

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
February 23, 2021**

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room at the New Town Hall 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

Under Signing of the Documents, Mr. Weathers stated that they would be adding the following:

- k. Notice of Intent to Cut Wood or Timber on Map/Lot 202-188

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

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

- a. \$300.00 from Anonymous Donor for the Buckets of Love Project

Mr. Holmes explained that Ms. Parker had received an anonymous donation towards a new program she was starting called Buckets of Love.

Buckets of Love provides small gifts and necessities to those who are identified by a service provider to be in need.

He stated that this program will be privately funded, not funded through the Town.

Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$300.00 from Anonymous Donor for the Buckets of Love Project.

Ms. Seavey stated that it is a nice thing and people can also look into donating.

Mr. Colbath stated that people need to be careful with things coming in due to the pandemic.

The motion carried unanimously.

DISCUSSION OF PUBLIC RESTROOMS

Mr. Holmes explained that a few of the Selectmen had requested that a decision be made regarding the public bathrooms in North Conway sooner rather than later.

However, he noted that he has a request in to NHMA regarding the ability of the Selectmen to sign into a multi-year lease without going to the voters. He noted that they may only have the ability to enter into a one-year lease.

Mr. Holmes explained that they plan on using the parking fee revenue to fund the bathrooms. He stated that they have someone who is offering a space to lease and will also cover the up-front cost of the renovation.

He stated that if the Board instructs him to move forward with this, he will.

Ms. Seavey asked about the lease at the transfer station/landfill and whether they needed to go to the voters for that. Mr. DegliAngeli confirmed that they did go to the voters because it was a multiyear lease.

Ms. Seavey explained that she is very much in favor of the bathroom location in the village and believed they should move forward with the opportunity they have. She believes that the parking fees will be successful in creating revenue. She added that she is concerned about the lease situation, however, it would be less expensive than building a building of their own.

Ms. Seavey stated that they cannot keep putting this off. She stated that she is not in favor of portapotties anywhere in North Conway Village and it does not look like the stores in the village are going to come forward to assist with this.

Ms. Seavey stated that they are missing an ideal opportunity to work with Joe Berry and Sheila Duane to finance the renovation and pay them back over the lease term.

Mr. Colbath stated that he agreed with Ms. Seavey. He noted that he wished they could have worked with the Fire Station and created a public bathroom there.

It was stated that it was too late to get anything on the warrant for this year.

Mr. Weathers asked what would happen if they fall short on parking revenue.

Mr. Holmes projected that assuming 40% occupancy, they could gross approximately \$200,000 a season, but this did not include hiring attendants.

Mr. Weathers stated that he was not in favor of making a decision before going to the voters due to the uncertainty.

Mr. Porter stated that he agreed with Ms. Seavey and Mr. Colbath and believed they had a golden opportunity.

It was stated that it was unknown if Mr. Berry would be willing to do a one year lease.

Ms. Seavey stated that she would like to have an answer about the length of lease they would be able to sign.

There was a discussion regarding the piece of property behind the ski museum.

Mr. DegliAngeli stated that they had designed a 30 foot by 30-foot building for that location years ago, and using today's current building cost of \$220 a square foot, they would be looking at around \$200,000.

Mr. Eastman stated that the availability of portable bathrooms is becoming more limited.

He noted that during the baseball season, they had always put two units for the children and their families to use.

Mr. Eastman stated that he does not believe the demand for toilets is going to go down, and they have been talking about public restrooms for years.

Ms. Seavey stated that if the voters see it working for a year, she believed they would be positive about it moving forward.

Mr. Eastman stated that the location would be good because of its proximity to Schouler Park.

Mr. Porter stated that they should keep the two portapotties for the sports teams, but need long term public bathrooms for the village.

Ms. Seavey noted that they could also explore the option of pay as you use toilets.

Mr. Colbath stated that they should move ahead for one year and that the Selectmen need to do what is best for the people of Conway.

Mr. Thibodeau moved, seconded by Mr. Porter, to direct staff to continue negotiations with Mr. Berry and bring back thoughts on possible ramifications of a one-year lease.

Mr. Porter moved, seconded by Mr. Porter, to amend the motion as follows:

To direct staff to continue negotiations with Mr. Berry.

The motion to amend carried unanimously.

Mr. Colbath stated that they should have had it on the warrant this year.

Mr. DegliAngeli stated that Mr. Berry's son was suggesting a lease term of \$1,500 a month, but that this did not include the cost of the renovation which they would like to have paid back in ten years time.

Mr. DegliAngeli stated that the lease term did not include operating costs.

Mr. Thibodeau suggested looking into building off the back of the ski museum and condominiumizing it so that the Town could have its own utilities.

There was discussion on the confusion on who owns the land.

Ms. Seavey stated again that she does not want to see portapotties anywhere in the village.

Mr. Colbath stated he believes the staff understand that this is a priority to move forward.

The amended motion carried unanimously.

BY-PATH PROJECT UPDATE

Mr. DegliAngeli noted that in the Board's packets was a letter he had written to the State on February 18 regarding the lack of communication on NHDOT project #41755. He noted that after five months, they still have no direction and cannot move forward with the by-path project.

Mr. DegliAngeli stated that this lack of communication was unprecedented.

He explained that at the last meeting the Board had authorized Chairman Weathers to sign a letter to Executive Councilor Kenney asking for assistance with this matter. He read the letter aloud.

Mr. DegliAngeli noted that at this time he was just keeping the Board informed that they were going to take a political route.

DISCUSSION OF THOMPSON ROAD CULVERT

Mr. DegliAngeli explained that they have had in the infrastructure capital reserve plan to complete the Thompson Road culvert for several years. He noted that the design has evolved and DES regulations have changed which has increased the cost. We have had the infrastructure cap plan for this culvert for several years. The cost is going up. Design has evolved DES regs have changed and added additional cost.

Mr. DegliAngeli explained that in the design that they received from HEB today, they are requiring a relocation of the sewer because the revised stream bed will only be one foot above the current sewer pipe location.

The North Conway Water Precinct would like the pipe to go around the bridge. When Mr. DegliAngeli asked if North Conway planned to put an article on their warrant to fund this, they stated that they do not have the funds at the moment, and they have postponed their Town Meeting until May.

Mr. DegliAngeli stated that it is his belief that the North Conway Water Precinct should fund this, but was looking for the opinion of the Board.

Mr. Porter stated that he believed the precinct should shoulder the cost.

Mr. Thibodeau asked if there was expressed written permission to put the pipe in the right of way. Mr. DegliAngeli stated that it would go back to the charter.

Mr. DegliAngeli explained that they cannot get the culvert permitted with the pipe in the current location because of the close proximity of the stream bed to the pipe.

Mr. DegliAngeli stated that they need to formally request that North Conway fund the sewer work.

Mr. Thibodeau asked if they could feasibly and legally ignore the request to move the sewer line.

Mr. DegliAngeli stated that it would not meet best management practices and guidelines.

Mr. Thibodeau moved, seconded by Mr. Colbath, to direct Mr. DegliAngeli to approach the North Conway Commissioners to ask them to fund the sewer work on Thompson Road. The motion carried unanimously.

Mr. DegliAngeli noted that this project was a \$500,000 project and the sewer work was \$50,000.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- b. Notice of Intent to Cut Wood or Timber on Map/Lot 240-16
- c. Notice of Intent to Cut Wood or Timber on Map/Lot 202-188

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 2/25/2021
- b. Payroll dated 2/25/2021

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 2/25/2021. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 2/18/2021
- b. 2021 Deliberative Warrant
- c. Notice of Intent to Cut Wood or Timber on Map/Lot 269-56

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the documents signed out of session listed above in a., b. and c. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)\

(none)

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 2/9/2021
- b. Regular Minutes from 2/16/2021

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes listed above in a. and b. as written. The motion carried unanimously.

TOWN MANAGER REPORT

Interim Town Manager Paul DegliAngeli explained that they were planning to move the remainder of the departments to the New Town Hall during the week of March 15, 2021. While they were still putting

together the logistics for the actual move, they may advertise that the Town Clerks Office will be closed for part of the week as they have to move the phones and internet over from the old building.

Mr. DegliAngeli noted that the timeline was weather dependent.

Mr. Holmes explained that he had been contacted by Primex to discuss the parking fee plan because it potentially could create a recreational liability issue if they charge to access sites. However, he explained to them that they are only charging for parking, not to access the sites. Primex was pleased with this answer.

Mr. Holmes stated that three people had stepped forward regarding the potential historic commission.

Mr. Holmes explained that in the Deliberative Meeting Packet, they would see that currently, the tax impact of the current proposed budget, capital reserves, and warrant articles would be \$1.11. He added that last year they were able to reduce the tax rate by a dollar, so they are essentially playing catch up with the warrant articles that were voted down last year.

Mr. Holmes noted that this tax rate was based upon the assumption that the Board used \$500,000 against the tax rate this fall, and also the assumption that there is no increased tax base.

BOARD REPORTS AND COMMENTS

Mr. Thibodeau explained that the hangar project at the airport was moving forward, but may experience a 60–90-day delay because they cannot get the steel building.

Ms. Seavey stated that the Economic Council was meeting the next day.

Ms. Seavey stated that there was a group of people who are interested in getting holiday décor into Conway Village. She noted that they had reached out to the Preservation Association to see if they could use any of the money that was previously intended for the pavers in Conway Village, but they had not heard back yet.

Ms. Seavey stated that this was just the beginning, but she was very excited about it.

Mr. Colbath stated that the Budget Committee would not be meeting together again until Deliberative Town Meeting.

Mr. Colbath stated that the ZBA had met the previous week.

Mr. Colbath wanted to again discuss the issue of the Historic Commission. He explained that he had several people approach him about the commission. He added that they need to find out what they have to do to have a commission that has some authority instead of the previous committee that was strictly advisory.

Mr. Porter stated that he would like staff to find out the answers to these questions. He noted that he would get in contact with Mr. Rancourt.

Mr. Porter noted that the Planning Board would be meeting on February 25, 2021.

Mr. Colbath asked Mr. DegliAngeli about if there had been a traffic study for the proposed hotel project in Intervale.

Mr. DegliAngeli explained that they had a Zoom meeting with NHDOT. They are looking to see if there is a reason to reevaluate their driveway permit. He noted that they were not aware that the motel was going from 18 rooms to 100 rooms and also having a restaurant built.

They are waiting to receive a response.

Ms. Seavey asked if the Historic Commission would be a Town Board. Mr. DegliAngeli stated that he believed that this would be the way to go.

Mr. Weathers summarized a dredge and fill application on the Saco River by the bend at the Scenic Overlook to prevent erosion.

Mr. Colbath noted that Wednesday, March 3, 2021 would be the School Portion of the Deliberative Town Meeting.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun asked if they could abate taxes for Mr. Berry in lieu of a lease. Mr. Holmes stated that they could not.

It was clarified that they had not discussed charging for bathroom usage but the Board was open to discussion.

Mr. Steer asked if Ms. Seavey would be the point person for the holiday decorations in Conway Village. Ms. Seavey stated that for now she would be.

There was discussion about whether the bathroom issue could be brought up at Deliberative Town Meeting. Mr. Colbath stated that historically Town meeting is not well attended, and things that are not posted on the warrant should not be brought up.

Mr. Holmes did state that if a tax payer wanted to bring it up, they could.

Mr. Steer asked if any work had been started on the by-path. Mr. DegliAngeli stated that nothing has been done as they were not given approval advertise for bid and had not heard from the State yet.

Mr. Steer asked whether they were interested in offering hourly parking. Mr. Colbath stated that this was the first year and they would be open to looking at more options later.

ADJOURN

At 6:38 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary

