

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 20, 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), Carl Thibodeau, John Colbath, and Steven Porter; Town Manager, Earl Sires, and Executive Secretary, Karen Hallowell.

Selectman, Mary Carey Seavey, was not present due to another obligation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers reviewed that one item would be added under signing of documents regarding a Request to Trustees of Trust funds for \$28,942.22 from the CRF for Infrastructure Reconstruction. **Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda as amended. The motion carried unanimously.**

CONSIDERATION OF DONATIONS FROM FRIENDS OF CONWAY RECREATION TO THE TOWN OF CONWAY TEEN CENTER VALUING \$3,308.13. ITEMS INCLUDE TWO 65 INCH FLAT SCREEN TV'S, A LARGE SIZE BUBBLE HOCKEY GAME, A 9 FOOT INDOOR SHUFFLE BOARD/BOWLING GAME ALONG WITH A NEW MESSAGE BOARD FOR THE LOBBY OF THE TEEN CENTER.

Recreation Director, John Eastman, and Teen Center Coordinator, Todd Gallagher, were present for discussion.

Mr. Gallagher reviewed the donations from the Friends of Conway Rec and asked that the Board accept same. Mr. Weathers asked for questions or comments. There were none. **Mr. Colbath moved, seconded by Mr. Porter, to accept the donation from the Friends of Conway Recreation to the Town of Conway Teen Center valuing \$3,308.13. Items include two 65 inch flat screen tv's, a large size bubble hockey game, a 9 foot indoor shuffle board/bowling game along with a new message board for the lobby of the Teen Center. The motion carried unanimously.** Mr. Weathers thanked the Friends of Conway Recreation for the donation and also for their efforts throughout the year.

DISCUSSION OF DEVELOPMENT OF PROPERTIES ON MCMILLAN LANE

Attorney Derek Lick was present for discussion along with Rob Barsamian of 13 Green Street Properties and Mark Lucy of White Mountain Surveys. Town Public Works Director, Paul DegliAngeli, was also present for discussion.

Attorney Lick stated they have a unique situation regarding development of properties on McMillan Lane and so they sat down with town staff regarding the development and after a lengthy discussion a suggestion was made that they come and speak to the Board of Selectmen.

Attorney Lick next stated that Mr. Barsamian owns property on both sides of the road. They are currently developing property on the west side of the road where the old LL Bean

building was located. Mr. Barsamian also owns property to the east of McMillan Lane. They are in the concept phase and he would like to tie the two together but there is one obstacle, that being McMillan Lane. Attorney Lick next stated that Mr. Barsamian and others put a plan together to take to the Planning Board to realign McMillan but they have withdrawn the application. It presented a tricky situation as Mr. Barsamian would have to offer up a different road for McMillan. Also, this would have to go to town meeting and it could take up to 18 months to get through the process.

Mr. Lick next advised that after meeting with town staff, it was suggested that they ask the town to abandon McMillan Lane. So they withdrew the Planning Board application and are now bringing this to the Board of Selectmen.

Mr. Barsamian next presented photos and concept plans for developing the area around McMillan Lane and reviewed same with the Board. Mr. Barsamian reviewed that the reason he wants to move the road is so that he can combine development and they could look at different options if they owned the road. Mr. Barsamian further reviewed the plans for development include retail as well as residential apartment units above the retail.

Mr. Sires reviewed that instead of a public road swap for another public road where you also have to sync up planning board approvals with the town meeting cycle, what is being proposed today is to abandon the road and then it reverts back to the original owner and then they can develop their site. Also McMillan Lane would stay until the new site plan is approved by the Planning Board. Mr. Sires stated that he and Paul reviewed the matter and don't see any downside to it at this point.

Mr. Colbath questioned if the development is commercial and residential. Mr. Barsamian responded in the affirmative and added that it would be 25 residential units. Mr. Colbath asked if this would be for employees. Mr. Barsamian stated some of it would be and it would also be for young professionals as well. Mr. Colbath confirmed this would be residential apartments and not condos. Mr. Barsamian responded in the affirmative.

Mr. Colbath asked about the area where the health club was and if this is going to be a hotel. Mr. Barsamian advised they are not really sure yet. They are taking it slow while they are building and developing the area. The next piece of land they will develop is the old health club but they need to study this more. Mr. Colbath questioned if there would still be access to the development in back. Mr. Barsamian stated yes and added that they have to come up with a plan and there will still be access. There was further brief discussion.

Mr. Sires questioned if they are looking for a decision on this matter tonight. Attorney Lick stated not today but they are asking that the Board place a warrant article on the next warrant to abandon the road.

APPEAL OF SOLID WASTE CITATION

Keri Feeley joined of the meeting. Also present was Public Works Director, Paul DegliAngeli.

Mr. Sires reviewed the process in the town ordinance for people who are non compliant regarding recycling at the Transfer Station.

Mr. Sires next reviewed that Ms. Feeley is here today to request a reversal of a citation of November 7, 2016 that she received from the town.

Ms. Feeley stated that the citation says that her household violated by putting recyclables in the trash. At her home, she personally makes sure that all trash is recycled. In this instance her daughter may have done this while she was away. Ms. Feeley next stated that if she thought that she was violating the ordinance she would pay the \$10 however she knows this is not her trash and she doesn't know why it was identified as hers. Ms. Feeley next stated that she called the transfer station to ask questions about what was violated etc. She was told that violators are put on a log but not necessarily how they violated, such as metals, etc. She is here today to ask for this citation to be reversed. There was next brief discussion by the Board and Mr. DegliAngeli as to what is recorded as violations at the transfer station. Mr. DegliAngeli next reviewed that the letter sent to Ms. Feeley in June does say trash containing glass, aluminum, etc. Ms. Feeley stated that this one was after a graduation party and she didn't take exception to that one, but the latest offense she does. Mr. DegliAngeli next reviewed the offense in the November letter and what was in the log. Mr. DegliAngeli next gave an overview of how enforcement has developed into the procedure we have now. Mr. Colbath questioned if this was the first offense or second. Mr. DegliAngeli advised it is the second however the first one was paid. Mr. DegliAngeli stated he would have waived the fine but left the occurrence on the record however, Ms. Feeley feels strongly that she wants it expunged.

There was further review and discussion of the procedures used regarding recycling enforcement, bags, recyclables, etc.

Mr. Colbath stated that Ms. Feeley is before us today and is conscientious and we have to make a decision on her request. He does give her credit for being here and adamantly saying she was not an offender. After further brief discussion, **Mr. Porter moved, seconded by Mr. Colbath, to expunge the file for Ms. Feeley with the recommendation that we need to be more careful down the road. The motion carried unanimously.**

Mr. Colbath commented that the employees at the transfer station do do a good job. Mr. Porter agreed.

REVIEW OF RECOMMENDATIONS FROM PLANNING BOARD AND CONSERVATION COMMISSION AND SET PUBLIC HEARING REGARDING OFFER OF GIFT OF LAND - TAX MAP/LOT 215-77

Mr. Sires reviewed that Joe Berry and Sheila Duane appeared before the Board a few weeks ago to discuss an offer of a piece of property they are acquiring that they would like to gift to the town. The lot is located on Route 16 (Tax Map/Lot 215-77). They also advised that they would remove the building from the property and return the property to its natural vegetative state. Mr. Sires next reviewed that this Board has the authority to accept the gift but must first go through the process of getting recommendations from the Planning Board and Conservation Commission and thereafter holding public hearings. At this point, both the Planning Board and Conservation Commission have given affirmative recommendations on accepting the property. Mr. Sires stated the next step is to post public hearings in January. The Board briefly reviewed dates. **Mr. Colbath moved, seconded by Mr. Porter, to move forward to accept property and set the public hearing dates in January. The motion carried unanimously.**

DISCUSSION OF CONWAY VILLAGE BANK BUILDING

Mr. Sires reviewed that Town staff and some Board members met at the Bank of NH building in Conway Village to talk about the possibility of the town acquiring the building as a site for a new town hall. The idea is that the building could be renovated and made suitable for a town hall, if the Bank of NH is willing to sell it. Mr. Sires next reviewed that they had a very

nice discussion however this is still in very early discussions for both parties. It was agreed that we would continue with discussions in the future.

Mr. Sires next reviewed that if the price and investment in the building is right there would be advantages to the town and also would add some economic vitality to Conway Village. He was also thinking that the current town hall could be used for something as well to keep this area active and viable as well. Mr. Colbath asked if the bank would relocate. Mr. Sires stated this is one thing that needs to be worked through. They don't plan to leave Conway Village but they would have to relocate the building near where they are now and downsize. Mr. Weathers advised that they are looking at other bank buildings around the state and doing research.

BUDGET

a. Consideration of proposed 2017 Operating Budget

Finance Director, Lilli Gilligan, joined the meeting. Also present were Chief Wagner and Lt Mattei.

Ms. Gilligan distributed an updated copy of the proposed budget to the Board. Mr. Sires first reviewed the budget process with the Board. Mr. Sires next reviewed adjustments made to the proposed 2017 budget. Mr. Sires reviewed adjustments to the ambulance budget. Mr. Sires next reviewed that the \$3,000 that was in the budget for food pantry was taken out as last week Vaughan came before this Board and advised they would request an increase via a warrant article. Mr. Colbath stated that Vaughan advised they would do either and their request would depend on if any funds were in the budget or not. There was further brief discussion regarding Vaughan asking for the funds through Warrant Article. Ms. Gilligan next reviewed the Welfare budget and that \$5,000 was for food banks. At first we thought this should be bumped up but after the discussion last week we thought we would leave the request the same and level fund this for 2017.

Mr. Weathers next asked the Police Chief if he envision coming in under budget this year. Chief Wagner stated he envisions about \$70,000 or so.

Mr. Porter moved, seconded by Mr. Thibodeau, to approve the proposed operating budget as outlined on the 2017 Operating Budget Summary dated 12/20/17. There was next brief review and discussion of the library budget discussions previously held. Mr. Thibodeau stated that Ms. Seavey had made the point that that we have made part time people full time; however, this happened when we had a need. The library has a person that works 32 hours and he questions if they need to move to 40 hours or have two part time people. Ms. Gilligan pointed out that the person will be going from 36 hours to 40 hours and the cost would be \$10,080 for the four hours. At 40 hours employees get benefits and NH retirement. Mr. Thibodeau stated he would like to see it taken out. Mr. Colbath stated he doesn't want to see it taken out and that we don't want to manage the library and we want to retain qualified people. Mr. Porter agreed with Mr. Colbath and added that he feels it benefits to have a full time employee. The Board next reviewed the bottom line for the proposed 2017 budget is \$10,776,569. **The motion carried 4-0-0.**

b. Capital Reserve Funds

Public Works Director, Paul DegliAngeli, joined the meeting.

Mr. Sires reviewed Capital Reserve Funds with the Board. Mr. Sires first reviewed the changes in the amount for the Infrastructure Reconstruction capital reserve fund.

Mr. Sires next reviewed landfill expansion capital reserve fund and suggested deferring putting more money in to this fund for a few years while we are looking at doing the infrastructure projects.

Mr. Sires next reviewed that he feels the capital reserve fund warrant article for parks vehicles can be reduced for 2017.

Mr. Sires next reviewed that with regard to a warrant article for earned benefits, he suggested reducing this to zero this year as we have \$30,000 in the fund.

Mr. Sires next reviewed the expendable trust fund for PEG. We usually see about \$110,000; however, he recommends no contribution to the fund this year and would rather use what it is there for now. We have accumulated \$170,000 in the PEG fund over the years. \$30,000 is reserved for equipment and the balance could be used for Valley Vision next year. Right now we are getting about \$130,000 in franchise fees and we are spending \$110,000 for Valley Vision each year. He recommends to not have a warrant article this year and pay for the PEG contract out of the existing balance.

Mr. DegliAngeli next reviewed the infrastructure reconstruction capital reserve with the Board. Mr. DegliAngeli asked the Board to increase this in the same manner as last year.

Mr. DegliAngeli next reviewed the highway equipment capital reserve fund with the Board. Mr. DegliAngeli requested that this be level funded from last year.

Mr. DegliAngeli next reviewed the solid waste equipment capital reserve fund with the Board. Mr. DegliAngeli stated that the request is a \$5,000 increase over last year.

Mr. DegliAngeli next distributed information regarding the maintenance of town buildings and reviewed same with the Board. With regard to the recreation department building, Mr. DegliAngeli reviewed a copy of a 1974 blueprint showing the original school and addition. Mr. DegliAngeli next reviewed recreation renovation costs estimate with no expansion. There was discussion by the Board of the proposed renovation list. Mr. DegliAngeli reviewed it is a \$782,000 estimate with no contingencies in the estimate.

Mr. Weathers asked what is priority and what can be spread out. Mr. DegliAngeli stated it can't be spread out as we would have to gut the building. We can't do it a room at a time. Also the insulation and roof would have to be done at one time plus sprinklers, etc. Mr. Weathers questioned how long it would take to do the renovations. Mr. DegliAngeli stated it would be one construction season.

Mr. DegliAngeli next reviewed that if building an addition, the estimate is \$1.2 million. The recommendation now is for \$35,000 for an architectural study.

Mr. Colbath suggested having a committee to come up with different options as to what to do. Mr. Colbath next stated that more people from the public need to get involved in looking at the options.

Mr. Thibodeau questioned what has to be done this year and what can we defer another year. Mr. DegliAngeli stated it is a public building and has no fire protection, no ventilation and we also had a boiler break down but he can patch it but he doesn't know what will happen next week. Also, wiring doesn't meet code. Mr. Sires stated that we did some work on the building a few years ago and it got us some time. Further, we have looked at a variety of options over the years that have not panned out. One advantage is that we have control of this site and we are not dependent on any other site.

Mr. Thibodeau next stated that he likes the idea of public input for this project but we can't put this off as we need a warrant article this year. We need to make a decision and move forward.

Mr. DegliAngeli suggested that we could do the minimum and get a consultant and also get a committee together. The consultant suggestion is if this Board wants to expand the building. Mr. DegliAngeli next stated that he is in favor of removing the kitchen from the old Pine Tree School and building it to code and then taking that space and have a fourth room and renovations. All of this we could do but if you want to remove walls, etc., and or expand parking out back so people have centralized location, expand spectator area and food prep area -if we are going to do this then we need to get a consultant. However, if you only want what is on the paper handed out today, then it would be \$782,000

Mr. Colbath asked about liability since we have been presented with the situation. Mr. Colbath further added that this will also need to be presented to the budget committee. Mr. Sires stated there are liability issues with the bathroom. Further, we could also look at a different approach to water and we may want to get a larger container, etc. As far as the kitchen, we could unplug and get rid of the stove. We do have fire alarms that protect the building. Mr. Sires next stated they could do cold food only and no cooking. Mr. Weathers stated the kitchen bothers him and we should eliminate that risk for now.

Mr. Thibodeau questioned if the \$35,000 would get us a comprehensive plan. Mr. DegliAngeli responded in the affirmative and added that it should get us to bidding documents.

Mr. Weathers questioned how the Board would like to proceed. Mr. Thibodeau stated he thinks John's idea is best and we should give time to get public comment and support. Further, we can come up with the \$35,000 for this year and get a plan going forward and then coming in to next budget season we will have something we can sell. Also, he feels it may be premature at this point and we may be able to spend some and it may still be adequate.

There was next brief discussion regarding bonding.

Mr. Thibodeau next stated that he is hesitant to spend \$750,000 now for all new and then it still isn't big enough and we should go with the consultant first.

Mr. Colbath stated there are a lot of unknowns at this time. We can also look at grants, etc., for the future.

Mr. Weathers stated he was in agreement to keep the \$35,000 in for this year for architectural design. All Board members agreed.

Mr. DegliAngeli next continued to review the rest of the information regarding the capital reserve funds for maintenance of town buildings with the Board for the Police Department, Library, etc.

Mr. Thibodeau next referred back to the Infrastructure Reconstruction Capital Reserve Fund. Mr. Thibodeau suggested making this warrant article \$750,000 with \$250,000 coming out of fund balance the same as was done last year. There was next a brief discussion of roads that need paving.

Mr. Sires reviewed that staff will prepare what was discussed today for the Board to look at for the next meeting. The Board agreed.

Revenues – Ms. Gilligan reviewed the revenue report contained in the budget information packet distributed today. Ms. Gilligan further added that this is the same as what was discussed at the last meeting and the projection is \$3,490,331 in non tax revenues. **Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the budget revenue figure for the proposed 2017 budget of \$3,490,331. The motion carried 4-0-0.**

APPOINTMENT OF COMMISSIONERS TO NORTH COUNTRY COUNCIL

Mr. Sires reviewed that he has been involved with the North Country Council over the last year and a half. He is a commissioner and also serves on the Board of Directors. Mr. Sires next advised that Towns with more than 10,000 people can appoint up to three commissioners to North Country Council and he wanted to let this Board know the option is available. Mr. Sires next explained that the Planning Board actually makes recommendations on appointments to the Board of Selectmen and the Board of Selectmen appoints. If this Board wants two additional appointments then they can ask the Planning Board to make recommendations. This can include any citizen of the Town of Conway and also staff from town can be appointed. This is an opportunity but not an obligation to appoint. Mr. Colbath suggested advertising. Mr. Weathers agreed. Mr. Sires advised this will be conveyed to the Planning Board. Mr. Porter agreed and advised that he will bring it up at the next meeting. **Mr. Colbath moved, seconded by Mr. Porter, to appoint two members to the North Country Council Board of Directors. Motion carried unanimously**

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 217-22.038
- b. Abatement Tax Map/Lot 261-17
- c. Abatement Tax Map/Lot 264-24
- d. Certification of Yield Taxes Assessed Tax Map/Lot 246-51
- e. Certification of Yield Taxes Assessed Tax Map/Lot 286-7
- f. Elderly and Disabled Tax Deferral Application Tax Map/Lot 264-24
- g. Timber Tax Levy Tax Map/Lot 246-51 and 286-7
- h. Request to Trustees of Trust funds for \$28,942.22 from the CRF for Infrastructure Reconstruction

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Abatement Tax Map/Lot 217-22.038; Abatement Tax Map/Lot 261-17; Abatement Tax Map/Lot 264-24; Certification of Yield Taxes Assessed Tax Map/Lot 246-51; Certification of Yield Taxes Assessed Tax Map/Lot 286-7; Elderly and Disabled Tax Deferral Application Tax Map/Lot 264-24; and Timber Tax Levy Tax Map/Lot 246-51 and 286-7 and Request to Trustees of Trust funds for \$28,942.22 from the CRF for Infrastructure Reconstruction. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 12/22/16

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Accounts Payable Manifest dated 12/22/16. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

There were no documents signed out of session.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no Special Event Applications for consideration.

CONSIDERATION OF MINUTES OF 12/6/16

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the regular and non public minutes of 12/6/16 as written. The motion carried 3-0-1 with Mr. Porter abstaining.

TOWN MANAGER REPORT

North Country Council – Mr. Sires reported the North Country Council Commissioners met last Wednesday.

Ambulance – Mr. Sires reviewed that he met with ambulance providers last week and made a proposal to them and we are now in the process of getting information back from them.

Gingerbread Hunt – Mr. Sires reviewed that the Pine Tree School kindergarten class came to Town Hall for a gingerbread hunt. The class found the gingerbread men.

Meeting with Bank of NH – Mr. Sires reported a meeting was held yesterday regarding the bank building in Conway Village.

Holiday Schedule – Mr. Sires reviewed that Town Hall will be closed Friday afternoon, December 23, 2016, Monday, December 26, 2016 and Monday, January 2, 2017 for the holidays.

Selectmen Schedule – Mr. Sires reviewed the Board will not meet next week. The next meeting is scheduled for January 3.

Budget Committee – Mr. Sires reported that the Budget Committee is scheduled to meet on January 4, 2017. Mr. Thibodeau questioned when the presentation of warrant articles would be made to the Budget Committee. Mr. Sires advised we will send Carl the information tomorrow.

BOARD REPORTS AND COMMENTS

ZBA – Mr. Colbath reported the ZBA is scheduled to meet tomorrow night.

Budget Committee – Mr. Colbath reported that the Budget Committee is scheduled to meet on January 3, 2017.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked if there is meeting room space at the bank building. Mr. Sires responded in the affirmative. Mr. Steer questioned if Attorney Dewhurst's office is in the building. Mr. Weather stated yes and they are on a month to month lease. Mr. Steer questioned if the Town is looking at this building because it has vaults. Mr. Holmes stated that he has been looking at the building for a while and recently called to see if there was any interest and then a meeting was held to hear what each had to say about it.

ADJOURN

At 6:21 pm, the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary