

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
July 9, 2019**

The Selectmen's Meeting convened at 4:01 pm in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Steven Porter, Town Manager, Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Colbath moved, seconded by Ms. Seavey, to approve the agenda as written. The motion carried unanimously.

NON-PUBLIC SESSION/RSA 91-A:3 (E) – PENDING LITIGATION

At 4:02 pm, the Board entered into non-public session under RSA 91-A:3 (e) to discuss a pending litigation.

At 4:17 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Ms. Seavey, to seal the minutes from this non-public session. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Thibodeau, to resume the public session of the meeting. The motion carried unanimously.

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

- a. \$2,000 from the G. Sterling Grumman Grant for the Conservation Commission

Mr. Holmes explained that this was a grant award for the Conservation Commission for maintenance of the Lucy Brook Trail

Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$2,000 from the G. Sterling Grumman Grant for the Conservation Commission. The motion carried unanimously.

REQUEST FOR BUILDING PERMIT WAIVER

Mr. Holmes explained that he had received a request for a reduction of the building permit fees for the Vaughan Community Services renovation project.

There was confusion regarding whether the building permit was for a solar panel project or the entire new building construction and renovation.

Mr. Thibodeau moved, seconded by Mr. Porter, to table this discussion until more information was obtained in order to clarify the request. The motion carried unanimously.

DISCUSSION OF NEW SPECIAL EVENT PERMIT

Mr. Holmes explained that in the packet was the new and improved Special Event Permit Application. He stated that the Board could take time to look it over and see if they wanted to approve it at the next meeting.

Mr. Holmes explained that a few of the changes included a shortened version of instructions and a one size fits all approach regarding both events on public or private property. He stated that optional forms could be obtained depending on whether they applied to the specific event such as a tent, fireworks, a parade, or offsite advertising.

Mr. Holmes explained that they had also changed the requirements for the fire chiefs which now notifies the fire chiefs that they are responsible to inspect life safety items prior to the event.

It was determined that when this application was approved, it could be obtained on the Conway Rec website and Town Hall.

It was determined that the Board would vote on this at the next meeting.

DISCUSSION OF OLD REC CENTER OPTIONS

Mr. Holmes presented the Board with a write up of possible options for the old recreation center building. He did note that they cannot do anything with the building however until they find a new polling place.

Mr. Colbath and Mr. Weathers stated that they believe it should be sold.

Ms. Seavey stated she would like to see if become senior housing. She believes that it would be beneficial to contact Victoria Laracy to have a charrette.

There was discuss regarding whether density would be an issue for housing at that site.

Mr. Holmes added that 2 out of 3 of the Center Conway Commissioners had met and decided they would prefer to see the property be sold and get back on the tax rolls.

Mr. Colbath moved, seconded by Ms. Seavey, to look into options to sell the old rec center property. The motion carried (4-1-0) with Mr. Thibodeau in the negative.

Mr. Colbath inquired as to whether Mr. Holmes had talked with the school regarding using the school for a polling place.

Mr. Holmes explained that he had talked to Kevin Richard this week and Mr. Richard was 75% certain he could make the school work for voting in February, although he had some issues to work out.

DISCUSSION OF TUCKERMAN BREWING DATE CHANGE AND FEE REQUEST

Mr. Eastman explained that the Tuckerman Brewing Company had applied for a special event permit for their summer concert series earlier in the year. However, due to an illness in one of the bands, they had to

add a date to the series. Because the permit was being put before the Selectmen within 30 days of the event, the fee to be charged was \$200 instead of \$50. He noted that he was recommending that \$150 of this fee be waived due to extenuating circumstances.

Mr. Colbath moved, seconded by Ms. Seavey, to waive \$150 dollars of the permit fee for Tuckerman Brewing for their event on 8/10/2019. The motion carried unanimously.

Mr. Weathers stated that John and his crew did an exceptional job for the 4th of July festivities. Mr. Colbath also commended John and his staff.

Mr. Eastman stated that he believed it to go very well. He commended his staff and the coordination between the Police, Fire, and Emergency Response.

Mr. Eastman stated that all of the entertainment was local this year and it went really well.

Mr. Colbath moved, seconded by Ms. Seavey, to have the chairman sign a letter of commendation to Mr. Eastman, his crew, and the community regarding the 4th of July Festivities. The motion carried unanimously.

Ms. Seavey stated that this year was the best parade she has seen. Mr. Eastman added that they are planning to get the word out and recruit more businesses to participate in the parade next year.

Mr. Easton explained that things at the new recreation center were going well. He reported that they had unveiled the new gym to the kids and Sut Marshall the other day. They had named the gym the “Marshall Gymnasium” and Mr. Marshall was very honored.

They plan to have the grand opening on September 10, 2019.

Mr. Eastman wanted to say that this all could not have happened without the hard work of Mr. DegliAngeli.

Mr. Colbath stated that it is such a happy place. Ms. Seavey wanted to thank the town for bring that space back to life.

REQUEST FOR ABATEMENT OF PENALTIES AND INTEREST

Mr. Holmes explained that they had received a request from the owners of the Rite Aid property to waive the interest and penalty fees that they currently owe in the amount of \$868.77 He explained that Rite Aid had moved out of the property and did not inform the property owners that they had not paid the property taxes.

The Tax Collectors office had been instructed to send the tax bills directly to Rite Aid as it was a requirement of their lease to pay the taxes. Rite Aid did not forward these notices to the landlord.

Ms. Seavey stated that she believed it was the obligation of the landlord to make sure the taxes were paid. Mr. Colbath agreed.

Mr. Thibodeau stated that as a landlord, he understood how things like this could be overlooked. He added that the Town should notify the landlords when taxes are not paid. Mr. Holmes stated that this is done but it is not immediate.

Mr. Porter moved, seconded by Mr. Colbath, to grant the abatement of \$868.77. The motion failed (2-3-0) with Mr. Colbath and Mr. Thibodeau voting in the affirmative.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Cable TV Negotiation Agreement
- b. Permanent Application for Property Tax Credits/Exemptions Map/Lot 280-25

Mr. Colbath moved, seconded by Ms. Seavey, to sign the documents listed above in a. and b. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 7/11/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 7/11/19. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUTSIDE OF SESSION

- a. AP Manifest dated 6/27/19 and 7/4/19
- b. Payroll dated 7/4/19

Mr. Colbath moved, seconded by Ms. Seavey, to ratify the AP Manifest dated 6/27/19. The motion carried unanimously.

Mr. Colbath moved, seconded by Ms. Seavey, to ratify the AP Manifest and Payroll, both dated 7/4/19. The motion carried (4-0-1) with Mr. Porter abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Conway Area Humane Society Walk for Animals (9/21/19)

Mr. Colbath moved, seconded by Ms. Seavey, to sign the special event permit for the Conway Area Humane Society Walk for Animals on 9/21/19. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular Minutes from 6/18/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes from 6/18/19 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes explained that he and Paul DegliAngeli had met with the CFO from the Bank of New Hampshire and their engineers to discuss an issue regarding the reconstruction of a drainage problem. He stated that he believes they have come to an agreement on how to move forward.

Mr. Holmes explained that there was an issue with ownership in the area where they would need to pass through. It is their belief that the bank can take ownership by prescriptive easement and therefore move forward with the permit process. The goal is to break ground in September 2019.

Mr. Colbath moved, seconded by Mr. Thibodeau, for Mr. Holmes to look into whether a letter of support for this project from the Board to DES would be helpful. If so, they authorize the Chair to sign such letter on behalf of the Board. The motion carried unanimously.

Mr. Holmes reported that the new recreation center is up and running. He noted there are a few things still to be done like the completion of the AC system in the classrooms, but Mr. DegliAngeli has made this a priority. They are also waiting on the door to be completed.

Mr. Colbath inquired about the custodial contract. Mr. Holmes reported that they had offered the award to the low bidder who was also a local company.

Mr. Holmes reported that the application had been submitted for the solar farm permit at the transfer station.

Mr. Holmes explained that things seem to be going very well at Diana's Bath. He reported that he had hired a new attendant who was doing a great job. He also reported that because of the high temperatures, they had decided to hire a second attendant to split the shifts with her.

Mr. Holmes thanked the Chamber of Commerce for the brochures they had made regarding other possible locations for tourists to visit when Diana's Bath was busy.

Mr. Holmes explained they had received an inquiry from the forest service regarding a property owner who had underreported on whether the town was going to be applying dooamage. Mr. Holmes stated to the Board that the statute requires that the town applies the dooamage penalty.

Ms. Seavey asked Mr. Holmes to clarify the Town's position on the Way Station. Mr. Holmes stated that the Church had apprised the Town on their plan to create the Way Station. After the Planner and Code Enforcement Officer looked at the issue, they determined that this would fall under the mission of the church and therefore did not require further review.

BOARD REPORTS AND COMMENTS

Mr. Porter stated that the Planning Board was meeting on July 11, 2019.

Mr. Colbath stated that the ZBA had met regarding two properties, including a cell tower to be placed on the Morrill property.

Mr. Colbath stated that he Budget Committee had met for their quarterly updates on the school and town budgets. He noted that Lilli Gilligan and Thomas Holmes had been in attendance and did a great job.

Mr. Thibodeau stated that the Executive Board for the ESAA had met and they are moving forward with the new commercial hanger building.

Mr. Thibodeau noted that the airport had held their first Wings and Wheels event and it had been successful.

He noted that the ESAA Board would be having their quarterly meeting on July 11, 2019.

Ms. Seavey stated that the Economic Council had met and that there was interest in the land out behind of the building. She also noted that they are looking for a representative from Chatham to the council.

Mr. Weathers stated that the Conservation Commission would be meeting on July 10, 2019.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from The Conway Daily Sun stated that he had received an email from a man in Transvale that was concerned with the town cleaning up their lots in Transvale. Mr. Holmes stated that this individual had been issued a citation and he believed this to be a reaction to that. He added that they are constantly cleaning up the town lots.

Mr. Steer inquired about the progress on the Main Street Project. Mr. Holmes stated that he believes the plan is to open up bids for the work in March of 2020.

Mr. Steer inquired as to whether a person would need a special event permit for private property. Mr. Holmes explained that you would not if it was on residential property.

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

At 5:38, Mr. Colbath moved, seconded by Ms. Seavey, to go into non-public session under RSA 91-A:3 II (c) to discuss a tax matter. The motion carried unanimously.

At 5:50 pm, the Board returned to public session.

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

ADJOURN

At 5:50 pm, the meeting adjourned by the Call of the Chair.

Respectfully submitted,

Krista Day
Executive Secretary

