

## **Minutes of Meeting CONWAY BOARD OF SELECTMEN**

May 10, 2005

The Selectmen's Meeting convened at 4:00 p.m. in the meeting room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), Karen Umberger, Gary Webster, David Weathers, and Mark Hounsell; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell.

### PLEDGE OF ALLEGIANCE

Chairman Martin led the Board in the Pledge of Allegiance to the Flag.

### SIGNING OF DOCUMENTS

The Board reviewed and signed various documents contained in the signature folder.

### APPROVAL OF BILLS

The Board reviewed and approved the manifest dated 5/05/05.

### APPROVAL OF MINUTES

The Board considered the minutes of 3/15/05, 3/22/05, 4/05/05 and 4/18/05 for approval. Ms. Umberger advised of a correction to the minutes of 3/15/05 as follows: Under Board Reports, subsection Budget Committee, the vote for the Loon Preservation Association was reported to be 10-1-0 not 3-0-9. **Ms. Umberger moved, seconded by Mr. Webster to approve the minutes of 3/15/05 as amended and to approve the minutes of 3/22/05, 4/05/05 and 4/18/05 as written. The motion carried 5-0-0.**

### PUBLIC HEARING: TO RECEIVE PUBLIC INPUT ON AN OFFER OF A GIFT OF LAND (TAX MAP/LOT # 276-212)

Chairman Martin, opened the public hearing to receive input on an offer of a gift of land at 4:03 p.m.

Mr. Martin asked for questions or comments from the public and the Board. There were none. Mr. Martin closed the public hearing at 4:04 p.m.

**Mr. Webster moved, seconded by Mr. Weathers, to accept the offer of gift of land, Map/Lot 276-212.** Mr. Sires explained that per the statute, the Selectmen have to wait 10-14 days after the close of the second public hearing before moving to accept or decline the offer. It was agreed that this matter would be placed on the May 24, 2005 agenda for consideration. **Mr. Hounsell moved, seconded by Mr. Weathers, to table. The motion to table carried.**

### PROCLAMATION DECLARING MAY 15-21, 2005 AS EMERGENCY SERVICES WEEK

Emergency Service workers, Saul Rothman and Bill Donovan of North Conway Ambulance and Ray Leavitt of the Center Conway Fire Department were present.

Mr. Martin read aloud the Proclamation declaring May 15-21, 2005 Emergency Services week. (A copy of same is attached hereto).

There was brief discussion with the Emergency Service workers. Mr. Leavitt invited the public to take part in Emergency Services Week and invited all to Settlers' Green on May 21 where there would be a display and demonstration of emergency service equipment in commemoration of Emergency Services Week.

### RECREATION REPORT

Recreation Director, John Eastman, and Assistant Recreation Director, Todd Gallagher, joined the meeting.

Mr. Eastman reported that spring recreation programs were underway such as the t-ball and girls softball programs.

Mr. Gallagher next reported on senior programs. Several trips are planned including Stars on Ice and a mystery trip. Mr. Gallagher reported that the Scrabble and Bingo programs will end in May and in the fall they will be starting a Trivial Pursuit program.

Mr. Eastman next reported that summer programs will start one week late this year and will last for seven weeks instead of eight. Swim lessons will begin on June 27 and will be held at Conway Lake and Echo Lake. They will be hiring swim instructors and lifeguards for this program. Mr. Eastman reported that in June and July they will run a track program at the Fryeburg Academy for children ages 9-14. Mr. Eastman next reported that the softball programs for both women and men will run June through Labor Day.

Mr. Eastman next reported that the Friends of Conway Recreation (FOCR) are scheduling a day to spruce of the property at the Recreation Center. Volunteers will be painting, putting down wood chips, stringing lights in trees, sprucing up the building, etc. The FOCR will be donating all of the lights, the labor, and running the underground conduit and installing the poles for the lighting.

Mr. Eastman next reported to the Board on improvements made at Washington Street and Davis Parks

### HIGH SCHOOL BUILDING INSPECTION FEES

Mr. Sires advised that he has met with various agencies involved in the High School building project to talk about inspections. There was discussion about the method of billing for the inspections and most entities are going to recoup their costs by billing hourly. The School has indicated they prefer to be billed hourly as inspections happen. Mr. Sires recommended billing \$21 to \$28 per hour for the inspections. Mr. Sires next advised that the Town may need to bring in an outside contractor to do inspections due to the volume of building projects occurring in Conway. Mr. Sires next advised that there are other billing options available as the Board previously discussed such as charging a flat fee.

Ms. Umberger questioned what the estimate of time is needed for the Building Inspector. Mr. Sires advised that the original estimate was two days per week, but after speaking with the other entities, it is determined that this will vary week to week.

**Mr. Webster moved, seconded by Mr. Weathers, that with regard to the High School Building that we bill hourly at a rate to include benefits.** Mr. Sires confirmed the rate would be \$28 and Mr. Webster agreed. Mr. Hounsell stated he would like to have a not to exceed price. Mr. Webster stated he did not want to see a cap and then have to come back again later. Mr. Hounsell also stated he would then like it to be determined that it be the Building Inspector, David Pandora, and that it not go to an outside contractor. Building Inspector, David Pandora, joined the meeting at this point at 4:40 p.m. Mr. Pandora explained to the Board how he would work cooperatively with other inspectors. Mr. Weathers questioned if the \$28 per hour is just for the Town portion of the inspections. Mr. Sires replied in the affirmative and advised that other entities would bill for their own inspections. There was next a brief discussion regarding the schools budget of \$18,000 for inspections. Mr. Hounsell stated that for the sake of the project he would prefer to have a cap on the inspection costs. After further brief discussion, **Mr. Weathers withdrew his second and Mr. Webster withdrew his motion.**

**Mr. Webster moved, seconded by Mr. Martin, that with regard to the High School building that we bill an hourly rate to include benefits at \$28 per hour and with the insertion of a cap of \$10,000 subject to review by the Selectmen.** There was a discussion regarding the possibility of need to bring in an outside contractor for inspections. Mr. Pandora briefly discussed other costs that may be involved, i.e. administrative, etc. **The motion carried 5-0-0.**

**Mr. Webster moved, seconded by Ms. Umberger, to authorize staff to engage a contract inspector for work over and above David Pandora's capabilities.** Mr. Sires reviewed that this is due to the many projects that are proposed in the Town in the upcoming months. **The motion carried 5-0-0.**

MOUNT WASHINGTON VALLEY PRESERVATION ASSOCIATION  
MEMORANDUM OF AGREEMENT (MOA)

Public Works Director, Paul DegliAngeli, joined the meeting.

Mr. Sires briefly reviewed the North Conway streetscape and utility improvements proposed by the Mount Washington Valley Preservation Association (MWVPA). Mr. Sires next gave an overview of a draft MOA prepared. (See attached).

Mr. Hounsell stated he would like confirmation of the MWVPA's tax exempt status.

There was next discussion by the Board regarding the amounts of money raised by the MWVPA so far for this project. There was also discussion regarding the amounts that still need to be raised for the project and that this amount is still undetermined. Mr. Hounsell suggested changing the language of item number 6 in the proposed agreement to state that they should have the balance plus 15% raised by March of 2006 so that they have all the money to complete the project before they begin the work. There was further discussion about raising all of the money for the phases before beginning work. Ms. Umberger was concerned with putting these stipulations in the agreement while

Messrs. Hounsell, Weathers and Martin agreed that all of the money should be raised before starting the project.

Mr. Hounsell stated that he feels that language should be added to the MOA that no permanent structure, such as a transformer vault, be placed in Schouler Park. Mr. Sires advised he is checking the deed for the park.

Ms. Umberger stated that she would like to know what the grant received by the MWVPA is actually designated to be used for. Mr. Sires stated that he would request a copy of the grant. There was further discussion regarding needing to know what the grant provides for and the Board advised that they would need this information before approving the MOA. The Board did agree to the MOA with the exception of Item 6 and that the draft could go MWVPA meeting with the stipulation that this Board needs to know what the grant says. Mr. Sires advised that he will present this to the MWVPA as a working document and advise that there may be changes, and, also that this Board needs to see the grant.

At 5:55 p.m. the Board recessed for a short break. The meeting was reopened at 6:00 p.m.

#### VALLEY VISION MEMORANDUM OF AGREEMENT (MOA)

Selectmen's representative to Valley Vision, Bob Barriault, and Valley Vision Station Manager, Zach Ambrose, were present for discussion.

Mr. Sires reviewed that this Board previously approved an MOA in concept. Mr. Sires next reviewed that one addition to the agreement was made regarding CCTV.

Mr. Weathers questioned repeat programming on Valley Vision advising that he has had people ask if this is determined by the Board of Selectmen or at Valley Vision. Mr. Ambrose advised that it is determined by Valley Vision.

Ms. Umberger next questioned if this Board is agreeing to call this CCTV. Mr. Barriault advised that this might need to be researched as Concord is also CCTV and we need to find out if this is a problem as this will be on the logo. Mr. Ambrose advised that the graphics department at the High School is working on a logo. There was brief discussion and Mr. Sires suggested Conway Community Access TV (CCATV). **Mr. Weathers moved, seconded by Ms. Umberger, to change the name to Conway Community Access TV (CCATV). The motion carried 5-0-0.**

Mr. Webster next pointed out that for the record this is all still a work in progress and there could be changes and work on this will continue for the next year. The Board agreed. **Mr. Weathers moved, seconded by Mr. Webster, to adopt this Memorandum of Agreement with the name change for this upcoming year.** The Board commented on the tremendous job Mr. Barriault has done with Valley Vision and it is appreciated. **The motion carried 5-0-0.**

Mr. Sires next advised that we were 30 hours short in 2004 which amounts to \$6,000. The Town has not yet paid the March invoice from Valley Vision. Mr. Sires next advised that the Board has an option under the contract and can choose not to pay the March bill or they could dedicate funds to other purposes such as equipment needs, etc., that would be dedicated to Conway purposes. Also, there is a pilot program, a Conway

news show, and perhaps some of this money could be used to support this program. Mr. Webster stated that he would rather see equipment money come out of the money we just received for equipment and Ms. Umberger and Mr. Hounsell agreed. Mr. Hounsell questioned if the hours could be rolled into the next year and Mr. Sires replied in the affirmative. Mr. Webster next questioned if we could split it up and put part toward equipment, the pilot program and rollover hours. There was a brief discussion and Mr. Barriault advised that the shortfall was no fault of Valley Vision and explained that meetings were briefer last year. Mr. Barriault recommended honoring the amount of money committed to Valley Vision. **Mr. Hounsell moved, seconded by Mr. Webster, that \$6,000 be paid to Valley Vision from the 2004 balance, \$3,000 to be used for seed money for programming and \$3,000 to be used for equipment. The motion carried 5-0-0.**

Mr. Barriault next reviewed that he advised previously advised that he would not be continuing as the Board's representative to Valley Vision and explained that this is due to the fact that he can only be involved to a certain point due to time constraints. There was a discussion with the Board regarding attendance at Valley Vision meetings, etc. Mr. Hounsell questioned if Mr. Barriault would be willing to stay on as the representative and just do whatever hours he could give for the meetings. After further brief discussion, Mr. Barriault advised that he would be willing to stay on for another year. The Board thanked Mr. Barriault. The Board also directed that staff not advertise for the position of representative to Valley Vision until December.

Mr. Barriault next advised that Valley Vision has been awarded a \$10,000 grant from the Ham Foundation for much needed production equipment.

Mr. Ambrose advised that he will be at a Business to Business Expo to make people more aware of Channel 3 and to encourage more sponsorship.

#### POLICE COMMISSION BUDGET

It was agreed that the Board would review information contained in the agenda packets regarding this matter and re-agenda this matter for the next meeting.

#### TOWN MANAGER REPORT

Conservation Commission – Mr. Sires reported a Conservation Commission meeting is scheduled for Wednesday, May 10, 2005 at the Whitaker Meeting House.

Recreational Facilities Committee – Mr. Sires reported a Recreational Facilities Committee meeting is scheduled for Thursday, May 11, 2005.

Meeting – Mr. Sires reported a meeting is scheduled for Wednesday, May 10, 2005 with the Emergency Services Coordinator, Larry Wade, and Police Chief, Ed Wagner, to talk about communication.

Summer Schedule – Mr. Sires distributed a memo with a proposed summer schedule for the Board's review.

Meeting with Police – Mr. Sires reported that he had a meeting with Police Commissioner, Dave Doherty and Police Chief, Ed Wagner, to talk about communication issues between the town and the police. Also, at that meeting Commissioner Doherty

advised that he was not aware that the Board of Selectmen sign off on police bills and he was under the impression that once the Police Commission sign off on the bills then they get paid. Mr. Sires advised that this matter is being researched.

### BOARD REPORTS AND COMMENTS

Communication with the School – Mr. Hounsell advised that there was a discussion regarding communication at the School Board meeting recently. Mr. Hounsell advised that he thinks he has a solution for the situation he would like to discuss with this Board regarding notifications on an emergency basis and he will be presenting this at the next meeting.

North Country Council – Mr. Webster reported there is a North Country Council Economic Development meeting scheduled for May 11, 2005 at the Rocks Estate in Bethlehem.

Valley Pride Day – Mr. Webster advised that Valley Pride Day was held over the past weekend

School Building Committee – Ms. Umberger reported a School Building Committee meeting will be held tonight.

Planning Board – Mr. Martin reported that at a recent Planning Board meeting a vote was taken on a dead end street issue off of Thompson Road. Mr. Martin explained that a 35 unit subdivision is proposed and he viewed the new road as a road in its own. Mr. Martin advised that he voted in favor of granting the waiver as a new road off of Thompson Road. Mr. Martin next advised that abutters to the proposed development were present at that meeting and were not pleased with the way the vote went. Mr. Martin next reviewed that he is the Selectmen's representative to the Planning Board and, as such, he voted the way he felt on this issue. Mr. Martin next stated that he would like to know how this Board feels on the issue and, if it differs from the way he voted, he would put the Selectboard's position on the table. Ms. Umberger stated that it has been the practice to go to meetings and listen to the facts and make the best decision you can and she does not have a problem with that. Mr. Hounsell stated that he agrees with Ms. Umberger and wouldn't second guess the decision at this point, however, since it was brought up, his opinion is that it is a dead end road. Mr. Webster stated that the Selectmen's representatives make the call at the time the decision is made at the particular meetings. Mr. Weathers agreed with Mr. Webster.

Auction of Vehicles & Equipment – Mr. Martin advised there is an ad in the newspaper regarding the town auction of vehicles and equipment and anyone interested has until May 19<sup>th</sup> to submit a sealed bid.

### PUBLIC COMMENT/MEDIA QUESTIONS

There were no public comments or media questions.

### ADJOURN

**Ms Umberger moved, seconded by Mr. Webster to adjourn the meeting. The motion carried unanimously.**

The meeting adjourned at 6:56 p.m.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary