

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN  
September 1, 2020**

The Selectmen's Meeting convened at 4:05 pm in the Marshall Gymnasium in the Conway Recreation Center with the following present: 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 Allegiance to the Flag.

APPROVAL OF AGENDA

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

Mr. Weathers noted that they would be utilizing the Zoom Platform for this Meeting on a Call in Basis.

Phone Number: 1 646 558 8656 The correct meeting ID: 848 9146 7426

He also noted that they would be streaming the meeting live on our Facebook Page "Town of Conway, NH"

PUBLIC HEARING TO ACCEPT AND DESIGNATE A SPECIFIC PURPOSE FOR THE USE  
OF THE FOLLOWING UNANTICIPATED REVENUE:

- a. \$27,000 from the Stanton Foundation for the Conway Police Department K9 Program

Mr. Weathers opened the public hearing at 4:06 pm.

There was no public input.

Mr. Weathers closed the public hearing at 4:07 pm.

CONSIDERATION OF UNANTICIPATED REVENUE MORE THAN \$10,000/RSA 31:95-B

III

- a. \$27,000 from the Stanton Foundation for the Conway Police Department K9 Program

Lieutenant Mattei explained that they were requesting these funds be placed into the K9 Fund. He explained they had already purchased the canine and adapted a cruiser.

**Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$27,000 from the Stanton Foundation for the Conway Police Department K9 Program and place it in the K9 Fund. The motion carried unanimously.**

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

- a. \$1208.14 from State of NH for DUI/Distracted Driving patrols to be placed in the OT Officer line.

Lieutenant Mattei explained that this was received from the Highway Safety Grant and requested that it be placed in the overtime officer line.

**Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$1208.14 from State of NH for DUI/Distracted Driving patrols to be placed in the OT Officer line. The motion carried unanimously.**

DISCUSSION AND AUTHORIZATION FOR NHDOT RESURFACING PROJECT 42845

- a. Authorization for Chairman to Sign Municipal Work Zone Agreement for State Project 42845

Mr. Holmes explained that the State had notified them of a resurfacing project from the area of Burger King to the lights in Conway. They had not included a potential start date.

Mr. Colbath noted that their letter had said they would not advertise until November.

**Mr. Colbath moved, seconded by Ms. Seavey, to authorize Chairman Weathers to sign the Municipal Work zone Agreement for State Project 42845. The motion carried unanimously.**

DISCUSSION OF PETITIONED WARRANT ARTICLE REQUIREMENTS

Mr. Holmes explained that they had received an inquiry from Tri-County Cap regarding whether the Town would be requiring the 25 signatures for petitioned warrant articles this year due to COVID-19.

He explained that he had reached out to the Town Manager's list serv, but had not heard anything back.

Mr. Holmes was unsure it was even legal for the Selectmen to waive this requirement.

Mr. Porter believed that it should be done the way it always had.

Ms. Seavey stated that she did not think that 25 signatures was an overburden.

**Mr. Thibodeau moved, seconded by Mr. Porter, to make a formal statement that the procedure for submitting a petitioned warrant article remain the same as it has in the past, specifically requiring the 25 signatures of registered voters in Conway. The motion carried unanimously.**

Mr. Colbath stated that he wanted to make sure that for the NHDOT Resurfacing Project that they authorized Mr. Weathers as the authorized municipal official.

**Mr. Colbath moved, seconded by Mr. Porter, to designate Mr. Weathers as the authorized municipal official for the Town of Conway to allow him to sign the documents regarding the Resurfacing Projects #42845. The motion carried unanimously.**

#### DISCUSSION OF PUBLIC MEETING POLICIES AT THE MARSHALL GYM

Mr. Holmes explained that following the suggestion of Selectmen Colbath, he had drafted some policies regarding meetings in the Marshall Gymnasium, specifically related to COVID-19. He noted that he had called the NHMA attorney who had stated that they seemed adequate as written.

The policies were written as follows:

#### MARSHALL GYM PUBLIC MEETING POLICIES

- The Right-to-Know Law RSA Chapter 91-A PART I, ARTICLE 8 OF THE NH Constitution: Government ... should be open, ....
- SECTION 1 OF RSA 91-A: The purpose of this chapter is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people
- Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically, and these reasons shall be reflected in the minutes.
- The meeting shall be posted in at least two public places.
- A quorum shall be present either physically or remotely.
- The public will be provided physical access until such time as the Chairman declares that social distancing has become impossible and will limit attendance.
- Masks will be required in all hallways and areas where social distancing of six feet is not possible.
- Masks may be removed once an attendee is seated and socially distanced.
- The public will be able to watch the meeting live on the Town's face book page.
- The public will also be provided access to the meeting via Zoom and be able to make public comment if the Chair allows.
- The meeting shall be adjourned if the public is unable to access the meeting.

- All votes taken during meetings shall be done by Roll Call vote.
- If Board members are in remote attendance, they must state whether there is anyone in the room with them as required under the Right-to-Know law.

**Mr. Porter moved, seconded by Mr. Thibodeau, to adopt the policies above as written.**

The Board discussed that these would be posted on the website, at Town Hall, in the gym, and on the Town Facebook page.

Mr. Colbath questioned two of the policies regarding having the meetings on Zoom and the Town Facebook page.

It was discussed that the Board of Selectmen are the only group that always uses Zoom and the Facebook Live stream.

**Mr. Colbath moved, seconded by Ms. Seavey, to amend the policies to read as follows:**

#### MARSHALL GYM PUBLIC MEETING POLICIES

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- The meeting shall be posted in at least two public places.
- A quorum shall be present either physically or remotely.
- The public will be provided physical access until such time as the Chairman declares that social distancing has become impossible and will limit attendance.
- Masks will be required in all hallways and areas where social distancing of six feet is not possible.
- Masks may be removed once an attendee is seated and socially distanced.
- In regards to Select Board Meetings, the public will be able to watch the meeting live on the Town's face book page.
- In regards to Select Board Meetings, the public will also be provided access to the meeting via Zoom and be able to make public comment if the Chair allows.
- The meeting shall be adjourned if the public is unable to access the meeting.
- All votes taken during meetings shall be done by Roll Call vote.
- If Board members are in remote attendance, they must state whether there is anyone in the room with them as required under the Right-to-Know law.

**The motion to amend the policies carried unanimously.**

**The motion to adopt the amended policies carried unanimously.**

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Warrant for Land Use Change Tax on Map/Lot 272-6
- b. Municipality Land Use Change Tax Bill on Map/Lot 272-7

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the documents listed about in a. and b. The motion carried unanimously.**

CONSIDERATION OF BILLS

- a. AP Manifest dated 9/3/2020

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 9/3/2020. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

**Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the Payroll dated 9/27/2020 that was signed out of session. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 8/25/2020

**Mr. Thibodeau moved, seconded by Mr. Porter, to adopt the regular and non-public minutes from 8/25/2020 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Mr. Holmes stated that there had been a request to appoint Jonathan Hebert from Center Conway as an alternate to the ZBA.

**Mr. Colbath moved, seconded by Mr. Porter, to nominate Jonathan Hebert as an alternate to the ZBA. The motion carried unanimously.**

Mr. Holmes stated that they had received a letter from NHDOT denying the request for temporary lights at the intersection of Route 302 and East Conway Road. He added that they did not comment on the overhead lights.

Mr. Colbath noted that there was currently one light on the corner by Bryant's.

Mr. Holmes noted that they had submitted the Election Grant Agreement and it had been approved. He explained that this would help with extra election expenses due to the increase in absentee balloting.

Mr. Colbath noted that the new Town Hall did not have a flag pole. Mr. Holmes stated that they would be taking the old recreation center flag pole or would be in the market for a new one.

### BOARD REPORTS AND COMMENTS

Mr. Porter stated that the Planning Board had met the previous week.

Mr. Colbath explained that the ZBA would be meeting on September 16, 2020. He added that there were 11 hearings that had been deferred from the August meeting.

Mr. Colbath stated that the Budget Committee would be meeting on September 23, 2020.

Mr. Thibodeau explained that the ESAA had received the FAA grant for the new transient hangar.

Ms. Seavey explained that she was still working on getting the drop at Town Hall.

Mr. Weathers stated that the CCC would be meeting on Wednesday.

There was discussion regarding the upcoming election.

The polls would be open from 8:00 am – 7:00 pm at the Public Works Garage on September 8, 2020.

The Board will hold a brief meeting at the polls to appoint a Library Trustee.

### PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun stated that NHDOT had said that if they choose to do a traffic light instead of a roundabout at the intersection of East Conway Road and Route 302, it could be done 2 years earlier. Mr. Steer wanted to know if the Board had a preference.

Mr. Holmes explained that it is his belief that the State is going to do what they think is best after they do all of the studies.

Mr. Steer inquired as to what was going on with the old recreation center.

After permission from the Board, Mr. Holmes explained that they had testing done at the old recreation center and it was discovered that there were numerous cases of asbestos. The next step was going to be notifying the parties that had shown interest in the property with these results.

Mr. Colbath noted that work had begun on the stage in the Marshall Gymnasium.

**At 4:37 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (D). The motion carried unanimously**

NON-PUBLIC SESSION RSA 91-A:3 II (D) -CONSIDERATION OF THE ACQUISITION,  
SALE, OR LEASE OF PROPERTY

At 5:00 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 5:00 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day  
Executive Secretary