

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
April 16, 2024**

The Selectmen's Meeting convened at 4:08 pm at Conway Town Hall with the following present: Mary Carey Seavey, Carl Thibodeau, John Colbath, Steve Porter, Ryan Shepard, Town Manager John Eastman and Executive Assistant Krista Day.

PLEDGE OF ALLEGIANCE

Ms. Seavey led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Ms. Seavey noted there would be the following additions:

- 13qq. Notice of Intent to Cut Wood/Timber on Map/Lot 239-3
- 13rr. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 258-68.28
- 13ss. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 261-41
- 13rr. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 268-182
- 13uu. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.59

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

VOTING ON CHAIR AND VICE CHAIR

Mr. Colbath moved, seconded by Mr. Porter, to nominate Mary Carey Seavey as Chair. The motion carried (4-0-1) with Ms. Seavey abstaining.

Mr. Colbath moved, seconded by Mr. Shepard, to nominate Carl Thibodeau as Chair. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

READOPTON OF SELECTMEN RULES OF PROCEDURE

Mr. Porter moved, seconded by Mr. Colbath, to readopt the Selectmen Rules of Procedures. The motion carried unanimously.

ADOPTION OF BOS MEETING SCHEDULE

Mr. Colbath moved, seconded by Mr. Porter, to adopt the 2024-2025 BOS Meeting Schedule. The motion carried unanimously.

COMMITTEE ASSIGNMENTS

Mr. Porter moved, seconded by Mr. Thibodeau, to nominate Mr. Shepard as the BOS Representative to the Budget Committee with Mr. Colbath as the alternate. The motion carried (4-0-1) with Mr. Shepard abstaining.

Mr. Porter moved, seconded by Mr. Colbath, to nominate Mr. Thibodeau as the BOS Representative to the ESAA. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

Ms. Seavey moved, seconded by Mr. Shepard, to nominate Mr. Colbath as the BOS Representative to the Economic Council. The motion carried (4-0-1) with Mr. Colbath abstaining.

Mr. Shepard moved, seconded by Mr. Colbath, to nominate Mr. Porter as the BOS Representative to the Planning Board with Mr. Colbath as the alternate. The motion carried (4-0-1) with Mr. Porter abstaining.

Mr. Colbath moved, seconded by Ms. Seavey, to nominate Mr. Shepard as the BOS Representative to the Historic District Commission. The motion carried (4-0-1) with Mr. Shepard abstaining.

Mr. Colbath moved, seconded by Mr. Shepard, to nominate Mr. Thibodeau as the BOS Legislative Liaison. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

Mr. Colbath moved, seconded by Mr. Porter, to nominate Mr. Shepard as the BOS Representative to the Lower MWV Solid Waste District with Mr. Colbath as the second representative and David Weathers as the member of the public. The motion carried (4-0-1) with Mr. Shepard abstaining.

Mr. Colbath moved, seconded by Mr. Shepard, to nominate Ms. Seavey as the BOS Representative to Valley Vision. The motion carried (4-0-1) with Ms. Seavey abstaining.

Mr. Porter moved, seconded by Mr. Shepard, to nominate Mr. David Weathers as the BOS Representative to the Pine Hill Management Committee. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Shepard, to nominate Mr. David Weathers as the BOS Representative to the Conservation Commission. The motion carried unanimously.

CONSERVATION COMMISSION WHITAKER WOODS CUT – DAVID WEATHERS

David Weathers referred the Board to a map in their packet of the land that subject to a salvage cut.

He explained that they had their walk through of Whitaker Woods and 25-30 people had attended.

Forester Tim Nolin has a plan on the preferred equipment and the access would be from the North End in Kearsarge, not through Oak Street.

Mr. Nolin needs to talk to the railroad regarding the trees on and near the tracks.

The cut is planned for sometime in May.

ELECTION REVIEW

Town Clerk Louise Inkell thanked everyone involved with the election including the Selectmen, Police, Volunteers and the Public Works Department.

She noted that they had 1,838 voters this year.

Mr. Colbath agreed that the election went well and believe that Conway does an excellent job with the integrity of their elections.

Ms. Inkell noted that they had received a petition for recount of Article 27, the Police Station Bond.

The recount would be occurring tomorrow morning.

Ms. Inkell also noted that the school had received a petition for recount for their Operating Budget.

The school would be holding their own recount on Wednesday afternoon.

Mr. Colbath moved, seconded by Mr. Porter, to authorize Town Manager John Eastman to sign the contract with Voting Works for the electronic ballot counting devices. The motion carried unanimously.

GIFT OF LAND ON EASTERN SLOPE TERRACE MAP/LOT 251-149.3

Mr. Eastman explained that they had a previous motion to gift a small piece of land on Eastern Slope Terrace that was the result of a survey error to two abutters with the condition that they complete a lot line adjustment.

However, after finding out that the owners would need to pay \$1,800 to have a survey done in order to complete that adjustment, the owner of map/lot 251-148 has decided that he no longer wants the piece of property and is amenable for it to be gifted to the other abutter.

Town Planner Ryan O'Connor explained that this actually simplifies the process and can be done with just a lot combination application.

Mr. Porter moved, seconded by Mr. Shepard, to rescind the following motion that was made on 1/9/2024:

Mr. Porter moved, seconded by Mr. Shepard, to gift map/lot 251-149.3 to the owners of map/lot 251-150 and 251-148 with the condition that the owners shall complete a lot line adjustment and lot merger to be approved by the Planning Board within 24 months. The motion carried unanimously.

The motion to rescind carried unanimously.

Mr. Porter moved, seconded by Mr. Shepard, to gift map/lot 251-149.3 to the owner of map/lot 251-150 pending the approval of a lot combination application. The motion carried unanimously.

DISCUSSION OF TOWN HALL ANNEX

Mr. Colbath moved, seconded by Mr. Porter, to take the agenda out of order as Attorney Jason Dennis had not arrived for this agenda item yet. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. MOU between Fryeburg and TOC for Channel 3

- b. MOU between Bartlett and TOC for Channel 3
- c. MOU between Jackson and TOC for Channel 3
- d. MOU between Albany and TOC for Channel 3
- e. MS-232
- f. Gravel Tax Levy on Map/Lot 238-1
- g. Abatement of Taxes on Map/Lot 998-125, 998-128, 998-129, 998-130, 998-131, 998-123, 998-133, 998-135
- h. Abatement of Taxes on Map/Lot 235-35 & 235-36
- i. Abatement of Taxes on Map/Lot 262-83.089
- j. Abatement of Taxes on Map/Lot 262-83.088
- k. Abatement of Taxes on Map/Lot 262-83.267
- l. Abatement of Taxes on Map/Lot 262-83.035
- m. Abatement of Taxes on Map/Lot 254-29.122
- n. Abatement of Taxes on Map/Lot 276-69
- o. Abatement of Taxes on Map/Lot 276-248
- p. Abatement of Taxes on Map/Lot 262-94.018
- q. Abatement of Taxes on Map/Lot 280-16
- r. Abatement of Taxes on Map/Lot 233-1.002
- s. Abatement of Taxes on Map/Lot 235-50
- t. Abatement of Taxes on Map/Lot 276-140
- u. Abatement of Taxes on Map/Lot 250-98
- v. Abatement of Taxes on Map/Lot 219-81
- w. Abatement of Taxes on Map/Lot 203-37
- x. Abatement of Taxes on Map/Lot 225-3
- y. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.137
- z. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 263-11
- aa. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.291
- bb. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 259-111
- cc. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 288-25
- dd. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 290-17
- ee. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 202-207
- ff. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 272-8
- gg. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 223-34
- hh. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 277-290
- ii. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 263-23
- jj. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 255-40.18
- kk. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 279-4.2
- ll. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 276-76
- mm. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 288-24
- nn. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.223
- oo. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 272-17
- pp. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.034
- qq. Notice of Intent to Cut Wood/Timber on Map/Lot 239-3
- rr. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 258-68.28
- ss. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 261-41
- tt. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 268-182
- uu. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.59

Mr. Colbath moved, seconded by Mr. Shepard, to sign the document listed above in a. through uu. motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 4/18/2024
- b. Payroll dated 4/18/2024

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP manifest and payroll dated 4/18/2024. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 4/11/2024

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the document signed out of session as listed above. The motion carried (4-0-1) with Ms. Seavey abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. White Mt. Recovery Hope is Real Event (6/29/24)
- b. White Mt. Pride Festival (6/29/24)

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

CONSIDERATION OF MINUTES

- a. Regular Minutes from 4/2/2024

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes from 4/2/2024. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Eastman explained that on Sunday May 5, 2024, the Revel Race Series would be holding a race that ended in Conway by the Ham Arena.

He noted that traffic may be affected but that there would be police to direct traffic.

Mr. Eastman noted that they had received two letters of interest regarding the vacant Supervisor of the Checklist position and that it was up to the Supervisors on who they would like to appoint.

Mr. Colbath moved, seconded by Mr. Thibodeau, to appoint David Doherty Jr. as the Deputy Treasurer at the request of Mike King, newly elected Treasurer. The motion carried unanimously.

Mr. Colbath stated that while the Charter was not approved, he would like to see the Selectmen and some others work on updating parts of the Charter.

Mr. Thibodeau suggested that they have Mr. Holmes involved.

Mr. Eastman will look into this.

At 4:44 pm Attorney Dennis arrived at the meeting so they returned to the agenda item regarding the Town Hall Annex.

DISCUSSION OF TOWN HALL ANNEX

Mr. Eastman explained that they had asked Attorney Dennis to look into the legality of selling the Town Hall Annex building as they had previously believed that the building would have to be returned to the Eastman family (no relation to Mr. Eastman), if the Town no longer utilized the building.

He said that they currently have 2 tenants in the building, Valley Vision and David Schurman, as well as the Supervisors of the Checklist.

While they were not losing money, they were not making money.

The Town was concerned about current and future maintenance needs for the building.

One key factor is that there is a fire pond behind the Town Hall that would need to remain accessible to the Fire Department with an easement.

Attorney Dennis explained that through his research, he believes that the Town has every right to sell the property with the understanding that the easement for the Fire Pond must remain.

Mr. Colbath stated that he could see both sides of the issue.

He noted that as they have seen with the schools, it is important to not put off the maintenance, but that it does not make sense if they are going to sell the building.

It was stated that they had asked the precinct if they had any interest in the building in the past and the answer was no.

There was a question regarding where Valley Vision would go if they sold the building.

Mr. Shepard asked if it would make sense to do the work to the handicap ramp in order to be able to sell the building for higher.

Mr. Smith noted that most of the maintenance that needed to be done did not need to be done right now, but will need to be done in the near future.

Mr. Porter stated that this would be the perfect opportunity to rid themselves of some of their expenses and it would make sense to sell it while it is still in decent shape.

Mr. Thibodeau noted that with his commercial experience, you should expect a return of 75-85% of the cost of the work so it would not make a lot of sense to spend the money if they were going to sell it.

Mr. Thibodeau stated that he has a place for Valley Vision to rent at 50% of market value.

He noted that he will not talk about this further as it could be deemed as a conflict of interest.

Mr. Colbath commended him for the offer.

Ms. Seavey stated that Valley Vision had worked hard to make the current space presentable, but believed they could do more in a better facility.

Mr. Thibodeau suggested the Town asking a few realtors their thoughts.

Mr. Porter also asked that they ask the Precinct one more time.

Mr. Dennis stated that they need to make sure that they are satisfied with the current easements and that this is clear in paperwork.

Mr. Colbath moved, seconded by Mr. Porter, to authorize the Town Manager to investigate the feasibility of selling the Town Hall Annex. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

BOARD REPORTS AND COMMENTS

Mr. Shepard stated that the Budget Committee would be meeting on April 24, 2024.

Mr. Thibodeau thanked the voters for supporting the airport.

He noted that there would be aerobatics happening at the airport on May 29-31, 2024.

Mr. Colbath stated that the Economic Council will be meeting at the end of the month.

He noted that the ZBA would be meeting the next evening for a rehearing.

He reminded the public that while a rehearing is open to the public, public input is not allowed.

Mr. Porter explained that the Planning Board met the previous week.

He explained that the presentation and discussion by the applicant for the Red Jacket property quickly turned south after a racist comment was made by a member of the public.

Mr. Porter stated that in all his years he never thought they would have to endure that level of poor judgement from the public.

He wanted to publicly apologize to the applicant.

Mr. Colbath emphasized that the applicants were gracious and listened to the input at the meeting.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Resident Wryan Feil stated that he thought the Town should make sure the Conservation Commission gets the revenue from their cut in order to fund the restoration work.

He also volunteered to be part of the Charter update committee.

In regards to the Town Hall Annex, Mr. Feil would like them to look into housing or a shelter.

Daymond Steer from the Conway Daily Sun asked what district the annex was in.

He was told Village Commercial.

He asked if it should go before the Voters.

Mr. Eastman stated that the voters had already voted to give the Board of Selectmen the authority to sell or acquire property.

Mr. Steer asked if they had received more rental applications since the vote.

Code Enforcement Officer Nick DeVito stated that they had and hoped to receive even more before the deadline of April 24, 2024 before enforcement begins.

Mr. Shepard wanted to note that the comments at the Planning Board were completely uncalled for.

Mr. Steer asked if they believed they had turned a corner in terms of voter apathy.

The overall comment from the Board was no as they had only had about 100 more voters come out this year over last year.

ADJOURN

At 5:44 pm, Mr. Colbath moved, seconded by Mr. Shepard, to adjourn the meeting. The motion carried unanimously.

Respectfully Submitted,

Krista Day
Executive Secretary