

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

May 21, 2013

The Selectmen's Meeting convened at 4:18 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio, Mary Carey Seavey, Stacy Sand, and Carl Thibodeau, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised that four items will be added to the agenda under Signing of Documents as follows: An Authorization to transfer \$9,140.21 from the Police Special Duty Revolving Fund, an Authorization to transfer \$40,453.91 from the Solid Waste Revolving Fund, Notice of Intent to Cut Wood or Timber at Tax Map/Lot 260-45 & 47 and the 2013 Tax Warrant. Mr. Weathers next advised that Town Clerk/Tax Collector, Rhoda Quint, would be added to the agenda to discuss items related to her office and, also, Recreation Director, John Eastman will be discussing swim lessons. **Ms. Sand moved, seconded by Ms. Seavey, to approve the revised agenda. The motion carried unanimously.**

Mr. Weathers next pointed out that members of the MWV Leadership program are present today to observe the meeting. Muncy Knox and Vince Osgood both advised they are from Northway Bank and part of the Leadership Program and are glad to be here today to observe.

4:15 PM PUBLIC HEARING- REQUEST FOR AN EASEMENT BY THE CONWAY
VILLAGE FIRE DISTRICT AT MAP/LOT 277-119 (2 OF 2 HEARINGS)

At 4:20 pm, Mr. Weathers opened the public hearing regarding a request for an easement by the Conway Village Fire District (CVFD) at Map/Lot 277-119. Mr. Weathers advised that this is the second public hearing scheduled in regard to this matter.

Mr. Weathers asked for questions or comments from the Board and public. There were none. Mr. Weathers closed the public hearing at 4:22 p.m.

REVIEW AND CONSIDERATION OF CERTIFICATE OF APPRECIATION
FOR RETIRING POLICE DETECTIVE SGT. BROYER

Mr. Weathers reviewed a proposed Certificate of Appreciation for retiring Police Detective Sergeant Broyer with the Board. **Ms. Sand moved, seconded by Mr. DiGregorio, to approve the Certificate of Appreciation for Sergeant Broyer. The motion carried 5-0-0.** Mr. Weathers advised that he would be presenting the Certificate to Sgt. Broyer at a retirement gathering on Friday, May 24, 2013.

TOWN CLERK/TAX COLLECTOR DEPARTMENT UPDATES

Town Clerk/Tax Collector, Rhoda Quint joined the meeting. MS. Quint advised that her department has begun registering boats. To date they have registered 23 boats and the town

portion collected is \$363.70. Ms. Quint next advised that she will be putting information on the web page advising that this service is now available at Conway Town Hall. Ms. Quint next advised that she also wanted to let the Board know that she has had posters made advising this service is available and they will be posted around town for public awareness. Some area towns have also agreed to post the notices at their town halls as well to let people know this is available. Ms. Quint next advised notices will also be at local banks, supermarkets, etc. Ms. Sand suggested placing one at the boat launch. Recreation Director, John Eastman, stated that he could also place one at the Recreation Department and put the notice on their web page as well.

Ms. Quint next discussed the software conversion in her office. Ms. Quint advised that on May 14, 2013 her office was closed to the public for the day to allow her office to convert to the new tax software. They also had someone come in to the office today to convert the assessing information into the warrant. Ms. Quint reported that the conversion went smoothly and there are a lot of nice features to the new software.

REVIEW AND CONSIDERATION OF PROCLAMATION
FOR NATIONAL MISSING CHILDREN'S DAY

Mr. Weathers reviewed a proposed Proclamation for National Missing Children's Day on May 25, 2013 with the Board. **Ms. Sand moved, seconded by Ms. Seavey, that we approve the Proclamation to make May 25, 2013 National Missing Children's Day. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF AGREEMENT BETWEEN THE TOWN OF CONWAY
AND THE WHITE MOUNTAIN CHAPTER OF THE NEW ENGLAND MOUNTAIN BIKE
ASSOCIATION (NEMBA)

Rob Adair of NEMBA joined the meeting.

Mr. Sires reviewed the Town of Conway is now responsible for the management of mitigation lands in the Redstone area. Part of this maintenance responsibility includes maintaining recreational trails. NEMBA has stepped forward now and has offered to maintain the trails in this area. Mr. Sires reviewed that the town has had agreements in the past with NEMBA and they have worked successfully. Mr. Adair stated that NEMBA has been involved with the town for about 12 years now and some of the work done was building Redtail Trail, pedestrian bridges, etc. Mr. Adair next advised that NEMBA puts in about 500 hours of work to help maintain trails. NEMBA would now like to assume maintenance responsibility of this land and, also, they contacted White Mountain Milers to work with them as well. Mr. Adair advised they will review the trails and have discussions with the Conservation Commission regarding the work. Mr. Weathers commented that in the past this has worked well and they (NEMBA) have worked with the Conservation Commission on trails. **Ms. Sand moved, seconded by Ms. Seavey, that we accept the Memorandum of Agreement with NEMBA to maintain the trail system in the Redstone area. The motion carried unanimously.**

Mr. Sires next reported there is also an opportunity to submit a grant application to the Gibson-Woodbury Foundation to help with funding for materials such as gates, signage, etc. This will help protect resources and will let people know what they can and can't do in the area. Mr. Sires next advised that he has also been speaking with Colin Preece in regard to this and the Mountain Meadow Riders would like to help with this work as well. **Ms. Sand moved, seconded by Mr. Thibodeau, that we support the submission of the application from the Gibson Woodbury Foundation for signage and gates in the Redstone area on the DOT mitigation lands. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF AGREEMENT BETWEEN THE TOWN OF CONWAY
AND THE TRANSVALE ACRES HOMEOWNERS ASSOCIATION

Skip Groves, President of the Transvale Acres Homeowners Association, joined the meeting.

Mr. Sires reviewed a proposed Agreement between the Town of Conway and the Transvale Acres Homeowners Association with the Board.

Mr. Groves stated they would like to look for a central location for a bath house and dumping station in Transvale. They would like to find a piece of land that they could use as they need a central dumping station. Ms. Sand stated that she thought the properties we were acquiring in Transvale were land and that we didn't want any structures on the lots. Mr. Sires stated that there may be enough lots for them to do this if the Selectmen agree, however, this would have to be permitted by the NHDES and there is no guarantee on this. Mr. Groves stated that he knows of a lot being taken by the town that would be a perfect location for the dumping station. There would be no structure and it would be just a tank and a hose. They would have this pumped out as needed. Mr. Groves next advised that they will be talking with the State to see if this would be a suitable location.

Ms. Sand next stated that she has concerns with item #3 in the proposed agreement as the land we are taking is being taken off the tax rolls and if the land is owned by the townspeople then they should have access to it as it is public property. Mr. Groves stated that the roads and beach in Transvale are privately owned. Ms. Sand stated that this agreement is saying that we have public property with no public access. Chief Solomon pointed out that this is not land that you would take a family to picnic. Also the acquisition of this land is for public benefit as we are removing structures and also protecting the water. Mr. Sires next advised that he did speak with Town Counsel in this regard and we were advised that the Board of Selectmen can manage town land and set specific rules for use.

Ms. Seavey next referred back to the piece of land they are asking to be used as a dump station and questioned if this lot could be sold back to the Transvale Association. Mr. Sires advised that he is not sure of this but would check into it; however, he does not think that we can resell the land obtained with FEMA funds.

Mr. Sires next further reviewed the proposed Agreement and advised that the Town of Conway will not have to pay association fees for the lots we will own in Transvale. There was further brief discussion. **Mr. DiGregrio moved, seconded by Ms. Seavey, to approve the Agreement between the Town of Conway and the Transvale Acres Association.** Ms. Sand further reviewed language in the agreement and stated that if we were to allow the use of lots for a dumping station, that it would go against this agreement. Mr. DiGregorio pointed out that item #5 states that either party can renegotiate the agreement. **The motion carried unanimously**

Mr. Sires commented that he appreciates the help of Skip Groves and others with the transition of the Transvale neighborhood.

DISCUSSION OF RECREATION DEPARTMENT SAFETY AND SECURITY IMPROVEMENTS

Recreation Director, John Eastman, joined the meeting.

Mr. Sires reviewed a memo in the Board packet regarding safety and security improvements at the recreation facility. Mr. Sires next reviewed changes made to the recreation facility to date with the Board.

Mr. Sires next advised that we still have the video system to think about. Pope Security has provided estimates for a conventional video system and for a high definition system. Mr. Sires reviewed the quotes for both with the Board. Mr. Sires advised that he spoke with the Chief of Police regarding the systems and the Chief recommends that the high definition system be considered. The reason for the camera is to have clarity and with a high definition system you can zoom in and gather data that you may need as opposed to regular video where you cannot do this. Mr. Sires next advised that we are also getting a quote for a door at the recreation building. Mr. Sires next stated that we have funded \$1,110 for the changes made so far out of the general fund. If the Board chooses to go with a video system, this would come out of the Recreation Revolving Fund.

Mr. DiGregorio questioned if an RFP was put out for the video systems. Mr. Sires advised that we just asked for a quote but this can be bid if the Board would like. Also, \$10,000 is generally the benchmark for an item to go out to bid and the systems we received quotes for are under this amount. Mr. Sires advised that Pope does provide other services for the town as well.

There was next a discussion of the capabilities of the two different systems. There was also further brief discussion on the bidding and/or quoting for this equipment. It was agreed that since we use Pope for other systems in town offices that it would be best to stay with one vendor. Mr. Sires further advised that we will next be looking at a system for town hall as well. **Ms. Sand moved, seconded by Mr. DiGregorio, that we transfer \$11,013 from the Recreation Revolving Fund to pay for security improvements at the Recreation Center.** It was agreed this would be for the high definition system. **The motion carried unanimously.**

Mr. Sires next advised that he would bring proposals forward for town hall security in the future.

SWIM LESSONS

Mr. Eastman reported that he will be able to hire an additional swim instructor provided that we have swim lessons in the afternoon. Mr. Eastman next advised that he has also had discussions with the Fryeburg Recreation Director about partnering with them for the swim program. We could share in the expense with Fryeburg and have swim lessons at Conway Lake. Mr. Eastman next stated that the proposal is to keep the fees for swim lessons the same. We could continue to charge \$60 for Conway and Fryeburg residents and, also, Fryeburg would also add \$2,000 to help fund swim lessons. Any other town participating would have a different fee. Mr. Eastman advised that by adding Fryeburg to the program, this would double the enrollment but would not double the town expenses as it would be the same number of instructors. This would help fund the program. There was a brief discussion with the Board. **Ms. Sand moved, seconded by Ms. Seavey, to cooperate with the Town of Fryeburg as described by John Eastman which includes Fryeburg residents at \$60 for swim lessons. The motion carried unanimously.**

REVERSE 911 / EMERGENCY NOTIFICATION SYSTEM

Emergency Management Director, Chief Steve Solomon, was present for discussion.

Mr. Sires reported that the State of New Hampshire is setting up a system to allow communities to broadcast emergency notices via phone. Mr. Sires advised that he has also spoken with the Police Chief regarding this and he is supportive of this and that they had been considering purchasing software. Chief Solomon stated that the pros of the State doing this is that it is funded by the State of New Hampshire and it is free to use. The only expense will be

for training staff. Chief Solomon next stated that a con to the system is that it is a hardware based system and so it has limitations to the amount of signals it sends. If we had a ice storm, etc., you will have multiple communities using the system and then the signal may not go out as quickly. Chief Solomon next explained that this system will also not capture cell phones or notify the tourist population. Ms. Sand pointed out that people will be able to sign up for cell phone notifications and, also, with regard to the tourist population, if someone is staying at a hotel, the hotel would be notified. Chief Solomon next reviewed that in an emergency situation, they would also still use the radio, go door to door, etc., if necessary. Mr. DiGregorio added that we have also talked about live broadcasts from this building in the past and this would also help get word out to people on Valley Vision in the event of an emergency.

Ms. Sand asked about a list of administrators for the system. Chief Solomon stated we would have an E911 liaison, Town Manager, Emergency Management Director, Police Chief, etc. These are some of the items that would still need to be worked out.

Ms. Sand moved, seconded by Mr. DiGregorio, that we incorporate reverse 911 as provided by the State of New Hampshire in the Town of Conway and choose the administrators of this program based on Section 3a. The motion carried unanimously.

REVIEW OF MEMO FROM ATTORNEY MALIA
REGARDING WARRANT ARTICLES 33 AND 34

Mr. Sires reviewed a memo from the Town Attorney, Peter Malia, regarding Warrant Articles 33 and 34 with the Board. (See attached). There was a general discussion with the Board concerning minutes, posting agendas, timeframes for posting, etc.

SIGNING OF DOCUMENTS

- a. Authorize the transfer of \$6,650 from the Recreation Revolving Fund to the General Fund
- b. Certification of Yield Taxes Assessed Map/Lot 203.11.1
- c. Certification of Yield Taxes Assessed Map/Lot 247-11
- d. Certification of Yield Taxes Assessed Map/Lot 260-58
- e. Notice of Intent to Cut Wood or Timber Map/Lot 247-112 & 113
- f. Notice of Intent to Cut Wood or Timber Map/Lot 262-28 and 250-207
- g. Notice of Intent to Cut Wood or Timber Map/Lot 288-7
- h. Timber Tax Levy Map/Lot 201-11.1, 247-11 and 260-58
- i. Authorization to transfer \$9,140.21 from the Police Special Duty Revolving Fund to General Fund
- j. Authorization to transfer \$40,453.91 from the Solid Waste Revolving Fund to the General Fund
- k. Notice of Intent to Cut Wood or Timber/Map-Lot 260-45 & 47
- l. 2013 Tax Warrant

Ms. Sand moved, seconded by Mr. DiGregorio, to sign the Authorization to transfer of \$6,650 from the Recreation Revolving Fund to the General Fund, Certification of Yield Taxes Assessed Map/Lot 203.11.1, Certification of Yield Taxes Assessed Map/Lot 247-11, Certification of Yield Taxes Assessed Map/Lot 260-58, Notice of Intent to Cut Wood or Timber Map/Lot 247-112 & 113, Notice of Intent to Cut Wood or Timber Map/Lot 262-28 and 250-207, Notice of Intent to Cut Wood or Timber Map/Lot 288-7, Timber Tax Levy Map/Lot 201-11.1, 247-11 and 260-58, Authorization to transfer \$9,140.21 from the Police Special Duty Revolving Fund; Authorization to transfer \$40,453.91 from the Solid Waste Revolving Fund, Notice of Intent to Cut Wood or Timber/Map-Lot 260-45 & 47 and the 2013 Tax Warrant. The motion carried unanimously.

CONSIDERATION OF BILLS

a. Manifest 5/23/13 – **Ms. Sand moved, seconded by Mr. DiGregorio, to approve the manifest dated 5/23/13. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest dated 5/16/13
- b. Payroll dated 5/16/13

Ms. Sand moved, seconded by Mr. DiGregorio, to ratify the manifest dated 5/16/13 and the payroll dated 5/16/13. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATIONS

- a. White Mountain Milers/Running Start 5K Road Race for Women 6/30/13
- b. Tin Mountain Conservation Center/Mt Washington Century Ride 7/20/13

Mr. DiGregorio moved, seconded by Ms. Stacy, to approve the special event applications for the White Mountain Milers/Running Start 5K Road Race for Women scheduled for 6/30/13 and the Tin Mountain Conservation Center/Mt Washington Century Ride scheduled for 7/20/13. The motion carried unanimously.

Mr. Sires reported that the people organizing the farmers market are working on the special event application so that it can be presented to the Board for consideration at the next meeting.

CONSIDERATION OF MINUTES

5/7/13 – **Ms. Sand moved, seconded by Mr. Thibodeau, to approve the minutes of 5/7/13 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Transvale Buyout – Mr. Sires reported that on 6/21/13 we will be closing on 7 properties in Transvale and then in mid July there will be another 2 or 3 properties to close on. Mr. Sires next reported the Town will be putting a bid out to do the demolition work in Transvale and we would hope to have this work done sometime in July or August.

Friends of Conway Rec – Mr. Sires reported that he had a meeting with Sut Marshall this morning and they had discussion about expanding or replacing the gym. The Friends of Conway Rec are looking to give a proposal to the town on this in the future however, there still are things that need to be looked at first before this can be done.

Channel 3 – Mr. Sires reported that the Town of Jackson is thinking about sharing time with Conway on Channel 3 and we are working on a proposal for same.

Codification Project – Mr. Sires reported the bids are due for the codification project by May 31, 2013. Thereafter, a meeting of the committee will be scheduled for some time in June.

Hobbs Street Committee – Mr. Sires reported a meeting of the Hobbs Street Committee is scheduled for tomorrow morning at 10:00 a.m. here at town hall.

Update on Legal Matters – Mr. Sires advised that he would be asking Attorney Malia to attend a meeting in the future to give the Board an update on pending legal matters.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Thibodeau reported that at the most recent Planning Board meeting the Board approved a request to install solar panels on a property in North Conway. Also, the Planning Board had a further discussion on solar panels and about why these need to be brought to the Board and they will be getting information to determine what triggers a review of solar in the future.

Solid Waste Conference – Ms. Sand reported that she will be attending the Solid Waste Conference the first week of June in Concord, NH.

MWVEC – Ms. Seavey reported the MWVEC is doing a blitz and will be going out to interview businesses about economic growth. This will then be tallied and the information put out to the public.

Transfer Station/Credit Cards – Mr. Sires advised that Paul DegliAngeli has information regarding credit cards for the Board to consider. Mr. DegliAngeli stated that the Board previously had questions about what it would cost for credit cards. Mr. DegliAngeli advised that he got a quote and of 1.69% and \$.25 per transaction. For a \$100 transaction the cost would be \$1.69 plus \$.25. The question is do we want to provide this convenience for people at our facility. Mr. Thibodeau questioned if we can charge the fees to the customer. Mr. DegliAngeli explained that the typical transaction may be \$5 or \$10 and so the transactions would come out to pennies. Ms. Seavey questioned if we could just charge a flat convenience fee instead. Ms. Sand agreed with Ms. Seavey's suggestion regarding a flat convenience fee. Mr. Thibodeau next questioned if there are any monthly subscription fees. Mr. DegliAngeli advised that we do have software to run the scale, keep records, etc. The quotation for adding credit card payments is a one-time fee. We do need to purchase hardware and the reader for about \$600 and then there will also be a charge for installation as well as \$80 to \$100 per hour for a technician. Mr. DiGregorio stated that he agrees with Mary and Stacy with regard to charging a flat fee. The Board agreed on the idea of using credit cards. The Board next discussed charging fees of either \$1 or \$2 per transaction. **Ms. Sand moved, seconded by Ms. Seavey, that we install the ability to take credit cards at the Transfer Station and for every transaction we charge a \$2.00 fee.** Mark Hounsell stated that he sees little difference from a fee and a tax and thinks the town should just eat this one. Ms. Sand stated that she disagreed as someone can avoid the fee if they choose by paying cash. This is a convenience fee. **The motion failed 2-3-0 with Mses. Sand and Seavey voting in the affirmative and Messrs. Thibodeau, DiGregorio and Weathers in the negative.** The Board next considered the fee of \$1.00. **Mr. DiGregorio moved, seconded by Ms. Seavey, that we install the ability to take credit cards at the Transfer Station and for every transaction we charge a \$1.00 fee. The motion carried unanimously.**

Mr. DiGregorio stated that there had been discussion about a gate previously at the transfer station and he thought the Board was supposed to look at additional information regarding this idea. Mr. DegliAngeli reviewed that we installed a new shack at the transfer station and we were going to put in a speed bump for now and also track people going through and bring this information to the Board in the future.

Sergeant Broyer Retirement – Mr. Weathers reported that he would be attending the retirement dinner for Police Sergeant Broyer on Friday evening, May 24, 2013, on behalf of the Town.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Erik Eisele of the Conway Daily Sun questioned what the costs are to the Town for Budget Committee minutes. Mr. Sires advised that he can get this information to Erik.

NON PUBLIC SESSION / NH RSA 91-A:3,II(C)

At 6:04 pm, Mr. Thibodeau moved, seconded by Ms. Sand, to go into non public session under NH RSA 91-A:3,II(c) to discuss three matters. Included in the non public session was a citizen requesting to discuss a tax matter, Adrian Hurd, Mark Hounsell and Emergency Management Director Steve Solomon to discuss a hazardous and dilapidated structure order, and Public Works Director, Paul DegliAngeli, to discuss a contract matter. **The motion carried by unanimous roll call vote.**

At 7:16 p.m., the Board returned to public session.

Mr. Thibodeau moved, seconded by Mr. DiGregorio, to seal the minutes of this non public session. The motion carried unanimously.

ADJOURN

At 7:17 p.m. the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary