

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
January 3, 2017

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

C. David Weathers (Chair) was not at meeting due to another scheduled appointment.

PLEDGE OF ALLEGIANCE

Ms. Seavey led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Ms. Seavey advised that one abatement has been added under the Signing of Documents agenda item. **Mr. Colbath moved, seconded by Mr. Porter, to approve the agenda as amended. The motion carried unanimously.**

CERTIFIED ASSESSOR

Assistant Assessor, Dale Scholfield, and Assessor, Tom Holmes, joined the meeting. Mr. Sires read aloud a Certificate from the New Hampshire Department of Revenue Administration that certifies that Dale Schofield has successfully completed and submitted the required documentation as required by law to obtain status as a DRA-Certified Property Assessor Supervisor.

The Board congratulated Ms. Schofield and there was a round of applause.

CONSIDERATION OF UNANTICIPATED REVENUE LESS THAN \$10,000/RSA 31:95-b, III (b)

a. \$6,995 to the Town of Conway for the Damon O'Neal Scholarship Trust Fund from various donors

Finance Director, Lilli Gilligan, joined the meeting. Mr. Gilligan reviewed that various donations were made for the Damon O'Neal Scholarship Trust Fund from various donors. **Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the \$6,995 to the Town of Conway for the Damon O'Neal Scholarship Trust Fund from various donors. The motion carried unanimously.**

CONSIDERATION OF CERTIFICATE OF AUTHORIZING
RESOLUTION FOR HEALTH TRUST INC.

RESOLVED: That Town of Conway shall participate as a Member in the HealthTrust pooled risk management program for the provision of group medical and/or other benefit plans in accordance with the "Application and Membership Agreement" and NH RSA 5-B; and

RESOLVED: That Earl W. Sires, Town Manager, is hereby authorized and directed to execute and deliver to HealthTrust, on behalf of Town of Conway, the

“Application and Membership Agreement” in substantially the form presented to this meeting.

Ms. Seavey read aloud the Resolution. **Mr. Colbath moved, seconded by Mr. Porter, to accept the Resolutions.** Ms. Gilligan gave a brief overview of the forms to the Board. **The motion carried unanimously.**

CONSIDERATION OF AMBULANCE AGREEMENTS

- a. Care Plus Ambulance Service, Inc.
- b. Conway Village Fire District

Present for discussion were Conway Village Fire District Commissioners, Janine Bean and Steve Bamsey; Care Plus Ambulance Service representative, Mitch Gove; Conway Village Fire Department Chief, Steve Solomon; Mark Hounsell, Bob Barriault, Ray Leavitt, David Bernier, Curt Kennett and Bayard Kennett.

Mr. Sires reviewed that in the past we have had contracts for ambulance service with providers. The contracts run out this year on April 30, 2017. The goal of the Board of Selectmen is to bring something to the voters to consider in April. In the past there was one contract between three parties. This year it was determined that we would have two separate contracts. Mr. Sires next reviewed that bids were sent out this past summer and were due in September. The Town received bids from Care Plus, Life Star and Conway Village. The bids were opened at a public meeting. Further meetings followed. Where we are now at is that we have two counterproposals -one from Care Plus and one from Conway Village. Mr. Sires next reviewed information from both contained in the Board agenda packet. Mr. Sires next reviewed that the committee is favorably recommending both proposals.

There was next discussion by the Board and the public regarding the proposals, services provided to the town, and coverage areas

Mr. Porter moved, seconded by Mr. Colbath, to accept the bid for Area 1 from Care Plus. There was a brief review and discussion of the bid amount. **The motion carried 3-1-0 with Mr. Thibodeau voting in the negative.**

Mr. Sires next reviewed the proposal for Conway Village for Area 2. **Mr. Porter moved, seconded by Mr. Colbath, to accept the bid for Area 2 from Conway Village. The motion carried 4-0-0.**

DISCUSSIONS WITH CONWAY VILLAGE FIRE DISTRICT COMMISSIONERS

a. Request for Boundary Expansion - Mr. Sires reviewed that this matter was placed on the agenda as an opportunity for Conway Village to update the Board on their request regarding the boundary expansion. Mr. Sires questioned if the Commissioners had any information to relay. Ms. Bean responded in the negative. Chief Solomon stated that the Commissioners did meeting with the USVLT but since that time have not had time for further discussion on the matter. Chief Solomon requested more time be given before the Board of Selectmen votes on this matter.

b. Other – Ms. Bean stated that it has occurred to her that Conway Village pays twice for ambulance service. They pay for townwide service and also in the district budget. They don't feel it is fair for Conway taxpayers to pay for this. They have asked about a tax rebate in

some form in talks with town staff and are here today to have the conversation as well. Mr. Sires reviewed that there was discussion but the town can only have one tax rate for the town. In the case of the ambulance contract we have to charge everyone the same amount anyway. There was discussion by the Board and public on whether there is double taxation.

Chief Solomon next asked about town wide fire. Also, he has brought up in the past turning over fire and ambulance service to the town. He feels it would cost less for insurances, etc. Chief Solomon stated these items have been discussed in the past and have not gone anywhere and he feels that it is time for the town to start looking at these services and take them on. All five fire departments may not want to play but some do and he feels it is time to start this. Daymond Steer of the Conway Daily Sun asked about the history of ambulance service in town. Chief Solomon advised he would be happy to discuss same with Mr. Steer.

Bayard Kennett of the Kennett Corporation stated he is here to see what Conway Village is proposing for the C9 area. He has not been invited to speak with the Conway Village Commissioners regarding their proposal. There was next brief discussion regarding the C9 area. Chief Solomon advised that the Commissioners met with the USVLT about land and this could change what they are looking at and they didn't know about this aspect when making the proposition to the town regarding C9. If this land is going to be conservation land, then it might not make sense and they are asking for time to continue the discussion. Mr. Kennett advised that they are close to an agreement with USVLT for the Pine Hill area. All of it is wetland, hilltop land, etc that cannot be developed. The important point is who is best qualified between Conway and North Conway to supply municipal services to that geographical location and also from a point of fire service and existing infrastructure as to who should be supplying services there. There was further discussion by the Board and public.

There was next further discussion regarding consolidation of services. There was no action taken.

CONSIDERATION OF INCREASE IN FINE FOR SNOW ON STREETS/CHAPTER 137 SNOW AND ICE

Mr. Sires reviewed that staff is proposing to increase fines. Mr. Sires advised this is for people who push snow into the street. Mr. DegliAngeli stated that the last time the fine was updated was 1939. The fine is currently \$20 and it is proposed that it increase to \$200.00.

The Board reviewed and held discussion regarding Chapter 137. There was a discussion regarding deposit of snow on both streets and sidewalks. The Board agreed we should consider also adding sidewalks to the chapter as it is also a public right of way. **Mr. Colbath moved, seconded by Mr. Thibodeau, to set the public hearing.** Mr. Sires reviewed that the Board will then direct staff to prepare language. **Motion carried unanimously.**

DISCUSSION OF PROPOSED 2017 WARRANT ARTICLES

Mr. Sires distributed a copy of the updated draft warrant to the Board and reviewed same.

Mr. Sires first reviewed the language changes to the article for the Union contract.

Mr. Sires next reviewed the ambulance warrant articles and that the amounts can now be put in the articles as the Board voted on amounts.

Mr. Sires next reviewed the CRF warrant article for infrastructure reconstruction and that the wording has been changed as per the previous Board of Selectmen meeting.

Mr. Sires next reviewed that the landfill expansion CRF warrant article is in strikethrough as it is proposed that nothing be contributed this year.

Mr. Sires next reviewed that there is also strikeout through the proposed article for the PEG trust fund. This is so that we can deal with other current demands and, also, it makes sense not to contribute another \$130,000 as the fund has a balance of \$170,000 in it now. Ms. Seavey questioned if this was voted on last week. Mr. Sires reviewed that it was discussed but warrant articles have not yet been voted on. There was next brief discussion of how this has been funded in the past.

Mr. Colbath questioned if it would be better to leave \$1 in the warrant articles for landfill expansion and PEG instead so that people still see the articles each year. Mr. Sires stated we could do this for the landfill but he is recommending that the PEG article not be on the warrant this year and just let the voters know about it. Ms. Seavey stated she feels that once you take it out it loses something to the public. If people know it is in there each year they see it. Mr. Colbath agreed and added that people may want to know why it wasn't in there the following year. Mr. Sires advised that it is up to this Board if they want to leave the article on as \$1. Ms. Seavey and Mr. Colbath agreed they would like to see it this way.

Mr. Colbath next referred back to the ambulance warrant article. There was brief discussion as to the amounts in the warrant article. Mr. Sires reviewed that the article asks the voters to approve the contract and it is a five year contract. We have to put the total amount for the five years in the agreements. There was next discussion as to the term of the contract. Mr. Thibodeau next expressed that he would like to reconsider the amount of money we are spending in Conway Village. **Ms. Seavey moved, seconded by Mr. Thibodeau, to reconsider the vote on the Conway Village Ambulance Contract.** Mr. Colbath suggested that this matter also be considered when there is a full Board as well. Mr. Thibodeau agreed this should be placed on the next agenda. There was a brief recess of the meeting at 5:40 pm to review rules and procedures. The meeting was called back to order at 5:43 pm. Mr. Sires reviewed that the Board of Selectmen Rules and Policies stated that the Board can reconsider and then take action at the current or next meeting. **Motion carried 4-0-0.**

Mr. Colbath moved, seconded by Mr. Thibodeau, that we table the reconsideration discussion until the next meeting of the Board of Selectmen. The motion carried 4-0-0.

REVIEW OF RECEIPTS

Receipts were available for the Board's review.

SIGNING OF DOCUMENTS

- a. Abatement Tax Map/Lot 217-22.037 (2015)
- b. Abatement Tax Map/Lot 217-22.037 (2016)
- c. Abatement Tax Map/Lot 254-29.082

Mr. Colbath moved, seconded by Mr. Porter, to sign the Abatement for Tax Map/Lot 217-22.037 (2015), Abatement for Tax Map/Lot 217-22.037 (2016) and Abatement for Tax Map/Lot 254-29.082. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 1/5/17
- b. Payroll 1/5/17

Mr. Colbath moved, seconded by Mr. Porter, to sign the Accounts Payable Manifest dated 1/5/17 and Payroll dated 1/5/17. The motion carried unanimously

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest 12/29/16

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the Accounts Payable Manifest dated 12/29/16. The motion failed 2-0-2. It was agreed the ratification of this manifest would be placed on the next agenda.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no Special Event Applications for consideration.

CONSIDERATION OF MINUTES

Mr. Colbath moved, seconded by Mr. Porter, to approve the regular and non public minutes of 12/13/16 as written. The motion carried unanimously.

TOWN MANAGER REPORT

MWV Supports Recovery – Mr. Sires reviewed a letter received from MWV Supports Recovery asking that the town waive the 2016 taxes for the second half in exchange for parking behind the building next door. Mr. Sires advised that he spoke with Ms. Spinney who is the Chair of MWV Supports Recovery and had discussion. She understood that the town plowed the parking lot and in exchange for that we have been allowed to park in the lot next to town hall and that the church could park there as well. Ms. Spinney advised they have their own plow contract. Mr. Sires next advised that he asked if it makes sense for town employees not to park there any longer and she stated yes. Mr. Sires next reported that town employees are no longer using the parking area next store. There was next brief discussion of the tax bill. Mr. Holmes explained deadlines for filing for abatements etc. and also that the Board can abate for good cause shown. Mr. Holmes further reviewed that we can't confirm they are exempt at this time. Further, if they are going to have housing, they may be able to get a PILOT, however, we do not have any paperwork in this regard at this time as well. Mr. Thibodeau suggested that we maintain the status quo until we have the necessary paperwork to determine if they are a non taxable entity. There was further discussion of the tax bill and status. No action was taken by the Board on the request to waive the tax bill.

Diana's Bath and West Side Road Parking – Mr. Sires reviewed that the Board wanted to limit parking and requested the NHDOT take into consideration allowing us to put up no parking signs along the roadway. Mr. Sires next reported that he received an email from the National Forest service on behalf of Janice Crawford and they want to start a multi-state conference that will be at the end of January. They will be discussing parking all over the White Mountain National Forest. Mr. Sires suggested that we send a letter back advising that we have already had our collaboration and have asked for no parking. People live in the area of Diana's Bath and it is not like the area of Lower Falls, etc. If we wait for the meeting the no

parking may not happen and they will want to defer until the meeting with the stakeholders etc. The Board agreed. Mr. Sires advised he will write back and advise of same.

Ten Year Transportation Plan – Mr. Sires reported that the NCC-TAC has a process and provides time for the towns input. Mr. Sires requested the Board think about projects for the ten year plan and advised that we may also want to have a description of any changes to current projects as well. He and Paul can work on this and will update on same. Mr. Thibodeau suggested that Paul DegliAngeli, Earl Sires and he meet with Mark McConkey, Joe Kenney and Harold Parker who is the new Governor's Liaison to the NHDOT.

FEMA – Mr. Sires reported a letter was received from FEMA advising they have closed out the Transvale Acres project.

SAU9 Letter – Mr. Sires reviewed a letter was received from Kevin Richard of the SAU9 about looking at recreation at KMS and read aloud same to the Board. There was review and discussion by the Board regarding previous discussions with the school. Mr. Colbath stated he feels we need to call together a committee to look all options and it could be the same committee as prior but if not, could have new people on the committee. Mr. Colbath further reviewed that this Board also did agree to do a study of the building we have. Mr. Thibodeau agreed he thinks we should look at this again and that we need to hear the school's proposal but also we need to put up the \$35,000 discussed before to do a study of our building. There was further brief discussion. Mr. Sires suggested staff take a look and see if the proposal would work. Some Board members also expressed interest in touring the facility. Mr. Sires advised this would be scheduled and posted.

Budget Committee – Mr. Sires reported the Budget Committee meets tomorrow night. The initial budget presentation will be given and, also several department budgets will be presented. Mr. Sires further reported that the Budget Committee is also scheduled to meet next Monday and Wednesday as well.

CDBG – Mr. Sires reported a CDBG Board meeting is scheduled for Thursday.

Non Profit Budgets – Mr. Sires reviewed that the Non Profit budgets are due to the town on Friday.

LMWVSWD – Mr. Sires reported a LMWVSWD meeting is scheduled for Friday at Town Hall.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported that the Planning Board is scheduled to meet on January 25, 2017.

Historic District Commission – Mr. Porter reported that the Historic District Commission is scheduled to meet tomorrow night at the library. Mr. Porter next advised that he was approached by an individual to fill the vacant seat on the Commission. Mark Martin is enthusiastic, is dedicated to this area, and would be a good addition to the Commission. **Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the recommendation and appoint Mark Martin to the Historic District Commission. The motion carried 4-0-0.**

ZBA – Mr. Colbath reported the ZBA met on December 21, 2016. Mr. Colbath gave an overview of the matters discussed at the meeting.

Budget Committee – Mr. Colbath reported the Budget Committee meets tomorrow night and Ms. Seavey will be attending the meeting in his place.

100th Birthday – Mr. Colbath reported that his sister, Orfa Smith, turns 100 years old tomorrow.

ESAA – Mr. Thibodeau reported they are proceeding with hangar project. He also wants to stress again the need for support of the airport from the Town of Conway.

PUBLIC COMMENTS AND MEDIA QUESTION

Daymond Steer of the Conway Daily Sun asked about the stakeholder meeting regarding Diana's Bath discussed earlier and if it is a public meeting or will they be taking comments. Mr. Sires suggested that Mr. Steer contact Janice Crawford of the MWVCC for further information.

Mr. Steer next questioned if there is a policy or procedure to replace town staff and how would you replace the Town Manager. Ms. Seavey stated there is no procedure. Mr. Colbath stated that any high level position, we would expect a timely resignation and then open the process to get the best possible person for the job. Mr. Sires stated that the Town Manager is required to give 90 day notice.

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

At 6:25 pm, **Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non public session under NH RSA 98-A:3II(c) to discuss a tax matter.** Town Manager, Earl Sires, Tax Assessor, Tom Holmes, and Recording Secretary, Karen Hallowell, were included in the non public session. **The motion carried by unanimous roll call vote.**

The Board returned to public session at 6:33 pm.

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

ADJOURN

At 6:34 pm, the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary