

**Minutes of Meeting**  
**CONWAY BOARD OF SELECTMEN**  
August 11, 2015

The Selectmen's Meeting convened at 4:03 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Mary Carey Seavey, Carl Thibodeau, Steven Porter and John Colbath, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised that two items will be added under the agenda item Review and Consideration of Special Event Applications. One item is for Tuckerman's Brewery Music Series and the other is a request to extend the Ski Sale permit for one week. **Mr. Colbath moved, seconded by Mr. Thibodeau, to approve the agenda as amended. The motion carried unanimously.**

RECOGNITION OF CONWAY RECREATION DEPARTMENT FOR 4<sup>TH</sup> OF JULY EVENT

Recreation Director, John Eastman, Assistant Recreation Director, Mike Lane, and Teen Center Coordinator, Lynore Wagner, appeared before the Board. Mr. Weathers reviewed the 250<sup>th</sup> Anniversary/Fourth of July Celebration. Mr. Weathers stated that on behalf of the Board of Selectmen he would like to thank the Recreation Department staff for the work they did for the Fourth of July celebration.

REQUEST FOR LETTER OF SUPPORT FOR HOMELAND SECURITY  
GRANT – CARROLL COUNTY SHERIFF'S DEPARTMENT

Mr. Sires reviewed that the Carroll County Sheriff's Department is requesting a letter of support as they are applying for a Homeland Security Grant to upgrade their radio system. Mr. Weathers stated the improvements are needed. Mr. Thibodeau advised that he spoke with Sheriff Richardi about this and it is needed. Mr. Thibodeau stated he fully support this. **Mr. Porter moved, seconded by Mr. Thibodeau, to endorse the letter in support of the Homeland Security Grant. The motion carried unanimously.**

DISCUSSION OF RIVER ROAD PAVING

Public Works Director, Paul DegliAngeli, joined the meeting.

Mr. Sires advised that Mr. DegliAngeli will be asking for an adjustment to the CRF so that we can pave River Road in East Conway. Mr. Thibodeau questioned the amount the work would cost. Mr. Sires advised that it is approximately \$15,000.

Mr. DegliAngeli reviewed River Road from the intersection of East Conway Road to the Maine State line. Mr. DegliAngeli further reviewed that this is the road where we also recently replaced a culvert. Mr. DegliAngeli next advised that while working on the culvert project it was discovered that the pavement was in really bad shape. Mr. DegliAngeli stated he thinks this is due to the fact that the whole road floods and then people push away the barricades and travel

on the road. Mr. DegliAngeli next advised that the State of Maine is doing a pavement project on their portion of River on the Maine side. Also the State of New Hampshire put a notice out that they will be paving East Conway Road from where they left off to Chatham Road. This would then leave only this one section of River Road not done. We would like to pave this section of road and can use the same contractor and get State of Maine pricing for the project which would be about \$14,400 to \$14,600. Mr. DegliAngeli next reviewed that the Town had allocated money for the Conway village drainage project however that was postponed until next year and so he is asking to use \$15,000 to finish this work on River Road now. Mr. DegliAngeli next stated that it should also be noted that the NHDOT is now not paving East Conway Road this year but it is highest priority for next year.

Mr. Thibodeau asked about the sub-street life for River Road. Mr. DegliAngeli stated it is not good and we have rebuilt it once but it is not in good shape. We need to put gates up and lock them when the road floods as barricades can be moved by the public and gates cannot. We did do pavement and gravel work before but, short of going down further and keeping people off the road when it is saturated, this is what we need to do now. Mr. Thibodeau questioned if it is then a waste to do it. Mr. DegliAngeli stated that we do need to maintain the road. There was next brief discussion of the State paving of East Conway Road. Mr. Colbath next asked if there is an advantage to paving River Road now instead of later. Mr. DegliAngeli stated that the advantage is pricing. **Mr. Colbath moved, seconded by Mr. Porter, to pave River Road this year using capital reserve funds. The motion carried unanimously.**

#### SIGNING OF DOCUMENTS

- a. Notice of Intent to Cut Wood or Timber Tax Map/Lot 272-44

**Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the Notice of Intent to Cut Wood or Timber for Tax Map/Lot 272-44. The motion carried unanimously.**

#### CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 8/13/15

**Ms. Seavey moved, seconded by Mr. Colbath, to approve the Accounts Payable Manifest dated 8/13/15. The motion carried unanimously.**

#### RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 8/6/15
- b. Payroll 8/6/15

**Mr. Colbath moved, seconded by Mr. Porter, to ratify the Accounts Payable Manifest dated 8/6/15 and Payroll dated 8/6/16. The motion carried unanimously.**

#### REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

a. Tuckerman Brewing Co/Tuckerman Brewing Music Series – 8/9/15, 9/20/15, 10/18/15 and 11/22/15 - Mr. Sires reviewed the Special Event Application for the Tuckerman Brewing Music Series. There was a brief discussion by the Board. **Mr. Colbath moved, seconded by Mr. Porter, to approve the Special Event Application for Tuckerman Brewing Company/Tuckerman Brewing Music Series on 8/9/15, 9/20/15, 10/18/15 and 11/22/15. The motion carried unanimously.**

b. Request from Larry Manson to extend Ski Zilla Special Event permit one week due to wind storm that leveled tent. – Mr. Sires reviewed that the tent had blown down during a recent storm and now the applicant has requested their permit be extended for one week. The applicant has provided a new insurance certificate and notified the police and fire departments. **Mr. Porter moved, seconded by Mr. Colbath, to extend the Ski Zilla special event permit for one week. The motion carried unanimously.**

CONSIDERATION OF MINUTES: 7/28/15

**Mr. Colbath moved, seconded by Ms. Seavey, to approve the minutes of the open meeting of 7/28/15 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Kearsarge Road Property – Mr. Sires reported that papers were signed regarding the sale of the Kearsarge Road property last week.

Great Bridge Properties – Mr. Sires reported that the paperwork has been completed and building will be starting on the senior housing project.

Rail Trail Agreement – Mr. Sires reviewed that the Board signed the Rail Trail Agreement a couple of weeks ago. The Agreement asks for liability insurance; however, our insurance company won't cover this and we are now looking into the cost for getting other insurance for this agreement.

Marshall Property – Mr. Sires reported that a sign has been put up on the stone gate for the Marshall Property.

North Country Council – Mr. Sires reported that he has been speaking with North Country Council and he may include the dues to this organization in the proposed budget for next year.

Veterans Memorial – Mr. Sires reported that he has been speaking with a Veterans group in town. There is interest in relocating the Veterans Memorial that is now at the corner near Burger King. We are looking for a new site for the memorial.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported that the Planning Board is going through the Master Plan to see if anything needs to be addressed to keep it current.

ZBA – Mr. Colbath reported that the ZBA is scheduled to meet next Wednesday.

Sign Committee – Mr. Thibodeau reported the Sign Committee does not meet again until September.

ESAA – Mr. Thibodeau reported that the Executive Committee met and is working diligently for funds for the road to the airport. Mr. Thibodeau next reported that the ESAA Annual Meeting and BBQ is scheduled for August 28, 2015 and the Selectmen are invited to attend.

Request for Sign – Mr. Weathers reviewed that the Board previously discussed a request for a visually impaired sign by a citizen who walks quite a bit on West Side Road. The

Board did not grant the request for the sign. Mr. Weathers advised that the person has contacted him again and asked that this request be brought back up to the Board of Selectmen. There was discussion by the Board on the area of where the person lives, the area he covers walking, and if and where a sign could be put up. Mr. Sires reviewed with the Board that research shows that these types of signs don't really have any impact. There was no further discussion. No action was taken.

### PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked for more information about the Rail Trail Agreement. Mr. Sires stated that one of the provisions in the agreement was to hold harmless Conway Scenic Railroad but our blanket coverage will not cover this. We are now looking for alternatives.

Mr. Thibodeau asked for discussion on the letter regarding the library book. Mr. Sires reviewed that the Town, Police, and Library were contacted regarding the practice that police call and ask for overdue library books. There were a number of communications on this matter and the Board of Selectmen are in support of the practice as library books are a town asset. Also, the police will continue the practice. Failure to return a book to the library is a crime in New Hampshire. Mr. Thibodeau commented that initially he thought this was overkill but once you read the statutes etc., you understand and this comes down to –if you are called by the police department you need to return the book. This is not the fault of the police department –it is the fault of the person not returning the book. The overblown part of this is the person who wrote the letter. The actions are indefensible and they needed to return the book. Mr. Colbath stated he affirms what Mr. Thibodeau said. Mr. Colbath next stated that the Library had exhausted all ability to get the book returned and then they turned this over to the police department. What the police department did is covered in the RSA's. Mr. Colbath next stated that everything he read all followed due course. Mr. Sires next advised that the book had been lost or damaged and the amount to replace it has now been paid. Ms. Seavey stated that she agrees with what has been said here today but would also add that this is not the jurisdiction of the Board of Selectmen nor do they have any say over this. To be informed of this is okay but again we don't have jurisdiction. A citizen in the audience, Kevin MacMillan, questioned what the cost it to recover this book is with time pursuing it etc. Mr. Sires stated it could be hundreds with staff time, etc. Mr. MacMillan suggested not letting this person use the library anymore.

### NON PUBLIC SESSION / NH RSA 91-A:3,II(c) – TAX MATTERS

At 4:38 pm, **Mr. Thibodeau moved, seconded by Mr. Colbath, to go into non public session under NH RSA 91-:3,II9(c) to discussion tax matters.** Included in the non public session were 3 property owners, Tax Collector, Rhoda Quint, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 5:51 pm.

**Mr. Colbath moved, seconded by Ms. Seavey, to seal the minutes of this non public session. The motion carried unanimously.**

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

At 5:55 pm, **Mr. Porter moved, seconded by Mr. Colbath, to go into non public session under NH RSA 91-A:II(a) to discuss the Town Manager Evaluation.** The non public session included Town Manager, Earl Sires. **The motion carried by unanimous roll call vote.**

At 7:10 pm, the Board returned to public session.

**Mr. Colbath moved, seconded by Mr. Porter, to seal the minutes of this non public session. The motion carried unanimously.**

ADJOURN

At 7:10 pm the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell  
Executive Secretary