for married income portions and \$77,000 combined physical assets. The motion carried unanimously.**

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 219-107
- b. Abatement Tax Map/Lot 219-254.002
- c. Abatement Tax Map/Lot 225-20.002
- d. Abatement Tax Map/Lot 235-93
- e. Abatement Tax Map/Lot 251-23
- f. Abatement Tax Map/Lot 275-18.118
- g. Abatement Tax Map/Lot 276-227
- h. Abatement Tax Map/Lot 277-38
- i. Abatement Tax Map/Lot 277-104
- j. Abatement Tax Map/Lot 998-005
- k. Abatement Tax Map/Lot 998-134

- l. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 258-68.13
- m. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 258-68.15
- n. Land Use Change Tax Tax Map/Lot 258-68.13
- o. Land Use Change Tax Tax Map/Lot 258-68.15
- p. Permit to Sell Raffle Tickets/Friends of Conway Library – Drawing 12/15/16
- q. Tax Collector's Warant 2016
- r. Waiver of Municipal Liability – Map/Lot 299-51 located on The Spur

**Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the Abatement for Tax Map/Lot 219-107; Abatement for Tax Map/Lot 219-254.002; Abatement for Tax Map/Lot 225-20.002; Abatement for Tax Map/Lot 235-93; Abatement for Tax Map/Lot 251-23; Abatement for Tax Map/Lot 275-18.118; Abatement for Tax Map/Lot 276-227; Abatement for Tax Map/Lot 277-38; Abatement for Tax Map/Lot 277-104; Abatement for Tax Map/Lot 998-005; Abatement for Tax Map/Lot 998-134; Current Use Land Use Change Tax Collector's Warrant for Tax Map/Lot 258-68.13; Current Use Land Use Change Tax Collector's Warrant for Tax Map/Lot 258-68.15; Land Use Change Tax for Tax Map/Lot 258-68.13; Land Use Change Tax for Tax Map/Lot 258-68.15; Permit to Sell Raffle Tickets/Friends of Conway Library – Drawing 12/15/16; Tax Collector's Warrant 2016; and Waiver of Municipal Liability for Map/Lo 299-51 located on The Spur. Motion carried unanimously**

#### CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 11/3/16

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Accounts Payable Manifest dated 11/3/16. The motion carried unanimously.**

#### RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 10/27/16
- b. Payroll 10/27/16

**Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the Accounts Payable Manifest dated 10/27/16 and Payroll dated 10/27/16. The motion carried unanimously.**

#### REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Conway Celebration Committee/MWV Preservation Association – Spirit of the Holidays Holiday Parade and Tree Lighting 11/26/16 and 12/3/16

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Special Event Application for the Conway Celebration Committee/MWV Preservation Association's Spirit of the Holidays Holiday Parade and Tree Lighting on 11/26/16 and 12/3/16. Mr. Thibodeau commented that he is not excited to see the parade move out of Conway Village. Conway Village needs the activity given its current economic situation. He does however feel that a reasonable argument was made, based on police and attendance, to change the location. Ms. Seavey stated she was surprised to hear the low attendance issue and she doesn't recall this discussion at the meeting she attended of the Celebration committee and she also doesn't feel this is the case. Ms. Seavey next stated that it is however justified with regard to the volunteer who puts the parade together and getting participants. Ms. Seavey next stated that this doesn't have to be every year and the parade doesn't have to leave Conway Village permanently. Ms. Seavey added that she is sad to see it go away this year but hopes that the community brings it back next year. Mr. Weathers agreed. There was further brief discussion. The motion carried unanimously.**

CONSIDERATION OF MINUTES

Mr. Thibodeau stepped away from the meeting at 5:25 pm.

**Mr. Colbath moved, seconded by Ms. Seavey, to approve the regular and non public minutes of 10/18/16 as written. The motion carried 3-0-1 with Mr. Porter abstaining.**

Mr. Thibodeau returned to the meeting at 5:27 pm

TOWN MANAGER REPORT

North Country Council – Mr. Sires reported that he attended the North Country Annual meeting and dinner last week.

Budget Committee – Mr. Sires reported the Budget Committee met last week and he and Lilli presented the third quarter report.

Tax Rate Setting- Mr. Sires reported the tax rate is unchanged from last year at \$5.72 for the town. Tax bills are going out on the 4<sup>th</sup> or 5<sup>th</sup> of November and are due December 5, 2016.

2017 Proposed Budget – Mr. Sires reported that staff is working on the proposed 2017 budget. This will be sent to the Board for review prior to the next meeting.

Drought Meeting – Mr. Sires reported that a meeting regarding the drought was held to discuss what we would do if the drought continues. We have had some rain since and we are hoping this helps the situation before the ground freezes

ESAA Walkaround – Mr. Sires reported that a meeting to do a walkaround of the facilities at the ESAA is scheduled for tomorrow at 4:00 pm.

CDFA – Mr. Sires reported that a CDFA meeting is scheduled for next Thursday.

Tabletop Exercise – Mr. Sires reported that a tabletop exercise is scheduled for November 9, 2016 for law enforcement and emergency services and will take place at the police department.

Ambulance and Non Precinct Fire Committee – Mr. Sires reported a meeting was held and this led to some confusion. We received a letter from Conway Village and they were unhappy that they were not invited to the meeting. Mr. Sires next reviewed that this Board created a committee of some selectmen, staff and public. The most recent meeting held was to talk amongst ourselves and take a look at the proposals received for ambulance services and then see where the town committee wanted to go with that. Conway Village felt this meeting should have had a broader participation. The Conway Village Fire Chief, Center Conway Fire Chief and one of the ambulance providers did show up at the meeting however and it was a public meeting. Mr. Sires questioned if this Board wanted to write to the Conway Village Commissioners or just note their concern. Mr. Porter stated we should just move forward. Mr. Weathers agreed and added that we were just bringing the committee up to speed. Ms. Seavey stated she feels there should be something in writing sent to the Conway Village Commissioners. Mr. Thibodeau questioned if they are part of the committee. Mr. Sires responded in the negative and added that they were invited to previous meetings for initial discussions on the matter; however, they are not part of the committee. Ms. Seavey stated that she feels we should put this briefly in a note and send it off to the Conway Village Commissioners. Mr. Colbath agreed. There was further brief discussion by the Board. **Ms.**

**Seavey moved, seconded by Mr. Thibodeau, to send a letter to the Conway Village Fire District Commissioners. The motion carried unanimously.**

BOARD REPORTS AND COMMENTS

Library Roof – Mr. Colbath questioned who is in charge of the library roof project. Mr. Sires advised that Mr. DegliAngeli is overseeing the project but the Library Trustees are in charge of the project.

West Main Street – Mr. Colbath commented that he stopped and spoke with the engineer in charge of the West Main Street project and he spoke favorably of working with Paul DegliAngeli and the Town

Planning Board – Mr. Porter reported that the Planning Board is scheduled to meet next week.

Historic District Commission – Mr. Porter reported that the Historic District Commission is scheduled to meet next week. Ms. Seavey asked about the issue of the Commission trying to change the name of the Commission. Mr. Porter explained they are trying to soften it up as it is an advisory committee and not a regulatory committee. Ms. Seavey suggested they do research on the names for the commission. Mr. Sires commented that the letter from the Commission also asks for some staff help, etc. Mr. Porter explained that the Commission is going to bring this forward to the Board of Selectmen but they are still in the beginning stages. Mr. Sires stated he will get back to the Commission on the staffing request.

Budget Committee – Mr. Colbath reported that the Budget Committee met last Wednesday and reviewed town and school budgets. The meeting was shorter than expected as there was no school representative at the meeting.

ZBA – Mr. Colbath reported there is no meeting of the ZBA for November. The next scheduled ZBA meeting is December 21, 2016.

Valley Vision – Ms. Seavey reported that the Valley Vision board met recently.

MWVEC – Ms. Seavey reported that the MWVEC met recently and she will report on same at the next meeting.

Selectmen Meeting – Mr. Weathers reviewed that there is no Selectmen meeting next week. The next meeting is scheduled for November 15, 2016.

Election Day – Mr. Weathers reviewed that Election Day is Tuesday, November 8, 2016 and will be at the High School on Eagles Way. Mr. Weathers further commented that we need to have at least three selectmen at the polls on voting day. There was an inspector at the last election who indicated that a majority of the Board should be there. Mr. Weathers stated that he could not find this requirement in the manual but we will try to have at least two or three present at a time.

Land Offer – Mr. Weathers reported the town has received an offer of a piece of land and that he, Rob Adair and Earl Sires have walked the property. It is near the Walkers Pond area and near the outlet to Conway Lake on the north side. It has wetland and an outlet for drainage to Conway Lake. There is also high dry land and a recreation trail through the land. Mr. Adair will be reviewing the information on this with the Conservation Commission and they will meet next week to discuss and make a recommendation on making it part of conservation land.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer questioned how long have the holiday festivities been going on in Conway Village. Mr. Weathers and Mr. Thibodeau stated probably decades. Mr. Weathers added that the number of participants has dropped off but there is still a good number of people attending. There was next brief discussion of the parade. Mr. Steer asked if it is too late if people get together for a parade this year. Mr. Sires stated they would have to go through the committee and this is something that could be discussed for next year. Ms. Seavey stated it is only three weeks away and at this point people could start planning for next year.

Mr. Weathers next reviewed that two employees, Brandon Peare and Carl Peare, completed programs for the Road Scholar.

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

At 6:03 pm, **Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non public session under NH RSA 98-A:3II(c) to discuss a tax matter.** A property owner, Town Manager, Earl Sires, Tax Assessor, Tom Holmes, and Recording Secretary, Karen Hollowell, were included in the non public session. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:09 pm.

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

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

At 6:10 pm, **Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non public session under NH RSA 98-A:3II(d) to discuss a real estate matter.** Town Manager, Earl Sires, Tax Assessor Tom Holmes, and Recording Secretary, Karen Hollowell, were included in the non public session. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:44 pm.

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

ADJOURN

At 6:45 pm, the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J. Hollowell  
Executive Secretary