

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
September 25, 2012

The Selectmen's Meeting convened at 4:18 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Howard C. Dickinson, Michael DiGregorio, Mary Carey Seavey and Stacy Sand, Town Manager, Earl W. Sires and Recording Secretary, Holly Meserve.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Ms. Sand moved, seconded by Mr. Dickinson, to approve the agenda with the exception of changing item #8 to Fund Balance Distribution. The motion as amended unanimously carried (5-0-0).

PUBLIC HEARING REGARDING OFFER OF GIFT OF
LAND/TAX MAP/LOT 251-38 (2 OF 2 HEARINGS)

At 4:20 p.m. Chairman Weathers opened the public hearing regarding an offer of a gift of land located on Map/Lot 251-38. Mr. Weathers stated that the Conway Conservation Commission and the Conway Planning Board have reviewed this and have concurred that the parcel should become Town property. Mr. Weathers asked for public comment; there was none. The public hearing was closed at 4:21 pm.

Mr. Weathers asked if the Board needed to make a determination. Mr. Sires answered in the negative and suggested to re-agenda this item. The Board agreed.

DOROTHY SOLOMON - CANDIDATE FOR COUNTY COMMISSIONER

Ms. Solomon spoke to the Board regarding her reelection campaign for County Commissioner.

DECISION ON CONWAY LAKE LEVEL LOWERING

Mr. Weathers stated that Irene Bey was in in August to request that the lowering of the lake be changed from the first of November to the middle of October. Mr. Sires stated if no action is taken by the Board then we will continue with the current policy. Ms. Sand stated that she would like to see it stay the same as winter has been coming later and later; the concerns were valid in the past, but are not valid now. Ms. Sand stated that it has been a long time since damage has occurred. Irene Bey stated that it is hard to predict how much rain you will get and if you get an enormous amount of rain later in the winter you have no control as there is ice. Ms. Sand and Mr. Weathers stated that that would not make a difference.

Mr. Weathers stated that it will remain as is with the November 1st draw down.

REVIEW AND CONSIDERATION OF RECOMMENDATION OF MWVPA FOR USE OF FEDERAL EARMARKED FUNDS TO IMPROVE NORCROSS CIRCLE

Mr. Sires stated there are funds remaining from 2003 that were part of the Mount Washington Valley Preservation Associations project to underground utilities, but was not feasible. The money was rerouted for street scape and there is \$200,000 remaining. Mr. Sires stated the Preservation Association has proposed a project on the north portion of Norcross circle.

Mr. Sires stated that they have met with the North Conway Fire Chief and Russ Seybold of the Conway Scenic Railroad and the project makes sense. Mr. Sires stated that they would like to spray paint the proposal on the ground for a couple of weeks to see if it would work. Mr. Sires stated that they may also be able to underground some of the utilities when they are repaving Norcross Circle.

Mr. Sires stated there may be two or three parking spaces that will be lost as part of this project, however, we think we can create additional parking in other areas so there could be a zero loss. Ms. Seavey asked if there would be a drawing. Mr. Sires stated that they will be laying it out on the ground.

Ms. Sand made a motion, seconded by Ms. Seavey, to continue to pursue it and to give the Board a rendition before voting for approval. Motion unanimously carried.

FUND BALANCE DISTRIBUTION

Lucy Philbrick, Finance Director, reviewed the previous year's balance plus any unexpended appropriations and excess revenues. **Mr. DiGregorio moved, seconded by Ms. Sand, to apply \$300,000 to the tax rate. Motion unanimously carried.**

SIGNING OF DOCUMENTS

- a. Abatement – Map/Lot 250-3.1 (2009)
- b. Abatement – Map/Lot 250-3.1 (2010)
- c. Abatement – Map/Lot 250-3.1 (2011)
- d. Abatement – Map/Lot 250-3.1 (2012 – 1st Half)
- e. Summary Inventory of Valuation/Form MS-1 for 2012

Ms. Sand moved, seconded by Mr. DiGregorio, to sign the Abatement for Map/Lot 250-3.1 (2009), Abatement for Map/Lot 250-3.1 (2010), Abatement for Map/Lot 250-3.1 (2011), Abatement for Map/Lot 250-3.1 (2012 – 1st Half), and the Summary Inventory of Valuation/Form MS-1 for 2012. The motion unanimously carried

CONSIDERATION OF BILLS

a. Manifest dated 9/27/12 – **Ms. Sand moved, seconded by Mr. DiGregorio, to approve the Manifest dated 9/27/12. Motion unanimously carried.**

RATIFICATION OF DOCUMENT(S) SIGNED OUT OF SESSION

There were no documents to ratify.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no Special Event Applications for the Board to consider.

CONSIDERATION OF MINUTES

9/18/12 - Ms. Sand moved, seconded by Mr. DiGregorio, to approve the minutes of 9/18/12 as written. Motion unanimously carried.

TOWN MANAGER REPORT

Mr. Sires stated that the Town crews started the construction of the turnaround at Hussey Field for the boat launch, the mural is in at the Transfer Station and we are still waiting to hear from FEMA regarding the Transvale buy out; they are meeting next week for additional funding.

BOARD REPORTS AND COMMENTS

Mr. DiGregorio stated clearly there is a lot of controversy at the library, but the Board of Selectmen do not have much purview over there; we can raise questions and address items that revolve around the budget season. Mr. DiGregorio stated that he is surprised to hear this kind of restructuring during this time of year, usually would take place during budget time. Mr. Sires stated we have not received their budget for 2013 as yet. Mr. Weathers stated hopefully the Trustees realize there is a tight budget, and we will not be able to bail them out.

Mr. Weathers stated that he would like to request Valley Vision tape the Library Trustees meeting on Thursday. Mr. Sires stated that he would put in a formal request. Mr. DiGregorio stated the Board of Selectmen is very limited of what we can say, but those meetings should be in public unless directly discussing personnel issues.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Damond Steer asked if the Board was requesting Valley Vision to tape all future Library Trustees meetings or just the meeting this Thursday. Mr. DiGregorio stated that he does not know what they do, so he is not sure if it is essential to do all meetings, but if the public feels it is essential then they should be there.

Mark Hounsell stated the Library Trustees are naïve to RSA 91:A. Mr. Hounsell stated that their intentions are honorable, but what we see with the current situation is that the decisions were made behind closed doors without public input. Mr. Hounsell stated that they should have at least posted an agenda; and the minutes are lacking, they go into non-public illegally. Mr. Hounsell stated what they are restructuring was done in a non-public meeting and they need to inform the public when they are holding a meeting and what they are discussing.

Mr. DiGregorio stated that he knows that it is not this Board's purview, but asked if we should have the Town Manager reach out to help them understand the regulations. Ms. Seavey stated that she thinks the Trustees have the message now and it is up to them to take it and move with it. Mr. Sires stated the function and role of the professional staff is to make sure

state law and regulations are followed; if you think there should be communication he would make himself available if they want that. Ms. Sand stated our Town staff is available to people on how government is run, if they want more information it is there if they want to ask as our Town staff will be available.

NON PUBLIC SESSION/NH RSA 91-A:3.II(C) – TAX MATTER(S)

At 5:37 p.m., **Ms. Seavey moved, seconded by Mr. Weathers, to go into non public session to discuss a tax matter. The motion carried by unanimous roll call vote.**

At 5:38 p.m. the Board returned to public session as the applicant for the non public session was not in attendance; there were no minutes.

ADJOURN

At 5:38 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Holly L. Meserve
Recording Secretary