

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
June 2, 2015

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, Steven Porter and John Colbath, Town Manager, Earl Sires, and Recording Secretary, Karen Hollowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers noted the following changes to the Agenda: Add an item for a Request for a Second Driveway for 64 Prospect Road (Map/Lot 276-122) for Herbert Menhennett; Under Signing of Documents –delete item “b” Authorization to borrow on Tax Anticipation Note; and, also, under Review and Consideration of Special Event Applications add three items - North Conway Village Association/ Open Air Markets – Friday's 6/12/15 through 9/11/15 with the exception of 7/3/15, Ski and Snowboard Outlet/Annual Sale 7/8/15 through 8/1/15 and North Conway Community Center / Farmer's Market – Wednesday nights 6/24/15 through 10/7/15.

**Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda as amended. The motion carried unanimously.**

REQUEST FOR 2<sup>ND</sup> DRIVEWAY / 398 KEARSARGE ROAD (MAP/LOT 214-27) – STEVEN SEAVEY

Property Owner, Steven Seavey, and Public Works Director, Paul DegliAngeli, joined the meeting.

Mr. DegliAngeli reviewed that Mr. Seavey has put in a request for a second driveway. Mr. DegliAngeli next reviewed a map of the property explaining where the second driveway is requested. Mr. DegliAngeli next advised that it has recently been discovered that the property may be encumbered by an easement from when the state took a corner of property in the past and also took a utility easement. Mr. Sires suggested that this request be tabled for now and let Mr. Seavey review the information with the Town Planner. All agreed.

REQUEST FOR 2<sup>ND</sup> DRIVEWAY / 64 PROSPECT ROAD (MAP/LOT 276-122) – HERBERT MENEHNETT

Herbert Menhennett appeared before the Board. Also present was Public Works Director, Paul DegliAngeli.

Mr. DegliAngeli reviewed that in November of 2014 a letter was sent to Mr. Menhennett as there was a widening of the driveway on his property at 64 Prospect Road without a permit and then there was a second driveway added.

Mr. DegliAngeli next described Mr. Menhennett's lot, home, and existing driveway to the Board. Mr. DegliAngeli advised that the driveway was 25 feet in width and was widened to 45 feet and then there is a shed on another part of the property where the second driveway was added and this is also about 25 feet wide. The front driveway was widened to 45 feet.

Mr. DegliAngeli next advised that Mr. Menhennett is now under contract to sell the property and he would like to settle this matter. Mr. Weathers asked when this was put in. Mr. Menhennett stated last year he made the driveway a little wider to put a camper in.

Mr. DegliAngeli next described where the dry well and drainage are located. Mr. DegliAngeli next stated that if the Board allows for the second drive, we would need to require it to have a paved apron. The other driveway should be 22 feet, it was 25 feet which was no problem, but then he added more pavement to make it 45 feet. This is not causing any drainage problems, but it is not allowed. There was discussion by the Board regarding parking, drainage, etc. The Board asked what the options are. Mr. DegliAngeli advised the options are to allow as it, to allow the modification with a paved apron, have the apron paved and cut down the size of the first driveway, or remove the second driveway. **Mr. Thibodeau moved, seconded by Mr. Porter, that we allow it to remain as is and ask that he repave the apron at the second driveway. The motion carried unanimously.**

#### RESIDENT CONCERNS/BALD HILL ROAD TRAFFIC – STEVEN HARPER

Steve Harper, Windy Harper and another unidentified woman were present for discussion. Also present were Police Lieutenant, George Walker, and Public Works Director, Paul DegliAngeli.

Mr. Sires reviewed that Mr. Harper had been before the Board previously voicing concerns about traffic and speeding on Bald Hill Road and are here again to discuss this matter. Mr. Sires next reviewed that the Board also previously had discussion of radars, etc, during budget season, but the article was not put forward.

Mr. Harper stated that the issue is speed. People speed up and down Bald Hill Road. There are two signs, one at the top and one at the bottom of the road for 25 mph. Earlier this spring he has asked the police to do patrols and they have done so and they appreciate the patrols.

Mr. Harper next stated that he is asking that the town allow speed bumps be put on the road. He has spoken with other residents on Bald Hill Road and they would help pay for them. Mr. Harper advised that he did bring up speed bumps last year but was told it is a liability. Mr. Harper next stated he feels it is a liability if a kid gets hit. Mr. Harper next stated that we have speed bumps at the transfer station and why can't he have one on his road. Mr. Harper next asked what can be done about the speeding on the road. He does go out and yell at people and by the time the cops get there if they are called, the speeder is gone. The police don't want them to follow people to find out where they live.

Lt. Walker stated the police have done patrols on Bald Hill. They did eleven patrols and two people were stopped –one was 7 mph over the limit and one was 5 mph over. One of the people stopped was a resident of Bald Hill Road. They are not finding anyone speeding other than the couple of vehicles they stopped. They also went at different times of the day and week to patrol.

There was next brief discussion regarding speedbumps and whether or not they work, maintenance, etc. Mr. DegliAngeli stated this is not something we want to do as a policy and this is not just from a maintenance standpoint. Mr. DegliAngeli stated another idea is rumble strips but the last time they were proposed somewhere there was opposition to this because of noise. Mr. Harper stated he is looking for the speedbump that is removable and can be taken up during the winter. Kids are generally out by the road in summer and in the yard during winter.

Mr. Harper next spoke about an incident regarding his daughter and other incidents that have happened on the road. Mr. Harper also talked about the angle of the road, sun glare, etc.

Mr. Sires reviewed that last year we brought up that there are no signs on the Albany side of the road. Windy Harper stated that Albany has advised her it was not their problem. Mr. Harper stated he would be willing to raise money for signs. Also, someone did spray paint slow down on the roadway.

There was further discussion of speed limit signs, children at play signs, speeding, safety, etc. Mr. DegliAngeli and Mr. Sires made suggestions to contact Albany to see if a speed limit sign could be placed coming toward Conway. Mr. Harper reiterated he would like to have speed bumps. Mr. Weathers stated that the Town staff will get in touch with Albany to see about speed limit signs and that the police can be asked to patrol as well. Lt. Walker stated they can have a car come up and run radar when they can. The Harpers should also call when they see speeders on the road. Mr. Weathers stated that we will try this for now. Mr. Harper agreed.

#### DECISION ON ACCOUNTS HELD AT PDIP

Finance Director, Lilli Gilligan, joined the meeting.

Mr. Sires reviewed this was discussed at the last meeting and staff is looking for direction as where to hold town accounts. Mr. Gilligan reviewed that the town holds trust funds and that the Trustees had voted to move these funds. The town also holds conservation funds and performance fund accounts. Ms. Gilligan stated that she suggests moving these out of PDIP and it is only .0007% interest and, also, at the end of this month the current company will no longer manage the assets and no new one has been announced. Ms. Gilligan next advised that the rates for TD and Citizens are .25%. Also, the town does currently hold other accounts at Northway and they are offering .1%. There was a brief discussion by the Board. **Mr. Thibodeau moved, seconded by Mr. Colbath, to transfer PDIP funds from PDIP to TD Bank.** Ms. Gilligan clarified this is the conservation and performance accounts. **Mr. Thibodeau amended the motion, seconded by Mr. Colbath, to transfer the conservation and performance accounts from PDIP to Northway Bank. Motion carried unanimously.**

Ms. Gilligan next reviewed that the TAN was removed from the agenda this week but that it may be needed next week. Tax bills have gone out and we are starting to get payments.

#### REVIEW OF PROPOSED AMENDMENT TO VENDING CART POLICY

Matthew Bell was present for discussion. Mr. Bell is applying to the town to have a vending cart license.

Mr. Sires reviewed the Vending Cart policy and proposed changes to same with the Board. Mr. Sires reviewed the proposed changes are to add that a cart could be pushed or towed and to add that the carts shall not exceed an area of 48 feet. There was a brief discussion by the Board. **Mr. Thibodeau moved, seconded by Ms. Seavey, to change the vending cart policy. The motion carried unanimously.**

#### REVIEW AND CONSIDERATION OF AGREEMENT BETWEEN THE MWVPA AND TOWN OF CONWAY REGARDING THE SCHOULER PARK SIGN

Mr. Sires reviewed that this is an annual agreement and is in regard to managing the sign at Schouler Park. The sign has information about various community events in town and the MWVPA maintains the sign. Mr. Sires next reviewed that this is the same agreement as

last year except the dates have been changed. **Mr. Thibodeau moved, seconded by Mr. Porter, to ratify and sign the agreement between the MWVPA and the Town of Conway regarding the Schouler Park Sign. The motion carried unanimously.**

#### SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 276-252
- ~~b. Authorization to borrow on Tax Anticipation Note (removed from agenda)~~
- c. Certification of Yield Taxes Assessed Tax Map/Lot 210-16
- d. Certification of Yield Taxes Assessed Tax Map/Lot 214-32
- e. Certification of Yield Taxes Assessed Tax Map/Lot 223-15
- f. Certification of Yield Taxes Assessed Tax Map/Lot 223-35
- g. Certification of Yield Taxes Assessed Tax Map/Lot 231-106
- h. Certification of Yield Taxes Assessed Tax Map/Lot 231-147
- i. Certification of Yield Taxes Assessed Tax Map/Lot 231-148
- j. Certification of Yield Taxes Assessed Tax Map/Lot 257-11
- k. Certification of Yield Taxes Assessed Tax Map/Lot 262-86.001
- l. Notice of Intent to Cut Wood or Timber Tax Map/Lot 234-77 & 78
- m. Notice of Intent to Cut Wood or Timber Tax Map/Lot 262-86.1, 86.22, 86.23, 86.24, 86.25 & 86.26
- n. Permit to Sell Raffle Tickets/Friends of Conway Public Library – Drawing 7/11/15
- o. Permit to Sell Raffle Tickets/Memorial Hospital Foundation – Drawing 8/1/15
- p. Timber Tax Levy Tax Map/Lot 210-16, 231-106, 231-147 and 231-148
- q. Timber Tax Levy Tax Map/Lot 223-35, 214-32, 223-15 and 257-11
- r. Timber Tax Levy Tax Map/Lot 262-86.001

Mr. Weathers reviewed that Item b was removed from the agenda. **Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the Abatement Tax Map/Lot 276-252, Certification of Yield Taxes Assessed Tax Map/Lot 210-16, Certification of Yield Taxes Assessed Tax Map/Lot 214-32, Certification of Yield Taxes Assessed Tax Map/Lot 223-15, Certification of Yield Taxes Assessed Tax Map/Lot 223-35, Certification of Yield Taxes Assessed Tax Map/Lot 231-106, Certification of Yield Taxes Assessed Tax Map/Lot 231-147, Certification of Yield Taxes Assessed Tax Map/Lot 231-148, Certification of Yield Taxes Assessed Tax Map/Lot 257-11, Certification of Yield Taxes Assessed Tax Map/Lot 262-86.001, Notice of Intent to Cut Wood or Timber Tax Map/Lot 234-77 & 78, Notice of Intent to Cut Wood or Timber Tax Map/Lot 262-86.1, 86.22, 86.23, 86.24, 86.25 & 86.26, Permit to Sell Raffle Tickets/Friends of Conway Public Library – Drawing 7/11/15, Permit to Sell Raffle Tickets/Memorial Hospital Foundation – Drawing 8/1/15, Timber Tax Levy Tax Map/Lot 210-16, 231-106, 231-147 and 231-148, Timber Tax Levy Tax Map/Lot 223-35, 214-32, 223-15 and 257-11, Timber Tax Levy Tax Map/Lot 262-86.001. The motion carried unanimously.**

#### CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 6/4/15

**Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the Accounts Payable Manifest dated 6/4/15. The motion carried unanimously**

#### RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 5/28/15
- b. Payroll 5/28/15

**Mr. Porter moved, seconded by Mr. Thibodeau, to ratify the Accounts Payable Manifest for 5/28/15 and the Payroll for 5/28/15. The motion carried 4-0-1 with Mr. Weathers abstaining.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. North Conway Village Association/ Open Air Markets – Friday's 6/12/15 through 9/11/15 with the exception of 7/3/15
- b. Ski and Snowboard Outlet/Annual Sale 7/8/15 through 8/1/15
- c. North Conway Community Center / Farmer's Market – Wednesday nights 6/24/15 through 10/7/15

Mr. Sires reviewed that items b and c above are repeat events. Item a is a new event and Sheila Duane is here for discussion of same. Mr. Sires advised this is an event for an open air market that proposes closing the north side of Norcross Circle.

Ms. Duane reviewed that she submitted an application with the fees. They would like to close the north side of Norcross Circle on Friday afternoons from the Met to the first parking lot entrance and do an open air market with vendors, farmers, etc. Mr. Weathers stated that the last time there was a market a lot of local vendors were not contacted and he hopes that she will make the effort to talk with local farmers for this market. Ms. Duane stated she has contacted local farmers and will continue to do so.

Mr. Sires asked if Ms. Duane has contacted the business owners in the area. Ms. Duane advised that she talked with the Met and it is not a problem for them. Mr. Sires stated the application talks about the town putting barricades up. Ms. Duane stated that she can put the barricades up. Mr. Sires stated that we will have to look at how we will manage parking in this area since it will be closed.

Mr. Weathers asked if Ms. Duane will limit the square footage area to be used. Ms. Duane stated they have not come up with the specified size yet and/or all of the vendors yet. Mr. Weathers stated he has concerns that the event area will keep creeping out. Ms. Duane stated that it will not.

Mr. Thibodeau asked about traffic patterns for Norcross, parking, etc. Ms. Duane explained that you will still be able to enter the parking lot and this closure doesn't hinder that parking as there are two more entrances. There was next a brief discussion of the traffic direction and parking in this area. Ms. Duane stated they will manage the road however this Board wants it done and will make sure they have the right flow for traffic.

Mr. Porter asked if Ms. Duane has talked to the Conway Scenic Railroad about the event. Ms. Duane stated that she has not but she can do this. Mr. Porter stated that he feels they should be brought into the loop on this as it affects their business. Mr. Porter next asked if Chief Preece has been notified. Ms. Duane responded in the affirmative and added that he is fine with it.

There was next brief discussion regarding bus parking, motorcycle parking, and the angled parking spaces. The Board pointed out that all of the parking in this section will be affected. Mr. Colbath pointed out that this will also affect the businesses across the street as well.

Mr. Thibodeau asked when Ms. Duane would like to start having this event. Ms. Duane stated that the event application stated June 19 but at this point it will be starting later than that in June. Mr. Thibodeau suggested that we hold on a decision on this until the next meeting of

the Selectmen on June 16 so that we can hear from people in the area and, also, Russ Seybold. Ms. Duane stated she would like to get the permission now so as to start getting the vendors for the events. Ms. Duane next stated that if the Board grants the permit now she will make sure the details are ironed out with the town and with Russ Seybold. There was further discussion regarding the parking, parking lot entrance, reserving parking, traffic, etc. There was also a review of a map of the area. Ms. Duane next advised that they will not hold this event on Friday, July 3. There was further discussion of contacting Mr. Seybold. Ms. Duane advised she would contact him about the event and work with him.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the special event applications for the Ski and Snowboard Outlet/Annual Sale 7/8/15 through 8/1/15 and the North Conway Community Center / Farmer's Market – Wednesday nights 6/24/15 through 10/7/15. The motion carried unanimously.**

**Mr. Colbath moved, seconded by Mr. Thibodeau, that the special event application for the Open Air Market by the North Conway Village Association be approved contingent upon the abutter consent by the Conway Scenic Railroad. The motion carried unanimously.**

Ms. Duane next stated they are required to submit an application and fee for the banner. She did bring a check in for this from a local business. Ms. Duane stated she is now asking that they have the ability to have the banner but not pay the fees. Ms. Duane explained this is a fundraising event for the North Conway Village Association for the flower pots etc. The Board asked Ms. Duane if the vendors are paying a fee to the North Conway Village Association. Ms. Duane responded in the affirmative. The Board held a brief discussion. The majority of the Board was not in favor of waving the fee. **Mr. Porter moved, seconded by Ms. Seavey, to waive the \$320 banner fee. The motion failed 1-4-0 with Ms. Seavey voting in the affirmative and Messrs. Porter, Colbath, Thibodeau and Weathers voting in the negative.**

#### CONSIDERATION OF MINUTES: 5/19/15

**Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the minutes of 5/19/15 as written. The motion carried 4-0-1 with M. Weathers abstaining.**

#### TOWN MANAGER REPORT

Mr. Sires reported the Town has received a letter from the Conway Village Fire District Commissioners regarding their recent vote to surrender sidewalks to the Town of Conway. Mr. Sires advised that he is putting together a memo to the Board that outlines the process, next steps, etc. Mr. Sires next suggested that the Board consider putting a committee together regarding this matter as well. Ms. Seavey stated that if a committee is formed, she would like to be on it. Mr. Colbath questioned what the deadline is for us to do something for this matter. Mr. Sires explained that the Town of Conway voters would next need to approve an article at town meeting and, also, there should be a budget warrant article for this as well. Warrant articles for 2016 are due in February of 2016.

#### BOARD REPORTS AND COMMENTS

Budget Committee – Mr. Colbath reported that a Budget Committee meeting is scheduled for tomorrow, June 3, 2015 and will be held in the Professional Development Room at Kennett Middle School.

Sign Committee – Mr. Thibodeau reported that a Sign Committee meeting is scheduled for Thursday night.

MWVEC – Ms. Seavey stated the MWVEC has not met recently. Ms. Seavey next stated that a lot has been cleared and they did better with the timber than anticipated. They are looking to bring in a real estate firm to look at the land.

Conservation Commission – Mr. Weathers reported that a Conservation Commission meeting is scheduled for Thursday, June 10, 2015 at the Whitaker Meeting House.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun stated that his boss wants him to do a story on the economic outlook in Conway Village and asked if the Board had any thoughts about it getting better, being on the right track, etc. Mr. Sires commented that Mountain Top bought the Majestic to make it a cultural center and this could help. Mr. Steer next stated that the batting cages opened and, also, that the KMS property is now viable –is it fair to say things are moving forward. Ms. Seavey stated she felt it is moving forward. Mr. Sires suggested that Mr. Steer look at the vacancy rate in the village.

Mr. Steer next stated that there was an outage in North Conway and that someone hit a pole and he was trying to get information on this. The Board was not aware of the situation.

Mr. Porter suggested that if Mr. Steer is looking at the economic outlook for the valley, then he should have a talk with the Town Planner and attend Planning Board meetings. Mr. Thibodeau suggested that the Mount Washington Valley Economic Council be contacted as well. Mr. Colbath suggested Mr. Steer talk with people who own businesses in the Village on Main Street.

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

At 5:43 pm, **Ms. Seavey moved, seconded by Mr. Colbath, to go into non public session under NH RSA 91-A:3,II(D)** to discuss the consideration of acquisition, sale or lease of real estate. The non public session included Real Estate Agent, Greydon Turner, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:02 p.m.

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

#### ADJOURN

At 6:03pm the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary