

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
November 22, 2022**

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 John Eastman, and Executive Assistant, Krista Day.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers explained that they would be adding two items:

11a. Signing of the Master Plan Contract with SE Group

11b. Intent to Cut Wood or Timber on Map/Lot 223-33

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

PUBLIC HEARING TO REVIEW THE PROPOSED CARROLL COUNTY
COMMUNICATIONS DISTRICT AGREEMENT

Mr. Weathers opened the public hearing at 4:02 pm.

Consultant for the Communications District Planning Committee Matthew Plache appeared before the Board.

He explained that there are currently 14 towns involved in the Proposed Carroll County Communications District.

Mr. Plache explained that the Planning Committee had been tasked to explore forming a Communications District pursuant to NH RSA 53-G for the purpose of facilitating deployment of high-speed broadband internet communications throughout Carroll County.

He explained that the proposal would be to have a governing board made up of 1 representative from each Town to run the district.

The purpose of the district would be to facilitate state of the art symmetrical broadband service to everyone.

By statute, the district itself would be a municipal entity, however, they would be prohibited from incurring debt to the Towns or raising taxes.

The district would allow for private/public partnerships and obtaining grants.

District itself will be a municipal entity by statute.

Prevents the district from incurring debt to the towns

Will not be able to raise taxes

Facilitate with working with a private partner, raise money through grants

Issue revenue bonds

Grant agencies would rather to deal with a large entity

Negotiate with private partners

Legislative body has to vote at town meeting

Language of the warrant

The language of the warrant article would read as follows:

Shall the Town of Conway accept the provisions of RSA 53-G:1-RSA 53-G:11 providing for the establishment of a communications district, together with the municipalities of Albany, Brookfield, Chatham, Eaton, Effingham, Freedom, Hales Location, Harts Location, Madison, Moultonborough, Ossipee, Tamworth and Tuftonboro in accordance with the provisions of the proposed agreement filed with ????

Mr. Plache noted that Towns would also have the ability to withdraw from the District.

It was determined that the Committee would like to see this as a Selectmen's Warrant Article.

Daymond Steer from the Conway Daily Sun asked how much this agreement would help Conway.

Mr. Plache noted that the residents of the Town would need to determine through their vote whether they believe this is needed in Conway.

Mr. Weathers closed the public hearing at 4:14 pm.

DISCUSSION OF CONWAY INFORMATION BOOTH BANNER

Janice Crawford appeared before the Board to request that Better Homes and Gardens Real Estate be allowed to hang a banner to recognize them for their hard work in painting the information booth.

Mr. Colbath explained that they have discussed in the past that they want to make sure all non-profits have a chance to request to hang banners/signs.

He noted that at this time, he did not know of anyone else who had interest so he would be amenable to this request.

Ms. Seavey agreed with Mr. Colbath and thanked Better Homes and Gardens Real Estate for their work.

Mr. Thibodeau moved, seconded by Ms. Seavey, to allow for Better Homes and Gardens Real Estate to hang a standard size banner at the information booth property for 30 continuous days at their convenience. The motion carried unanimously.

BUDGET REVIEW

a. Assessing

Contract Assessor Mary Beth Walker and Ms. Corie Hilton Appeared before the Board.

Ms. Walker noted that the budget was up 43% for two reasons.

The first reason was for equipment and maintenance as the Assessing computers are scheduled to be replaced.

The second reason was that the Board needed to decide whether or not to carry out a revaluation in 2023 instead of 2024 and move the Assessment Review to 2023 as well.

If done in 2023, the next revaluation would not be until 2028.

Ms. Walker explained that doing the revaluation in 2023 would gain revenue for the Town through utilities.

Mr. Colbath moved, seconded by Mr. Porter, to go forward with a revaluation in 2023. The motion carried unanimously.

b. Parking Program

Mr. Eastman explained that Public Works Director Andrew Smith has been working on a plan so you choose to do this.

Mr. Eastman stated that the Parking Division would be its own department under the Public Works Department.

Mr. Smith stated that the Parking Division would take over the recreation parking sites as well.

He explained that the initial proposed budget of \$242,000, which consisted mostly of wages and the first year start up costs of the kiosks, signage, etc.

Mr. Smith explained that the plan would be to charge for parking in the approximately 480 spaces from Depot Street to River Road.

He stated that the majority of spaces would be set up to be “pay by app” which allows for people to add more time from wherever they are instead of having to walk back to the car.

He added that the plan was for at least two physical kiosks as well which cost about \$8,000 each.

The plan was to charge two dollars an hour with no limits on how long you can park in one spot. The hours of enforcement/paid parking would be from 9:00 am to 5:00 pm on Monday through Saturday and 12:00 pm to 5:00 pm on Sunday.

Mr. Smith noted that there has been some thought to having a few 15 minute spaces that would not require payment.

Mr. Smith stated that the plan would also be to have locals be able to park at the recreation sites for the year by uploading their license plate number through a registration process.

He added that they are looking at a plan for employees to be able to utilize the municipal lots to park for free but no details were available at this time.

Mr. Smith stated that if enforcement ended at 5:00 pm, locals who needed to park for sporting events would be able to do so without paying.

On the enforcement side of things, tickets would be 30 dollars which he hopes would reduce the number of appeals that come across the Town Manager's desk.

He also added that tickets could be paid online.

In terms of projected revenue, based on spaces at 50% occupancy, Mr. Smith projected approximately \$750,000 in revenue.

Mr. Smith explained that they were looking at allowing employees to park at Depot, Whitaker Woods, and perhaps another municipal lot.

Mr. Weathers stated that there aren't many towns that he knows that don't have paid parking.

He added that in the past, there were in fact meters in North Conway Village.

Mr. Weathers highlighted the potential revenue stream that this could bring to help offset taxes.

c. Building Department Expansion

Mr. DegliAngeli explained that due to a proposed building department expansion, the proposed budget had a 57% increase.

Mr. DegliAngeli stated that over the last 7 years, there has been much discussion about the need for residential building inspection.

It is staffs' impression that the time has come to implement two new programs; residential building inspection and short term rental registration.

Mr. DegliAngeli explained that in 1999, they hired an Assistant Building Inspector.

Shortly after, the Building Inspector resigned and Mr. Pandora took over as Building Inspector.

However, they never hired another Assistant Building Inspector until just last year.

After tracking data, it seems that the Code Enforcement portion of the job is taking up 70% or Mr. Gibbs time.

The proposed plan would be to add staff to do the inspections and have a full time code enforcement officer as well who would be responsible for short-term rental regulation.

Mr. DegliAngeli explained that it has been Staffs' interpretation that the Board is ready to embark on residential building inspection and begin short-term rental regulation.

Mr. DegliAngeli summarized to say that the revenue projections would exceed the net increases in the budget.

He explained that if they had made these changes over the last year, after looking at the numbers, they would have generated over a million dollars in revenue.

He also added that the Planning Board is looking to propose a moratorium on short-term rentals which would mean those in existence now would be grandfathered but able to be regulated.

d. Parks and Recreation

Recreation Director Mike Lane explained that the Parks and Recreation proposed budget was up 4.49%.

The main increases were in electric costs and wages.

e. Patriotic Purposes

Mr. Lane noted that the proposed Patriotic Purposes budget was level funded.

f. Rec Revolving

Mr. Eastman explained that the Recreation Revolving Fund is where all of the fees that are generated from fee based programs are put.

He noted that at the end of the year, the Selectmen transfer funds from the Rec Revolving Fund to the Parks and Rec Budget to offset things such as summer camp staff wages.

Mr. Colbath wanted to mention that there are a lot of adult programs offered at the Rec including trips, pickleball, fitness programs and kickball.

Mr. Weathers opened up the meeting for comments regarding the proposed parking program.

Peter Edwards, Co-Owner of Zebs appeared before the Board.

He stated that North Conway Village is a vital part of the Valley.

He noted that he believed there has been a lack of transparency from the Town and there are huge amount of questions.

He was concerned about confusing people.

Mr. Edwards explained that people are going to make choices about where they go depending on if they have to pay to park.

He added that this would be detrimental to the business community.

He called the parking program absurd and unfair.

Brian Solomon appeared before the Board on behalf of the owner of the Conway Scenic Railroad.

He explained that the railroad strongly urges against this plan.

He believed that there will be unintended consequences.

Mr. Solomon said the Town should really be creating more parking and they should look at underground parking.

Laura from White Birch Books appeared before the Board.

She stated that this plan would put a lot of undo stress on the private lots that exist in Town.

She noted that she did not believe people would return to Town if they have to pay. \

She noted that Lincoln and Concord only charge a dollar and many tourist communities offer shuttles from free parking areas.

Rebecca Gardner appeared before the Board.

She noted that it has been very interesting to hear what the business community has to say but also that this program is worth looking into.

She suggested forming a committee.

Wally Campbell appeared before the Board on behalf of the Valley Originals and all of the independent businesses.

He was concerned about the slow decline in small mom and pop stores and stated that this parking program will be the nail in the coffin for them.

Rene Bajger from Beggars Pouch appeared before the Board.

She stated that she had moved to the Village because it was the heart of the Valley.

She noted that it seems like other Towns protect their historic districts more and there seemed to be an inequity since they were not looking to charge for all parking in Town, just in North Conway Village.

Shawn Bergeron appeared before the Board.

He expressed his concern regarding the cell service in Town and the likelihood of something going wrong when everyone is trying to use the parking app.

He also questioned if the Town had the right to generate revenue on State Roads.

Mr. Bergeron believed that if the goal is to create revenue, they should talk to legislators to work to manipulate the percentage of Rooms and Meals Tax is returned to Conway.

Michelle Cruz from the Chamber of Commerce stated that there were some concerns from the Gibson Center regarding having to monitor their parking lot and they would like consideration to be given for those with mobility issues.

Brendan Battenfelder appeared before the Board on behalf of Badger, Peabody and Smith Real Estate.

He explained that if all of their 23 agents were in the building as they often are, they would take up the majority of the HEB parking lot.

He also added that there are some safety concerns because right now, the agents meet with clients first at the office.

Charging for parking in his mind will lead to agents meeting strangers at the properties.

Mark Hounsell appeared before the Board for getting around to looking at this excellent idea of paid parking.

He explained that the elderly in Town are struggling with their taxes.

Mr. Hounsell noted that he found it curious that most of the people in opposition to this program were the same people who were eager to spend a half a million dollars on public bathrooms.

He added that other people in Town would be beneficiaries of this program.

Peter Gagne appeared before the Board in favor of the program.

He suggested maybe only having meters on the main street and not on the side streets so employees could park.

Mr. Gagne also added that he believed that Davis Park should be hourly parking instead of a 20 dollar a day fee.

Alec Tarberry from the Berry Companies appeared before the Board.

He explained that he had met with Town Staff the previous week with Sheila Duane and that a lot more time has gone into this proposal than most realize.

He expressed concern on having signs for every parking space.

He stated that he believed tourists will still come, but this program will hurt Valley locals.

He added that there are 500 to 600 employees that would need to park a day.

He suggested that the Town start slow and start by enforcing the 2 hour limits that are in place now.

Mr. Smith stated that the Town has no more land to create parking lots so that would need to be something figured out with other land owners.

ADOPTION OF ACCOUNTS RECEIVABLE POLICY

The Board reviewed the policy.

Mr. Porter moved, seconded by Mr. Colbath, adopt the Accounts Receivable Policy as written. The motion carried unanimously.

ADOPTION OF ACCOUNTS PAYABLE POLICY

There was discussion regarding the need to amend the process of uploading invoices to add that it will be done by Department Heads or the Finance Department.

Mr. Porter moved, seconded by Mr. Colbath, to adopt the accounts payable policy as amended. The motion carried unanimously. Porter, Colbath with amendments

DISCUSSION OF ESTIMATED TAX RATE/USE OF FUND BALANCE

Ms. Golding explained that the DRA recommends that the Town retain between 5-17% of the total budget in unreserved fund balance.

She noted that we do not have a tax rate at this time, however, they need to decide how much, if any, of the unreserved fund balance to use to help offset the rate.

She explained that if they choose to use \$500,000, the estimated increase over last years tax rate will be about 43 cents.

If the Board chooses to use \$750,000, the estimated increase over last years tax rate will be about 29 cents.

Finally, if the Board chooses to use \$1,000,000, the estimated increase over last years tax rate will be about 15 cents.

Mr. Porter moved, seconded by Mr. Colbath, to use \$1,000,000 in unreserved fund balance towards lowering the tax rate. The motion failed with Mr. Thibodeau, Ms. Seavey and Mr. Weathers in the negative.

Mr. Colbath moved, seconded by Ms. Seavey, to use \$750,000 in unreserved fund balance towards lowering the tax rate. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Master Plan Contract with SE Group
- b. Intent to Cut Wood or Timber on Map/Lot 223-33

Mr. Colbath moved, seconded by Ms. Seavey, to authorize the Chairman to sign the Master Plan Contract with SE Group. The motion carried unanimously.

Mr. Colbath moved, seconded by Ms. Seavey, to sign the document listed above in 11b. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 11/24/2022

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 11/24/2022. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes from 11/15/22

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes from 11/15/22 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Eastman stated that letters to Santa at the Recreation Center was going to be on December 3, 2022.

He noted that the wreath also went up today at the Recreation Center.

Mr. Eastman explained that they had moved the Election Recap to the December 6, 2022 meeting so that Ms. Inkell could attend.

BOARD REPORTS AND COMMENTS

Ms. Seavey noted that she had talked with Amy Snow and they would be putting up some flags on every other pole in Conway Village.

Mr. Colbath stated that the Budget Committee would be meeting on December 14, 2022.

He noted that the ZBA had met the previous week.

Mr. Colbath stated that they had voted to deny Leavitts Bakery appeal for a rehearing.

He also noted that they had granted the Market Basket Sign.

Mr. Colbath stated that there was much discussion regarding the outdoor kennels at Conway Area Humane Society.

Mr. Porter stated that the Planning Board had met the previous week to work on the proposed moratorium.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Shawn Bergeron appeared before the Board.

He noted that the building department has been undersized and understaffed for 30 years.

He asked Mr. DegliAngeli if they are looking for the increase in building permit fees to cover the expenses of the department or to generate revenue.

Mr. DegliAngeli explained that they have taken two approaches.

They looked at what they think each effort would take in terms of hours and also looked at what comparable communities are charging.

They want to ensure that the cost is going to the people who are doing the building and not to the other taxpayers.

Mr. DegliAngeli noted that currently, commercial building permit costs are based upon estimated value and residential building permit fees are based upon square footage.

Mr. Bergeron asked what the required credentials would be for those working in the building department.

Mr. DegliAngeli stated that they will be budgeting for training as they do not know what certain credentials that those who are applying will have.

Mr. Smith asked if the Board had any questions or thoughts on the parking presentation.

Ms. Seavey and Mr. Weathers expressed concern over the price of two dollars an hour.

Mr. Thibodeau stated that he believed they would need more kiosks as he was not a fan of the apps.

He stated that he did not believe that the program would drive business away.

Mr. Thibodeau stated that they would need to develop policy.

Mr. Colbath stated that people underestimate the ability of older people to use technology.

He stated that this would be a trial and error and would need tweaking as it goes along.

Mr. Thibodeau said that they are looking at this program in order to pay for the amenities for both visitors and locals.

Mr. Colbath stated that he wished the business community was as enthusiastic about helping to solve the bathroom issue as they are about parking.

Ms. Seavey told Mr. Smith he did a great job.

Daymond Steer from the Conway Daily Sun informed the Board that he had heard from Executive Councilor Joe Kenney that there was more ERAP money on the way.

At 7:00 pm, Mr. Colbath moved, seconded by Mr. Porter, 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 ACQUISITION, SALE
OR LEASE

At 7:30 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Thibodeau, to seal the minutes from this non-public session as divulgence of the information would render the proposed action ineffective. The motion carried unanimously.

ADJOURN

At 7:30 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary