

WARRANT ARTICLES – 2024 TOWN MEETING
CONWAY TOWN WARRANT
STATE OF NEW HAMPSHIRE

To THE INHABITANTS OF THE TOWN OF CONWAY, County of Carroll, in the State of New Hampshire, qualified to vote in Town affairs:

You are hereby notified that voting on all Articles shall take place by ballot on Tuesday, April 9, 2024 at the Town Garage, 1611 East Main Street, Center Conway, NH. The polls shall open for balloting at 8:00 am, or as soon thereafter as the Moderator calls the Meeting to order, and shall close at 7:00 pm.

ARTICLE 1: To choose all necessary officers.

For SELECTMAN

Three year term – vote for not more than two

John D. Colbath
Jac Cuddy
Dale A. Drew
Kaleb Lowe
Steven Porter
C. David Weathers
Write-in _____
Write-in _____

For POLICE COMMISSIONER

Three year term – vote for not more than one

Andy Pepin
Write-in _____

For TOWN CLERK/TAX COLLECTOR

Three year term – vote for not more than one

Louise Inkell
Write-in _____

For TOWN TREASURER

Three year term – vote for not more than one

Michael S. King
Write-in _____

For LIBRARY TRUSTEE

Three year term – vote for not more than three

Cheryl Furtado
Andrea Libby
Christopher H. Wong
James Cousins
Write-in _____
Write-in _____
Write-in _____

For TRUSTEE OF THE TRUST FUND

Three year term – vote for not more than one

Jean A. Simon
Write-in _____

For TRUSTEE OF THE TRUST FUND

Two year term – vote for not more than one

Write-in _____

For SUPERVISOR OF THE CHECKLIST

Six year term – vote for not more than one

Write-in _____

For BUDGET COMMITTEE

Three year term – vote for not more than four

Wryan J. Feil
Bob Drinkhall
Write-in _____
Write-in _____
Write-in _____
Write-in _____

For PLANNING BOARD

Three year term – vote for not more than two

Benjamin Colbath
Erik Corbett
Nat Lucy
Raymond Shakir
Steven H. Steiner
Write-in _____
Write-in _____

For PLANNING BOARD

One year term – vote for not more than one

Ted Phillips
Write-in _____

ARTICLE 2: Shall the Municipality approve the Charter recommended by the Charter Commission?

1. Changes Conway's form of government from SB2 to an Official Ballot Town Council.
 - a. SB2 allows for a deliberative session and a separate day to vote on warrant Articles. In this Official Town Council proposal, these meetings are retained.
2. Converts the five member Board of Selectmen into a seven member Town Council.
3. Reduces the current seventeen member Budget Committee to thirteen.
4. Converts the Zoning Board of Appeals from appointed to elected positions.
5. Requires that the Town create a ten year Capital Improvement Plan.
6. Voters retain control of the annual Budget, capital reserves and zoning Articles.
7. Voters still weigh in on Union Contracts.
8. Voters keep the right to petition.
9. The Town Council is given the tools to reduce the size of the warrant.
 - a. By being able to combine capital reserve accounts into a single Article.
 - b. Grants the Council limited bonding authority.
 - i. Requires a vote of 5 out of 7 Councilors.
 - ii. Capped at \$2 million.
 - c. By being able to incorporate non-profit requests into the Budget.
 - i. If the requests have been approved by the voters for three years running.
 - ii. And if there is no increase in the requested amount.
 - d. The Town Council is given the authority to accept roads that meet Town standards
10. Requires the Town Council to meet with the Chairs of all Boards, Commissions and Committees annually.
11. Places a Planning Board member on the Conservation Commission as "ex-officio" (non-voting).

Not Recommended by the Board of Selectmen (1-1-3). Not Recommended by the Budget Committee (4-8-2).

ARTICLE 3: To see if the Town will vote to adopt an ordinance establishing a temporary Town-wide moratorium, to be in effect for one year from April 24, 2024 through April 23, 2025, stopping the issuance of building permits (Chapter 23), granting of subdivision approval (Chapter 130), and granting of site plan approval (Chapter 110) for hotels, motels, resort hotels, and commercial structures greater than or equal to 50,000 occupiable square feet, not including multifamily residential structures. This ordinance shall not apply to any Project or work that (a) has already received all necessary approvals, (b) received conditional approval, (c) that does not require any new or additional Planning Board or Zoning Board application or review, and (d) consists of reasonable repair or restoration necessitated by any natural disaster, Act of God, or loss covered by insurance.
Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 4: To see if the Town will vote to adopt amendment No. 1 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding the definition of Charitable Gaming Facility as follows: "A facility conducting Games of Chance for the benefit of nonprofit organizations which engage in any game involving gambling or lottery prohibited by RSA 647:1. Facilities are required to be licensed by the State of New Hampshire pursuant to RSA 287-D:7, excluding halls owned by any Charitable Organization or governmental subdivision and shall meet Administrative Rules of Chapter Lot 7200, Games of Chance."
Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 5: To see if the Town will vote to adopt amendment No. 2 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Charitable Organization as follows: "A bona fide

religious, charitable, civic, Veterans', or fraternal or church organization, including police and firemen's organizations which shall have been registered with the Secretary of State for at least 2 years. A charitable organization shall not include auxiliary units, committees, or other entities organized under the auspices of a charitable organization eligible for State of New Hampshire licensure, when such auxiliary unit, committee, or other entity is organized for the primary purpose of conducting games of chance."

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0).**

ARTICLE 6: To see if the Town will vote to adopt amendment No. 3 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Sports Betting Facility as follows: "A facility licensed by the State of New Hampshire which conducts Sports Wagering as authorized by RSA 287-I. Sports Betting facilities include Sports Book Retail locations and Mobile Sports Waging.". Proposed by the Planning Board.

Recommended by the Planning Board (6-0-0).

ARTICLE 7: To see if the Town will vote to adopt amendment No. 4 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Commercial Bingo Hall as follows: "Any hall owned or leased by an individual, corporation, realty Trust, partnership, association, or any other person who rents or leases the hall to a charitable organization for the operation of bingo or Lucky 7 games, excluding halls owned by any charitable organization or governmental subdivision."

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0).**

ARTICLE 8: To see if the Town will vote to adopt amendment No. 5 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Game of Chance as follows: "Any game involving gambling as defined by RSA 647:2, II, 17 or any lottery prohibited by RSA 647:1, but shall not include any game involving the use of a slot machine or any other device in the nature of a slot machine, 50/50 raffles as defined in RSA 19 287-A:1, III, or ice-out contests as defined in RSA 287-D:1, VI."

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 9: To see if the Town will vote to adopt amendment No. 6 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Gambling as follows: "Games involving a risk of value upon a future contingent event not under one's control, upon an agreement or understanding that something of value will be received in the event of a certain outcome."

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 10: To see if the Town will vote to adopt amendment No. 7 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Casino as follows: "A non-charitable facility whose principal use is for the conduct of games of chance and/or gambling."

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 11: To see if the Town will vote to adopt amendment No. 8 to Chapter 190 (Zoning) of the Municipal Code of Conway to amend §190-31 regarding definition of Commercial Amusement Facility as follows: "Any commercial use which offers for hire or to the general public access to structures, vehicles, mechanical or electrical contrivances, or other facilities which are intended primarily to provide entertainment, amusement or recreation, and in which the patron is engaged on the premises as an active participant rather than as a spectator. This shall not include volleyball, tennis or basketball courts, baseball, football or soccer fields, other similar sporting fields, or commercial golf facilities as regulated in the underlying district, or any facility conducting Games of Chance, and shall exclude special events as permitted by the Board of Selectmen."

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 12: To see if the Town will vote to adopt amendment No. 9 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Charitable Fundraising Event as follows: “An event held by a Charitable Organization for any benevolent, philanthropic, patriotic, educational, humane, scientific, public health, environmental conservation, civic, or other charitable purpose. The basis of any solicitation shall be solely for a charitable purpose and may include Games of Chance.”.

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 13: To see if the Town will vote to adopt amendment No. 10 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Parkway as follows: “A landscaped thoroughfare, most commonly a road with no curb cut and/or crossroad access, that has a protected vegetated buffer along either side for the purpose of maintaining scenic beauty. Vehicles with more than 2 axles are prohibited from driving on parkways.”.

Proposed by the Planning Board. **Recommended by the Planning Board (6-0-0)**

ARTICLE 14: To see if the Town will vote to adopt amendment No. 11 to Chapter 190 (Zoning) of the Municipal Code of Conway to create §190-30, a Parkway Protection Overlay District, to preserve scenic parkways, including but not limited to the North-South Road. The Parkway Protection Overlay District would consist of a 250-foot vegetative buffer from the centerline of any designated parkway.

Proposed by the Planning Board. **Recommended by the Planning Board (7-0-0)**

ARTICLE 15: To see if the Town will vote to adopt amendment No. 12 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-31 regarding definition of Funeral Home as follows: “An establishment with facilities for burial or cremation preparation of the deceased and for memorial services.”; to revise §190-31 regarding definition for Crematorium as follows: “An establishment or structure in which human remains are cremated in a cremation retort.”; and to allow crematoriums in the Highway Commercial District and Funeral Homes in all commercial districts.

Proposed by the Planning Board. **Recommended by the Planning Board (7-0-0)**

ARTICLE 16: To see if the Town will vote to adopt amendment No. 13 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-28, Wetland and Watershed Protection Overlay District, for the inclusion of Low-Impact Development stormwater controls and expansion of the buffer to 250-feet from the edge of wetlands.

Proposed by the Planning Board. **Recommended by the Planning Board (7-0-0)**

ARTICLE 17: To see if the Town will vote to adopt amendment No. 14 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-13.K.(11), §190-14.K.(11) and §190-24.K.(11), Kennels, to include restrictions to limit potential noise for abutting property owners; and to revise §190-31 regarding definition of Kennel as follows: “An establishment or domicile which houses 10 or more domestic animals for any period of time. Kennels shall include any establishment as defined by RSA 466:4.III, Commercial Kennels; and are subject to RSA 466:6, Group Licensing.”.

Proposed by the Planning Board. **Recommended by the Planning Board (7-0-0)**

ARTICLE 18: To see if the Town will vote to adopt amendment No. 15 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-17., §190-18., §190-19., §190-20., §190-22., and §190-23., to permit Outdoor Dining accessory to an approved restaurant; and to revise §190-31 regarding definition of Outdoor Dining Establishment as follows: “An area on private property, a public sidewalk, or public way where patrons may consume food and/or beverages provided by a licensed restaurant. Such restaurants may either provide table service in the outdoor dining areas or sell take-out items to be consumed within the outdoor dining area.”.

Proposed by the Planning Board. **Recommended by the Planning Board (7-0-0)**

ARTICLE 19: To see if the Town will vote to adopt amendment No. 16 to create Chapter 196 (Public Art) of the Municipal Code of Conway to create a Public Art Ordinance that addresses the installation of murals and also permits other art visible to the public on commercial and public property such as sculptures, street art, or other types of permanent art work.

Proposed by the Planning Board. **Recommended by the Planning Board (7-0-0)**

ARTICLE 20: To see if the Town will vote to adopt amendment No. 17 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-27., Shoreland Protection Overlay District, to make additions and deletions to §190-27.C., Development density; §190-27.D., Shoreline setbacks; §190-27.F.(1), (3), (6) & (7), Buffer; §190-27.G., Docks; §190-27.H., Private Beaches; and §190-27.K, Water quality; and to revise §190-31 regarding definition of Boat Storage Shed as follows: "A structure used **exclusively** for the storage of boats **and accessory equipment**, having no plumbing or heating installed, having a floor area of 250 square feet or less, and being no more than 15 feet in height."

Proposed by Petition. **Recommended by the Planning Board (7-0-0)**

ARTICLE 21: To see if the Town will vote to adopt amendment No. 18 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-13.B.(4)(b), §190-14.B.(4)(b), §190-15.B.(4)(b), §190-16.B.(4)(b), §190-17.C.(5)(b), §190-18.B.(5)(b), §190-19.B.(5)(b), §190-20.B.(5)(b), and §190-24.B.(4)(b), Accessory Dwelling Unit (ADU), to permit one accessory dwelling unit accessory to a single-family dwelling unit or duplex by right of the Building Inspector and not requiring a special exception; to allow a second accessory dwelling unit accessory to a single-family dwelling or duplex by special exception; to require the second accessory dwelling unit to be reserved as an affordable unit for an eligible renter as defined in §195-8 of the Conway Zoning Ordinance; and revise §190-31 by removing the existing definition of accessory dwelling unit (ADU) and replace with a new definition as follows: "A dwelling unit accessory to a single-family dwelling or duplex, either attached or detached. Such dwelling units shall be not less than 300 square feet and no greater than 1,000 square feet; provided any second accessory dwelling unit shall be not less than 300 square feet and no greater than 850 square feet."

Proposed by Petition. **Recommended by the Planning Board (7-0-0)**

ARTICLE 22: To see if the Town will vote to adopt amendment No. 19 to Chapter 190 (Zoning) of the Municipal Code of Conway to modify §190 – Permitted Use Table to restrict residential short-term rentals to the following zones; CCVC (§190-17), CVC (§190-18), NCVC (§190-19), HC (§190-20), I-1 (§190-22), I-2 (§190-23), RR (§190-24); and FC (§190-26) if permitted in the underlying district; to add a definition of Residential Short-Term Rental as follows: "Any dwelling consisting of, or within, a residential single family or two-family (duplex), or a mobile home, which is rented or leased for more than thirty (30) total nights in a calendar year, and where any tenant or lessee of the dwelling is not protected by the provisions of RSA 540, the occupancy is transient in nature, and/or where the term of any lease or rental is less than 30 days; except that none of the following shall constitute a residential short term rental: 1) a seasonal rental with a term of over ninety (90) days; or 2) any lease or rental of a dwelling unit within a boardinghouse, an owner-occupied boardinghouse, a hotel, a lodging house, and owner-occupied lodging house, a motel, a multifamily, a nursing home, an accessory dwelling unit, a resort hotel, a rooming house, an owner-occupied rooming house, a tourist home, and/or an owner-occupied tourist home."; and to classify residential short-term rentals as R-1 occupancies within §23-12.

Proposed by Petition. **Not Recommended by the Planning Board (1-6-0)**

ARTICLE 23: To see if the Town will vote to adopt amendment No. 20 to Chapter 190 (Zoning) of the Municipal Code of Conway to revise §190-24.F.(14) – Recreational Resort District – Signs – to exempt from the provisions of this ordinance any signage which is on and/or associated with a recreational resort property and is greater

than two hundred (200) feet from the edge of any State or Town highway or a Class I, II, III, IV or V classification. Proposed by Petition. **Not Recommended by the Planning Board (1-5-1)**

ARTICLE 24: To see if the Town will vote to amend **CHAPTER 72: HOUSING STANDARDS**, to specify minimum life-safety requirements for Dwellings Units and to allow the inspection and licensing of rental Dwelling Units. The proposed Housing Standard amendments shall apply to single occupancy, duplex, and multifamily dwelling Units. This amendment seeks to (a) specify the requirements to meet Housing Standards as identified in RSA 48-A; (b) the inspection and certification of rental compliance process for rental units; (c) the rental unit application process and requirements; (d) associated application fees; (e) the waiver and appeals process; (f) renewals of rental licenses; (g) applicable definitions.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (6-7-1).

ARTICLE 25: To see if the Town will vote to adopt **CHAPTER 197: COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE**. Chapter 197 offers a tax relief incentive for the construction of new Affordable Housing to be taxed at the predevelopment assessed value for a maximum of 10 years, or a maximum of 14 years for Projects involving the preservation of historic structures. The language specifies, (a) the minimum monetary investment required, (b) the duration of tax relief, (c) the enforced covenant to protect the public benefit of Affordable Housing, (d) penalties and liabilities of the specified tax relief incentive.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (6-8-0).

ARTICLE 26: To see if the Town will vote to **AMEND CHAPTER 170: VENDING CARTS** to include language which permits **FOOD TRUCKS** as an accessory to a commercial use. The proposal shall apply to any Food Truck operating in the Town of Conway. This amendment seeks to, (a) specify permitted locations to operate, (b) outline requirements for pedestrian safety and site standards, (c) the permitting process for Food Trucks and Food Truck locations, (d) and applicable definitions.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (9-4-1).

ARTICLE 27: To see if the Town will vote to raise and appropriate the sum of \$8,800,000 (Gross Budget) for the design, permitting, construction, and equipping of an **ADDITION TO THE POLICE STATION** (the "Project"); to authorize \$8,800,000 of such sum to be raised through the issuance of bonds or notes in accordance with the Municipal Finance Act (RSA Ch. 33); to authorize the Board of Selectmen to issue and negotiate such bonds or notes and to determine the date, maturities, interest rate, and other details of such bonds or notes; and to authorize the Board of Selectmen to apply for, accept, and expend any federal, state, or private funds that may become available in respect of the Project to reduce the amount that must be bonded or to pay debt service on such bonds or notes.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (8-5-1).

3/5 ballot vote required.

ARTICLE 28: (Operating Budget) Shall the Town raise and appropriate as an **OPERATING BUDGET**, not including appropriations by Special Warrant Articles and other appropriations voted separately, the amounts set forth on the Budget posted with the Warrant for the purposes set forth therein, Fourteen Million Eight Hundred Fourteen Thousand Sixty-Two Dollars (**\$14,814,062**). Should this Article be defeated the Default Budget shall be Fourteen Million Three Hundred Twenty-Seven Thousand Four Hundred Sixty Dollars (\$14,327,460) which is the same as the last year, with certain adjustments required by previous action of the Town of Conway or by law, or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI, to take up the issue of a Revised Operating Budget only. NOTE: This Operating Budget Warrant Article does not include

appropriation contained in ANY other Warrant Article.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (8-5-1).

ARTICLE 29: To see if the Town will vote to approve the cost items of a three-year **COLLECTIVE BARGAINING AGREEMENT FOR THE CALENDAR YEARS 2024-2026 BETWEEN THE TOWN OF CONWAY AND AFSCME #93, LOCAL 859, DEPARTMENT OF PUBLIC WORKS** which calls for a one-time market adjustment of \$1.00 per hour commencing after the approval of this Article. The proposed contract makes changes to the current merit matrix that provides for increases in salaries under the current agreement at the current staffing levels.

| Fiscal Year | Estimated Increase |
|-------------|--------------------|
| 2024 | \$43,296 |
| 2025 | \$64,499 |
| 2026 | \$64,706 |

And further to raise and appropriate the sum of Forty-Three Thousand Two Hundred Ninety-Six Dollars (\$43,296) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid under the current agreement at current staffing levels. The total compounded cost of the three-year agreement is \$323,592.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 30: Shall the Town, if Article (#29) is defeated, authorize the governing body to call one special meeting, at its option, to address Article (#29) cost items only.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (6-8-0).

ARTICLE 31: To see if the Town will vote to approve the cost items of a one year **COLLECTIVE BARGAINING AGREEMENT FOR THE CALENDAR YEAR 2024 BETWEEN THE TOWN OF CONWAY AND CONWAY POLICE DEPARTMENT** which calls for the following increase in salaries and benefits over the costs that would have been paid under the current agreement at the current staffing levels.

| Calendar Year | Estimated Increase |
|---------------|--------------------|
| 2024 | \$68,894 |

And further to raise and appropriate the sum of Sixty-Eight Thousand Eight Hundred Ninety-Four Dollars (\$68,894) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid under the current agreement at current staffing levels.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 32: Shall the Town, if Article (#31) is defeated, authorize the governing body to call one special meeting, at its option, to address Article (#31) cost items only.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (6-8-0).

ARTICLE 33: To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) for the support of **EASTERN SLOPE REGIONAL AIRPORT**.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (8-6-0).

ARTICLE 34: To see if the Town will vote to amend the **TERMS OF COMPENSATION FOR THE THREE MEMBERS OF THE SUPERVISORS OF THE CHECKLIST** as follows: To increase the Annual Compensation by Five Hundred Dollars (\$500.00) each from the current One Thousand Five Hundred Dollars (\$1,500.00) to Two Thousand Dollars (\$2,000.00) for each Supervisor and include additional compensation of Two Hundred Fifty Dollars (\$250.00) for each Supervisor of the Checklist to be paid for each election held in the Town and fully attended by the Supervisor of the Checklist AND to raise and appropriate the sum of Four Thousand Five Hundred Dollars (\$4,500.00) to Fund this increase for the current fiscal year. In subsequent years this compensation shall be included in the Town's Operating Budget.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-2-0).

ARTICLE 35: To see if the Town will vote to increase the **COMPENSATION FOR THE TOWN MODERATOR, ASSISTANT MODERATOR AND/OR MODERATOR PRO TEMPORE** by One Hundred Fifty Dollars (\$150.00) each from the current Fifty Dollars (\$50.00) each to Two Hundred Dollars (\$200.00) each per election, special election and deliberative session held by the Town of Conway for local and state elections AND to raise and appropriate the sum of One Thousand Five Hundred Dollars (\$1,500.00) to Fund this increase for the current fiscal year. In subsequent years this compensation shall be included in the Town's Operating Budget.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-2-0).

ARTICLE 36: To see if the Town will vote to enter into a 25 year land lease between the Town of Conway and Kearsarge Solar at closed capped Conway landfill at the Conway Transfer Station Site. This **LEASE OF TOWN PROPERTY IS FOR THE CONSTRUCTION OF A SOLAR ENERGY GENERATING FACILITY**. The lease is available for review at Town Hall.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (1-12-1).

ARTICLE 37: To see if the Town will vote to establish a **CAPITAL RESERVE FUND FOR THE HEALTH REIMBURSEMENT ARRANGEMENT (HRA)**-to Fund the deductible reimbursement of the Town's high deductible health insurance plan under the provisions of RSA 35:1 and to authorize the Board of Selectmen to be the agents to expend in accordance with the purpose of the Fund. And further to see if the Town will vote to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) to be placed in the **CAPITAL RESERVE FUND FOR THE HEALTH REIMBURSEMENT ARRANGEMENT (HRA)** to be used according to the purposes for which the Fund was established. Said Funds are to be withdrawn from the Town's Unassigned Fund Balance. No money will come from taxation.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-0-1).

ARTICLE 38: To see if the Town will vote to raise and appropriate the sum of Five Hundred Thousand Dollars (\$500,000) to be placed in the **CAPITAL RESERVE FUND FOR INFRASTRUCTURE RECONSTRUCTION** to be used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 39: To see if the Town will vote to raise and appropriate the sum of Five Hundred Thousand Dollars (\$500,000) to be placed in the **CAPITAL RESERVE FUND FOR HIGHWAY EQUIPMENT** to be used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 40: To see if the Town will vote to raise and appropriate the sum of Two Hundred Twenty-Five Thousand Dollars (\$225,000) to be placed in the **CAPITAL RESERVE FUND FOR SOLID WASTE EQUIPMENT** to be

used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 41: To see if the Town will vote to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) to be placed in the **CAPITAL RESERVE FUND FOR LANDFILL EXPANSION** to be used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 42: To see if the Town will vote to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) to be placed in the **CAPITAL RESERVE FUND FOR MAINTENANCE OF TOWN BUILDINGS AND FACILITIES** to be used according to the purposes for which the Fund was established. **Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee 13-1-0).**

ARTICLE 43: To see if the Town will vote to raise and appropriate the sum of Seventy-Five Thousand Dollars (\$75,000) to be placed in the **CAPITAL RESERVE FUND FOR MAINTENANCE OF BUILDINGS AND FACILITIES LEASED BY THE TOWN** to be used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (7-7-0).

ARTICLE 44: To see if the Town will vote to raise and appropriate the sum of Forty-Five Thousand Dollars (\$45,000) to be placed in the **CAPITAL RESERVE FUND FOR PARKS DEPARTMENT VEHICLES AND EQUIPMENT** to be used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 45: To see if the Town will vote to raise and appropriate the sum of Eighty Thousand Dollars (\$80,000) to be placed in the **CAPITAL RESERVE FUND FOR POLICE VEHICLES** to be used according to the purposes for which the Fund was established.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 46: To see if the Town will vote to raise and appropriate the sum of One Hundred Twenty-Six Thousand Dollars (\$126,000) from the annual cable television franchise fees received to add to the **PUBLIC EDUCATIONAL / GOVERNMENT CABLE TELEVISION (PEG) TRUST FUND**, to support the operations and equipment needs of Public Education and Government broadcasting services. No Funds shall be raised by local property taxes to support this Warrant Article.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 47: To see if the Town will **ADOPT THE PROVISIONS OF CHAPTER 149-I OF NH RSAS, AS IT PERTAINS TO SEWERS**, to enable the Town and Selectboard to operate and maintain the Sewer System and also the Sewer Department that will become part of the Department of Public Works on January 1, 2025.

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 48: To see if the Town will **ADOPT THE PROVISIONS OF CHAPTER 38 OF NH RSAS AS IT PERTAINS TO WATER**, to enable the Town and Selectboard to operate and maintain the existing Conway Village Fire District plant for water and also the Water Department that will become part of the Department of Public Works on January 1, 2025.

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 49: To see if the Town will vote to approve the **TRANSFER OF THE CONWAY VILLAGE FIRE DISTRICT WATER SYSTEM IMPROVEMENT AND MAINTENANCE CAPITAL RESERVE FUND**, effective January 1, 2025, to the

Town of Conway Water System Improvement and Maintenance Capital Reserve Fund, by accepting and utilizing the remaining balance as of the effective date, created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Capital Reserve Fund for the purpose that it was originally intended by the Conway Village Fire District: water system improvements and maintenance. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$111,477.54)

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 50: To see if the Town will vote to approve the **TRANSFER OF THE CONWAY VILLAGE FIRE DISTRICT SEWER PROJECTS AND MAINTENANCE EXPENDABLE TRUST FUND**, effective January 1, 2025, to the Town of Conway Sewer Projects and Maintenance Expendable Trust Fund, by accepting and utilizing the remaining balance as of the effective date in the existing Conway Village Fire District Trust Fund created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Trust Fund for the purpose that it was originally intended by the Conway Village Fire District: sewer projects and maintenance not related to the Force Main Project. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$98,681.77)

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 51: To see if the Town will vote approve the **TRANSFER OF THE CONWAY VILLAGE SEWER DEBT EXPENDABLE TRUST FUND**, effective January 1, 2025, to the Town of Conway Sewer Debt Expendable Trust Fund, by accepting and utilizing the remaining balance as of the effective date in the existing Conway Village Fire District Trust Fund created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Trust Fund for the purpose that it was originally intended by the Conway Village Fire District: Phase I & II debt off-set. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$392,257.66).

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 52: To see if the Town will vote to approve the **TRANSFER OF THE CONWAY VILLAGE FIRE DISTRICT FORCE MAIN ASSET REPLACEMENT EXPENDABLE TRUST FUND**, effective January 1, 2025, to the Town of Conway Force Main Asset Replacement Expendable Trust Fund, by accepting and utilizing the remaining balance as of the effective date in the existing Conway Village Fire District Trust Fund created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Trust Fund for the purpose that it was originally intended by the Conway Village Fire District: Short Term Asset Replacement related to the Force Main Project. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$150,929.01).

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 53: To see if the Town will vote to approve the **TRANSFER OF THE CONWAY VILLAGE FIRE DISTRICT WATER & SEWER EQUIPMENT CAPITAL RESERVE FUND**, effective January 1, 2025, to the Town of Conway Water and Sewer Equipment Capital Reserve Fund, by accepting and utilizing the remaining balance as of the effective date in the existing Conway Village Fire District Capital Reserve Fund created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Capital Reserve Fund for the purpose that it was originally intended by the Conway Village Fire District: purchasing water and sewer equipment. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$149,047.39).

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 54: To see if the Town will vote approve the **TRANSFER OF THE CONWAY VILLAGE FIRE DISTRICT FIRE & RESCUE CAPITAL RESERVE FUND**, effective January 1, 2025, to the Town of Conway Fire & Rescue Capital Reserve Fund, by accepting and utilizing the remaining balance as of the effective date in the existing Conway

Village Fire District Capital Reserve Fund created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Capital Reserve Fund for the purpose that it was originally intended by the Conway Village Fire District: purchasing fire/rescue equipment. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$281,701.35).

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 55: To see if the Town will vote to approve the **TRANSFER OF THE CONWAY VILLAGE FIRE DISTRICT AMBULANCE CAPITAL RESERVE FUND**, effective January 1, 2025, to the Town of Conway Ambulance Capital Reserve Fund, by accepting and utilizing the remaining balance as of the effective date in the existing Conway Village Fire District Capital Reserve Fund created for such purpose, and to name the Board of Selectmen "Agents to Expend" from said Fund for the purpose that it was originally intended by the Conway Village Fire District: purchasing, repairing, rehabilitating, and remounting ambulances. (This Article is not an Article to raise and appropriate any new Funds.) (Balance of Trust Fund as of 12/31/2023 \$141,343.58).

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 56: Shall the Town re-adopt the **"ALL VETERANS" PROPERTY TAX CREDIT UNDER RSA 72:28-B**. If amended the tax credit will change from \$500 to \$750. It will be available to any resident, or the spouse of any resident, who (a) served no less than 90 days on active service in the armed forces of the United States and was honorably discharged or was an officer honorably separated from service, or an officer who continues to serve or the spouse or surviving spouse of such resident, provided that training for active duty or state active duty by a member of the national guard or reserve shall be included as service under this paragraph and (b) is not eligible for and not receiving the credit for Veterans who served in a qualifying war or armed conflict or for Veterans with a service-connected disability. If amended the credit will be in the amount of \$750, which is the same amount as the credit for a veteran who served in a qualifying war or armed conflict. If the credit is amended, any person desiring to claim the credit will be required to file an application with the assessors by April 15 of the tax year. This Article shall take effect for the 2024 tax year. Submitted by the Assessor.

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 57: Shall the Town amend the **"OPTIONAL VETERAN" PROPERTY TAX CREDIT UNDER RSA 72:28 72:28 Standard and Optional Veterans' Tax Credit. –**

If amended the Optional Veteran's Tax Credit will be available to every resident of this state who is (a) a veteran, as defined in RSA 21:50, and served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in this section, and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, provided that training for active duty by a member of the national guard or reserve shall be included as service under this subparagraph;
Every resident of this State who was terminated from the armed forces because of service-connected disability; or the surviving spouse of such resident; and (c) The surviving spouse of any resident who suffered a service-connected death.

V. Service in a qualifying war or armed conflict shall be as follows:

- (a) "World War I" between April 6, 1917 and November 11, 1918, extended to April 1, 1920 for service in Russia; provided that military or naval service on or after November 12, 1918 and before July 2, 1921, where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service;
- (b) "World War II" between December 7, 1941 and December 31, 1946;
- (c) "Korean Conflict" between June 25, 1950 and January 31, 1955;
- (d) "Vietnam Conflict" between December 22, 1961 and May 7, 1975;
- (e) "Vietnam Conflict" between July 1, 1958 and December 22, 1961, if the resident earned the Vietnam service

medal or the armed forces expeditionary medal;

(f) "Persian Gulf War" between August 2, 1990 and the date thereafter prescribed by Presidential proclamation or by law; and

(g) Any other war or armed conflict that has occurred since May 8, 1975, and in which the resident earned an armed forces expeditionary medal or theater of operations service medal.

If amended the credit will be in the **amount of \$750**, the Optional Veterans' Tax Credit shall be subtracted each year from the property tax on the Veteran's residential property. However, the surviving spouse of a resident who suffered a service-connected death may have the amount subtracted from the property tax on any real property in the same municipality where the surviving spouse is a resident. If the credit is amended, any person desiring to claim the credit will be required to file an application with the Assessors by April 15 of the tax year. If amended, this Article shall take effect for the 2024 tax year. Submitted by the Assessor.

Recommended by the Board of Selectmen (4-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 58: Shall the Town, pursuant to RSA 72:39-a, vote to **MODIFY THE ELDERLY EXEMPTION FROM PROPERTY TAX** based on assessed value for qualified taxpayers to increase the limits and amounts for eligibility as follows:

- Single income limit from \$28,000 to \$30,000
- Married combined income limit from \$37,000 to \$40,000
- For persons 65 years of age up to 75 years (if eligible) From \$75,000 to \$85,000;
- For a person 75 years of age up to 80 years (if eligible) From \$90,000 to \$100,000
- For persons over 80 years of age (if eligible) From 105,000 to \$115,000
- To modify the maximum asset limit for both individual and married persons From \$75,000 to \$85,000 (excluding the value of the person(s) residence)
- To qualify, the person must satisfy all of the conditions of RSA 72:39-a & b that pertain to eligibility for this exemption as well as those contained in any other applicable statute including without limitation, that they demonstrate that they have been a New Hampshire resident for at least 3 consecutive years, that they own the real estate individually or jointly, or if the real estate is owned by such person's spouse, that they must have been married to each other for at least 5 years, and that they reside at the property as their primary residence.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 59: Shall the Town, pursuant to RSA 72:37-b, vote to **MODIFY THE DISABLED EXEMPTION FROM PROPERTY TAX** based on assessed value for qualified taxpayers to increase the limits and amounts for eligibility as follows:

- Single income limit from \$22,000 to \$24,000
- Married combined income limit from \$28,000 to \$30,000 for persons who meet all qualifications adjust exemption from \$75,000 to \$85,000;
- In addition, the asset limit will stay the same at \$50,000 (excluding the value of the person(s) residence).
- To qualify, the person must satisfy all of the conditions of RSA 72:37-b that pertain to eligibility for this exemption as well as those contained in any other applicable statute including without limitation, that they demonstrate that they have been a New Hampshire resident for at least 5 consecutive years, that they own the real estate individually or jointly, or if the real estate is owned by such persons spouse, eligible under Title II or Title XVI of the Federal Social Security Act, and that they reside at the property as their primary residence.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 60: To see if the Town of Conway will vote to accept necessary Funds from the Kevin Peare Memorial Skatepark to construct and adopt a skatepark as a Town Park to then, and forever, be known as the “**KEVIN PEARE MEMORIAL SKATEPARK**”, and to have The Kevin Peare Memorial Skatepark raise and provide Funds for repairs and upgrades for the park in perpetuity. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (7-6-1).

ARTICLE 61: To see if the Town will vote to accept a transfer from the New Hampshire Department of Transportation and/or the State of New Hampshire of certain real property commonly known as the Conway By-Pass Corridor, and more specifically identified as Tax Parcels 235-55, 230-113.01, 230-126.1, 219-310.3, 219-257, 219-261.1, 219-243, and 214-27.1, or any portion thereof, and including without limitation the North Conway Multi-Use Alternative Transportation and **RECREATION PATH** (commonly known as the “Rec Path”). Such transfer shall be for no consideration or nominal consideration of less than \$10.00. This land shall be used for recreational purposes, and any other use that does not conflict with the primary recreational purpose of the land. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 62: To see if the Town will vote to **ACCEPT PEMIGEWASSET DRIVE AND A PORTION OF OLD GOSHEN ROAD** (9/10 of a mile) as Town Roads. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (13-1-0).

ARTICLE 63: To see if the Town will vote to **ACCEPT SOUTHVIEW LOOP** as a Town Road. Submitted by Petition.

Not Recommended by the Board of Selectmen (0-5-0). Not Recommended by the Budget Committee (0-14-0).

ARTICLE 64: To see if the Town will vote to conditionally **ACCEPT SETTLERS GREEN DRIVE AND THE PRIVATE PORTIONS OF COMMON COURT AS PUBLIC RIGHTS-OF-WAY**, provided that, pursuant to NH RSA 231:29, the abutters to the roads shall be required to pay a Betterment Assessment not to exceed One Million Three Hundred and Forty Thousand, Eight Hundred Seven Dollars (\$1,340,807) which Betterment Assessment shall be prorated over a period not to exceed 10 years and shall, pursuant to NH RSA 231:30, create a lien upon the lands so assessed which shall continue until fully discharged, shall be subject to interest, and shall be subject to any other charges as are applicable to the collection of delinquent taxes, and further provided that any work required to bring the roads up to the standards and requirements currently in effect in the Town shall be secured with a performance bond pursuant to NH RSA 447:16. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (3-9-0).

ARTICLE 65: To see if the Town will vote to raise and appropriate the sum of Sixty-Five Thousand Dollars (\$65,000) said sum to be allocated to the **NORTH CONWAY COMMUNITY CENTER** for programs of the North Conway Community Center. Submitted by Petition.

Recommended by the Board of Selectmen (4-0-1). Recommended by the Budget Committee (10-2-2).

ARTICLE 66: To see if the Town will vote to raise and appropriate the sum of Twenty-Two Thousand One Hundred Dollars (\$22,100) for the operation of **TRI-COUNTY COMMUNITY ACTION PROGRAM, INC.** service programs in Conway: Transportation, Energy Assistance, Weatherization, Guardianship, Head Start, Homeless Intervention and Prevention, Tamworth Dental Center. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Not Recommended by the Budget Committee (6-6-2).

ARTICLE 67: To see if the Town will vote to raise and appropriate the sum of Thirty-Six Thousand Five Hundred Dollars (\$36,500) to support Conway home delivered meals (Meals on Wheels), congregate meals,

transportation and program services provided by the **GIBSON CENTER FOR SENIOR SERVICES, INC.** Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (14-0-0).

ARTICLE 68: To see if the Town will vote to raise and appropriate the sum of Fourteen Thousand Dollars (\$14,000) for the Family Resource Center at **CHILDREN UNLIMITED, INC.** Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (10-1-3).

ARTICLE 69: To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) for **VAUGHAN COMMUNITY SERVICE, INC.** Submitted by Petition.

Recommended by the Board of Selectmen (4-0-1). Recommended by the Budget Committee (14-0-0).

ARTICLE 70: To see if the Town will vote to raise and appropriate the sum of Seven Thousand Five Hundred Dollars (\$7,500) for **VAUGHAN LEARNING CENTER.** Submitted by Petition.

Recommended by the Board of Selectmen (4-0-1). Recommended by the Budget Committee (13-0-1).

ARTICLE 71: To see if the Town will vote to raise and appropriate the sum of Eighteen Thousand One Hundred Seventy-Four Dollars (\$18,174) for the support of **STARTING POINT.** Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-0-2).

ARTICLE 72: To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Five Hundred Dollars (\$12,500) for the support of **MOUNT WASHINGTON VALLEY ADULT DAY CENTER** to supplement support services for elderly Conway residents attending the day center. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-1-1).

ARTICLE 73: To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000) for the support of **THE WAY STATION** for the purpose of continuing to provide safe, welcoming, non-judgmental space and supportive services for the homeless and housing insecure of the Mount Washington Valley. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-1-1).

ARTICLE 74: To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the **CONWAY AREA HUMANE SOCIETY** for the purpose of supporting continuing services for stray, abandoned and neglected animals brought to the shelter by Animal Control or private citizens no longer able to care for them. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-0-1).

ARTICLE 75: To see if the Town will vote to raise and appropriate the sum of Thirty-Five Thousand Seven Hundred Seventy-Eight Dollars (\$35,778) for the support of **WHITE MOUNTAIN COMMUNITY HEALTH CENTER** to help meet the healthcare needs of the uninsured and underinsured residents of the Town of Conway. Submitted by Petition.

Recommended by the Board of Selectmen (5-0-0). Recommended by the Budget Committee (12-0-1).