

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

January 16, 2007

The Selectmen's Meeting convened at 4:05 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, David Weathers (Acting Chair), Karen Umberger, Gary Webster, and Mark Hounsell; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell.

Chairman, Larry Martin, was not present.

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 in the signature folder.

CONSIDERATION OF BILLS

The Board reviewed and signed the manifest dated January 18, 2007.

CONSIDERATION OF MINUTES

**Ms. Umberger moved, seconded by Mr. Webster, to approve the minutes of 11/28/06 and 11/30/06 as written. The motion carried 4-0-0.**

CONSIDERATION OF UNANTICIPATED REVENUE IN AN AMOUNT LESS THAN \$5,000/NH RSA 31:95-b.III(b) / \$3,000 FROM THE ROTARY CLUB OF NORTH CONWAY TO THE TOWN OF CONWAY FOR THE SPECIAL FUEL FUND

Carolyn Brown from the Rotary Club of North Conway was present for discussion. Also present from BJ Parker, Town General Assistance Officer.

Mr. Sires reviewed that last year Rotary Club of North Conway provided funds to the Town for a special fuel fund.

Ms. Brown next presented a check from the Rotary Club of North Conway in the amount of \$3,000 to the Town of Conway for the special fuel fund. Ms. Brown advised that these funds are again to be used for people who fall through the cracks and don't always qualify for town assistance, etc.

Ms. Parker next gave a report on the funds expended from the donation made last year by Rotary. Ms. Parker advised that the average assistance given was between \$200 and \$400.

Mr. Weathers asked for questions or comments. Ms. Umberger questioned if people from the surrounding area are eligible for these funds. Ms. Parker advised that area towns are eligible. Ms. Parker further advised these funds are not to replace town

assistance but can supplement assistance from other towns. Ms. Parker next advised that she is recommending that with regard to the funds received this year that they be used for all types of heating fuel. Ms. Parker further advised that she will be requesting notices of decision from local towns and referral letters when requests for the funds are received.

Carolyn Brown commented that this is the second year that Rotary makes this donation and it gives them great pride to help individuals with the funds. The Board thanked Rotary for providing the funds.

**Mr. Hounsell moved, seconded by Ms. Umberger, to accept the unanticipated revenue in the amount of \$3,000 from the Rotary Club to the Town of Conway for the Special Fuel Fund. The motion carried 4-0-0.**

#### NON PRECINT FIRE AGREEMENT

Mr. Sires briefly reviewed discussions regarding the non precinct fire agreement to date.

Mr. Sires next reviewed a draft copy of a proposed Non Precinct Fire Agreement with the Board that was contained in the Board's agenda packets. .

Mr. Weathers asked for questions or comments. Mr. Hounsell stated that Bob Barriault has asked that we check into the impact on the rate should we not include the rate of the three smaller departments in the formula. Finance Director, Lucy Philbrick, distributed information relative to this issue and Mr. Sires reviewed same with the Board. There was next discussion regarding whether to include Eaton in the non precinct formula.

Ms. Umberger questioned if Eaton does not participate in the non precinct fire agreement like Hales Location should we continue to include Eaton. Ms. Umberger stated it is her understanding Eaton pays Center Conway and we need to look at this when we actually compute the money we need to collect. Mr. Weathers explained that an area of Eaton is covered by Conway Village and other parts are covered by Freedom.

There was next discussion regarding PILOT money collected. Mr. Sires explained if any PILOT money collected it would be turned over to the precinct covering the area where the PILOT money was collected from.

**Mr. Hounsell moved, seconded by Ms. Umberger, that we vote to accept the Non Precinct Fire and Rescue Protection Agreement at this time.** Mr. Sires advised this is a five year agreement and is subject to ratification by the voters and will also have to appear on the precinct warrants as well. It was also noted by the Board that Mr. Sires distributed a copy of a letter from Raymond Leavitt concerning the non precinct fire agreement. **The motion carried 4-0-0.**

**Mr. Hounsell moved, seconded by Mr. Webster, that the chairman appoint two selectmen and the Town Manager to meet with the Commissioners of Center Conway, Redstone and East Conway Fire Departments to facilitate what type of action the Board of Selectmen can take at this time to acknowledge their involvement in fire protection in the Town of Conway.** Mr. Weathers questioned if

this meeting would be different than the meeting held before. Mr. Hounsell felt we should make one more attempt. Mr. Hounsell stated the Town should meet with the decision makers to work something out that is acceptable. Mr. Barriault stated the two on the contract is who the town is contracting with and they are providing the service. Mr. Hounsell noted there are five fire departments and all are important. **The motion carried 3-1-0 with Mr. Weathers voting in the negative.**

### BUDGET DISCUSSION

Recreation Fees – John Eastman was present for discussion. Mr. Sires reviewed that it was asked that the matter of recreation fees be revisited.

Mr. Hounsell questioned if the town has been given special authority to set fees and whether this would require a public hearing. Ms. Umberger pointed out that the Recreation Department sets fees for many of its programs and this is just another program. The Board has never specifically voted on a fee for any program for recreation and the Recreation Director has always set the fees, albeit swim, adult basketball, etc.

A member of the audience, Deb Deschenes asked about Mr. Eastman presenting fees to the Board of Selectmen. Mr. Hounsell advised that the Board of Selectmen did not vote on fees, only on the actual budget. Ms. Deschenes stated that when Mr. Eastman made his presentation he talked about fees and the Budget Committee has now asked why there aren't user fees and several members of the Committee felt there should be a program instituted for fees. Mr. Hounsell stated he felt this is an issue that you need to take time with and not rush into if the Town is going to institute user fees for the program. There was further discussion by the Board concerning the timing and the issue of fees. **Mr. Hounsell moved, seconded by Mr. Webster, that the Town Manager collect information and research recreation fees for the Board to consider for the 2008 Town warrant.** There was further lengthy discussion concerning fees. **Mr. Webster withdrew his second and Mr. Hounsell withdrew his motion.**

**Mr. Hounsell moved, seconded by Mr. Webster, that the Board of Selectmen place an article on the warrant seeking authority to establish fees for the Recreation Department.** Mr. Sires stated that if authority already exists he will advise. Mr. Hounsell stated that even if we have authority he feels we should still ask the voters. Ms. Umberger pointed out we already have fees. **Mr. Hounsell amended the motion, seconded by Mr. Webster, that the Board of Selectmen place an article on the warrant seeking authority establishing fees for the Recreation Program.** Mr. Barriault commented he felt this may be too broad and may make people feel it would be all programs. Mr. Hounsell next stated he feels this would be an important issue to Larry Martin and made a **Motion to table. The motion carried 3-1 with Messrs. Hounsell, Webster and Weathers in the affirmative and Ms. Umberger voting in the negative.** The Board agreed this matter would be on the next agenda so long as there is a full Board sitting.

Ms. Umberger next asked that the Board take another look at what Mr. Eastman has put together for fees for summer programs. The Budget Committee has asked that this be brought forward.

Warrant Articles - Mr. Sires distributed a copy of the warrant articles to date with amendments as suggested by Don Borrer of the NHDRA and reviewed same.

With regard to the article for the transfer station fence, **Mr. Hounsell moved, seconded by Ms. Umberger to take out the transfer station fence from the warrant articles. The motion carried 4-0-0.**

#### TOWN MANAGER REPORT

Emergency Management – Mr. Sires reported that he attended a Table Top Exercise in Gorham along with Emergency Management Director Ed Duffy on Friday, January 12, 2007. Mr. Sires next reported a planning session was held today in Conway and an exercise is planned in June for Conway. Mr. Sires next reported an article appeared in the newspaper today concerning the Emergency Management Trailer.

Draft Letter regarding Roundabout – Mr. Sires distributed a draft letter regarding the roundabout to the Board for review pursuant to a discussion held at the last meeting. The Board agreed they would like time to review and would provide comments and this matter would be discussed at the next meeting.

#### BOARD REPORTS AND COMMENTS

Conservation Commission – Mr. Weathers advised the Conservation Commission met last week. The Commission acted on a Standard Dredge and Fill application for an applicant on Conway Lake. The Commission had some concerns regarding the application and they were forwarded to the DES in Concord.

#### PUBLIC COMMENTS / MEDIA QUESTIONS

Mr. Carkhuff questioned if the letter regarding the roundabout was public. Mr. Sires advised it is a draft at this point and will check and advise.

#### ADJOURN

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

The meeting adjourned at 6:23 p.m.

Respectfully submitted,

Karen J. Hollowell  
Executive Secretary