

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

September 13, 2005

The Selectmen's Meeting convened at 4:07 p.m. in the meeting room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), Karen Umberger, David Weathers, Gary Webster, 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 9/15/05.

APPROVAL OF MINUTES

**Ms. Umberger moved, seconded by Mr. Webster to approve the minutes of 7/26/05 & 8/23/05 regular meetings as written. The motion carried unanimously.**

Consideration of the non public minutes of 8/23/05 was carried to next the meeting.

PUBLIC HEARING; TO HEAR COMMENTS ON AN APPLICATION  
FOR DISCRETIONARY PRESERVATION EASEMENT FILED BY  
WILLIAM S ROGERS (Map/Lot 297-2)

Chairman Martin read aloud the Public Hearing notice regarding the application for discretionary preservation easement filed by William S. Roger and opened the public hearing at 4:10 p.m.

The applicant, Williams S. Rogers, along with Mrs. Rogers and Tax Assessor, Tom Holmes, were present for discussion.

Mr. Sires advised that he and Mr. Holmes viewed the property and took pictures. Mr. Sires distributed a map of the property and reviewed the location as well as the photographs with the Board. Mr. Sires also reviewed a letter received from the Conway Historical Society supporting the barn as a valid historic structure.

Mr. Holmes advised that in conversations with Mr. Rogers, Mr. Rogers advised that the barn is in disrepair and he is interested in preserving the barn and feels this is what the easement is put in place for. Mr. Holmes further pointed out that the only sticking point is, is that the barn must be accessible and viewable by the public and, in this case, the road is only maintained six months and considering the location of the

barn you can't really see it easily. Mr. Holmes encouraged the Board members to go out and look at the barn for themselves. Mr. Holmes next discussed the amount of reduction Mr. Rogers would receive should \$30,000 worth of improvements be done to the barn. Mr. Holmes explained it would only increase the assessment of the barn \$20,000.

Mr. Weathers questioned if the improvements planned to the barn would make it weather tight. Mr. Rogers explained the barn preservers said the roof is in good shape but the sides and foundation have been estimated at \$20,000 worth of work and then to do the complete job would run about \$40,000. At the moment, nothing is being done but he hopes they can do the foundation work in the spring. Mr. Rogers went on to state that the barn is worth saving and they are going to do the work regardless of whether they are granted the discretionary preservation easement or not.

Mr. Hounsell commented he feels the intent of the legislation was to preserve the few barns that remain. This is a beautiful barn and this is what the legislation is for and he would like the opportunity to go out and look at it in person.

Mr. Martin commented that there is the stumbling point of accessibility in this case. He feels the intent of the RSA is wonderful but he would need to know the accessibility factor of the barn to follow the law. Mr. Martin pointed out that the Town has sixty days from receiving the application to explore this and we need to have these questions answered.

Mr. Weathers pointed out that some cutting on one side where the road is would be beneficial and it would make the barn more accessible to public viewing. Some thinning and selective cutting would help.

After further brief discussion the Board agreed to go out and view the barn and bring this matter back in two weeks for decision.

Chairman Martin asked for any further public or board comments or questions. There were none. Chairman Martin closed the public hearing at 4:26 p.m.

#### EMERGENCY MANAGEMENT PLAN

Fire Chief and Emergency Management Director, Larry Wade, joined the meeting.

Mr. Sires explained that in addition to his responsibilities as Fire Chief in Conway, Chief Wade also serves as the Emergency Management Director for the Town of Conway. After Hurricane Katrina the Board had brief discussion about our emergency management plan and asked that Chief Wade come in to give the Board and the community an update on emergency preparedness in our community.

Mr. Hounsell pointed out that he would first like to settle the title for Mr. Wade. **Mr. Hounsell made a motion, seconded by Mr. Weathers that we give Larry Wade the title of Director of Emergency Management.** Ms. Umberger stated she felt the title should be Emergency Management Director. **Mr. Weathers withdrew his second and Mr. Hounsell withdrew his motion. Mr. Hounsell made a motion, seconded by**

**Mr. Weathers to give Larry Wade the title of Emergency Management Director. The motion carried 5-0-0.**

Chief Wade distributed a packet of information to the Board on the Emergency Management Plan and reviewed same. Chief Wade advised that the Plan we have is in good shape now.

Chief Wade explained that a smallpox plan is in place now and Conway would be the staging area for the county. Chief Wade advised that this has also been expanded to include other biological occurrences as well.

Chief Wade next discussed doing an exercise of the plan sometime next year with our border community, Fryeburg. The exercise will probably take place in Fryeburg as well. Ms. Umberger opined that she feels an exercise of a problem should be done before next year. Chief Wade stated that a drill could be set up for fall or winter.

Chief Wade next discussed working with a grantwriter to help get communication equipment so that we communicate with Maine during an emergency since we are a border community.

Chief Wade next reviewed information in the packet of information concerning National Information Management System (NIMS). Chief Wade advised that we have scored very high on this since the various entities in town communicate several times throughout the year and discuss issues and information and also have the ad hoc committee.

Chief Wade next briefly reviewed a response plan that he would like to add to Conway's Emergency Management Plan. Chief Wade advised it is important to make copies of this available to the public. The Board agreed and suggesting putting a link on the town's webpage, having copies at the library, and having copies available at town meeting.

Chief Wade advised that with regard to Hurricane Katrina he hasn't really received any requests for supplies yet, but he has received requests for personnel in groups of two, however, they are only a group of five. Also, a problem that has been occurring in the Gulf Coast area is that they have volunteers just showing up and this can pose a problem at times as it is not organized.

Chief Wade next provided Warden and Deputy Forest Fire Warden appointment forms for the Boards consideration at a future meeting.

Ms. Umberger next advised that she would like to help Chief Wade with planning an emergency exercise when he is ready. Chief Wade advised that he will develop a scenario and advise. Chief Wade further advised that he appreciates the help.

Chairman Martin thanked Chief Wade for providing an update to the Board.

APPOINTMENT OF HEALTH OFFICER

Mr. Sires reviewed that Kenneth "Tinker" Kiesman has served as Health Officer for the Town for the last several year and Ray Leavitt has served as Deputy Health

Officer. We have received forms from the State for updating information and Tinker has agreed to stay on as the Health Officer for the Town. Mr. Sires further reviewed that Mr. Leavitt was recently reappointed as Deputy. **Ms. Umberger moved, seconded by Mr. Webster, that we appoint Kenneth Kiesman as our Health Officer.** Mr. Hounsell questioned if this is a yearly appointment and this was confirmed by Mr. Sires. **The motion carried 4-0-1.** The Board signed the form.

### TOWN MANAGER REPORT

Meeting with Governor – Mr. Sires distributed information to the Board regarding a meeting the governor's office would like to have in Conway regarding planning and transportation issues on November 21, 2005. Mr. Hounsell commented that this is a great opportunity for the town to be able to participate and to lead and host a governor's roundtable meeting and he would like to see us express our willing participation to host this meeting. **Mr. Hounsell moved, seconded by Mr. Webster, that the Town Manager respond in writing to the Governor's office expressing our enthusiasm to host traffic round table meeting November 21 in Conway.** Ms. Umberger questioned if this meeting is for other area towns as well. Mr. Martin stated it is for Conway Board of Selectmen and anyone they would like to invite. Mr. Hounsell advised that the Governor expressed to him the need to really get involved with the traffic problem that exists in the Town of Conway and he also realizes the benefit to other towns when the bypass goes in. Mr. Hounsell stated we should be sensitive and invite Madison, Albany, etc., to the meeting. **The motion carried 5-0-0**

Stan's Service Center – Mr. Sires briefed the Board on a matter regarding an issue concerning land behind Stan's Service Center in Conway. Stan's has petitioned DES for title to land the Town wanted to preserve as a walkway. They are asking for a letter supporting them to obtain the land and preserve the walkway. In exchange for them to get clear title to the land, Stan's agreed that they would maintain and construct a walkway around the spillway of his property that connects to a footbridge. Mr. Webster indicated that he would like to meet at the location to see this area and walk through same before doing this and the Board agreed. Mr. Sires advised there is a hearing in the matter on September 20. The Board suggested meeting on the 19<sup>th</sup> or another day convenient before the 20<sup>th</sup>. The Board advised they would also like to know the tax status of this property.

Water Connection – Mr. Sires reviewed a letter from the Conway Village Fire District Commissioners asking the town for help with planning, grant applications, etc, regarding water connection. There was brief discussion by the Board and it was agreed that the Commissioner should be invited to a Board meeting to discuss same in the near future. **Mr. Hounsell moved, seconded by Mr. Webster to invite the Conway Village Fire District Commissioners in to a meeting. The motion carried 5-0-0.**

Parks Commission – Mr. Sires reported he received the most recent minutes of the Parks Commission with suggestions for improvements to Schouler Park. The Parks Commission will be invited to the next Board meeting to discuss same.

NHDOT 10-Year Transportation Plan – Mr. Sires reported the NHDOT is holding a 10-Year Transportation Plan meeting here at Town Hall on September 20, 2005 at 8:00 a.m.

Conway Pedestrian Traffic Issues – Mr. Sires reported a meeting will be held with NHDOT on Friday, September 16, 2005 at 1:00 p.m. in Conway Village regarding pedestrian traffic safety issues.

Trails – Mr. Sires reported we are trying to track an easement the town could request from the NHDOT for future trails in the area of the North-South Road.

School/Town Ad Hoc Committee – Mr. Sires reported the Ad Hoc Committee held a meeting earlier today and discussed information that would affect the Teen Center.

PEG Committee Meeting – Mr. Sires reported the PEG Committee held a meeting this past Friday. The Committee discussed the main area of concern in the transition which is the shared channel issue. The meeting will be aired on Valley Vision.

### BOARD REPORTS AND COMMENTS

School Construction – Mr. Hounsell distributed information to the Board concerning construction of the school building and requested the Board read same. Mr. Hounsell questioned if bond money set for a specific use may be used for anything that was not under that specified use.

Recreation Center Barbeque – Mr. Hounsell commented on the barbeque held at the Recreation Center today. The Recreation Center hosted the barbeque for 8<sup>th</sup> grade middle school students. The students, as part of their way of remembering 9/11, decided to be givers to the community and they picked up trash on the North-South Road. Mr. Hounsell further commented that it was good to see the Town Recreation Center and School getting together to give the kids this barbeque for what they did.

Conservation Commission – Mr. Weathers reported there is a Conservation Commission meeting scheduled for Wednesday, September 14, 2005 at the Whitaker Homesite. They have one Dredge and Fill application on the agenda.

Ad Hoc Committee – Ms. Umberger reported the Ad Hoc Committee met earlier today and they are working on a policy to present to both the Board of Selectmen and School Board in the future.

MWVPA/Underground Utilities – Mr. Martin reported there was a utility walk through with the MWVPA. There will be no structures in Schouler Park other than what is there now. There will be no new structures.

Road Acceptance – Mr. Martin advised that there was discussion on the road acceptance policy at the Planning Board meeting last week. Mr. Martin advised that at that meeting he advised that if people have concerns they should bring same to this Board for discussion. There was brief discussion by the Board on Road acceptance. Mr. Sires advised that the Planning Board has the authority to enact rules for development and the primary reason for rules is for public safety. Mr. Sires also advised that in 1998 there was a warrant article put forward at town meeting asking to allow the Board of Selectmen to have the authority to accept roads and the article failed. The voters then retained the right to make the determination to accept roads or not. Mr. Hounsell stated he would like to know if the Board can now make a recommendation as

to whether or not a road should be accepted as he feels money is involved with taking care of a road. Mr. Sires advised he would check into this as there may be a change in the law this year.

PUBLIC COMMENT/MEDIA QUESTIONS

Laura Russo of the Mountain Ear requested information from Mark Hounsell regarding vandalism that occurred at Kennett High School over the weekend. Mr. Hounsell advised that an investigation is ongoing and he is not at liberty to speak about this matter at this time.

NON PUBLIC SESSION: NH RSA 91-A:3,II(a)  
TOWN MANAGER EVALUATION

At 5:55 p.m. **Ms. Umberger moved, seconded by Mr. Webster, to go into non-public session under RSA 91-A:3,II(a). The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:12 p.m. A motion to seal the minutes of the non public session was made a carried in non-public session.

ADJOURN

At 6:13 p.m. **Mr. Webster moved, seconded by Ms. Umberger, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary