

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
November 3, 2015

The Selectmen's Meeting convened at 4:02 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Mary Carey Seavey, Carl Thibodeau, John Colbath and Steven Porter, Town Manager, Earl Sires, and Recording Secretary, Karen Hollowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers advised that a non public session to discuss real estate matters under NH RSA 91-A:3,II(d) will be added to the agenda. **Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the agenda as amended. The motion carried unanimously.**

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

- a. \$2,342.66 from the State of NH to the Conway PD for DWI/DUI Patrols
- b. \$998.15 from the State of NH to the Conway PD for Pedestrian/Bicycle Control
- c. \$308.59 from the State of NH to the Conway PD for Operation Safe Commute
- d. \$355.86 from the State of NH to the Conway PD for DWI/DUI Patrols

Police Chief Wagner, Lieutenant Walker and Lieutenant Mattei, were present for discussion. Lt. Walker reviewed the grants received with the Board and requested that the funds be applied to the Officer Overtime line. **Mr. Colbath moved, seconded by Mr. Porter, to accept the \$2,342.66 from the State of NH to the Conway PD for DWI/DUI Patrols, \$998.15 from the State of NH to the Conway PD for Pedestrian/Bicycle Control, \$308.59 from the State of NH to the Conway PD for Operation Safe Commute and \$355.86 from the State of NH to the Conway PD for DWI/DUI Patrols and that this money be applied to the Officer Overtime line. The motion carried unanimously.**

DISCUSSION OF CONWAY TAXI LICENSE INSURANCE REQUIREMENT – KATY ROBBART

Katy Robbart of Fast Taxi joined the meeting.

Mr. Sires reviewed that this agenda item is a follow up discussion from a few weeks ago. Ms. Robbart has asked the Board of Selectmen to reduce the amount of the insurance requirements. The Board asked that we look into whether the insurance requirements we have are excessive or appropriate and that we speak to the town attorney and our liability carrier. The insurance carrier advised that they didn't feel that the insurance levels of \$500,000/\$500,000/\$100,000 were excessive. They also indicated that the insurance does two things –protects business owners and it protects clients. Mr. Sires next reviewed that the Board also questioned if someone could bring a case against the town if we reduced the insurance requirement level. The insurance company stated that it is not likely but that doesn't say that an attorney couldn't bring a case against the town. Mr. Sires next reported that in talking with town counsel he received a similar response about the insurance and it does not appear that our

insurance requirements are cumbersome. They are higher than average but not off the chart and they are there to protect the company and the passengers. Mr. Sires next stated that Attorney Malia also advised that our ordinance is pretty simple and we don't have a lot of the requirements that other town have such as requiring an open display of taxi license, minimum age, certain crimes prohibited, etc.

Ms. Robbart stated that she is requested the insurance requirement be lowered to \$250,000 or \$300,000. Also, she did look to see if there is an insurance pool for taxi's in the state as Mr. Colbath had asked and there is no such thing in NH.

There was brief discussion regarding insurance limits by the Board. **Mr. Thibodeau moved, seconded by Ms. Seavey, to amend the taxi ordinance to \$250,000 single person, \$250,000 per occurrence, and \$100,000 for property damage. The motion carried unanimously.**

REQUEST TO REDUCE SPEED LIMIT ON HUNTING
RIDGE ROAD TO 15 MPH – DANIEL STEWART

Daniel Stewart appeared before the Board. Also, present for discussion was Public Works Director, Paul DegliAngeli, Police Chief Ed Wagner, Police Lieutenant Walker and Police Lieutenant Mattei.

Mr. Stewart stated that his disabled daughter will be coming to live with him soon. Mr. Stewart stated that people drive fast on Hunting Ridge Road and he would like to have the speed limit reduced. There is a handicapped child sign on the road.

Mr. Weathers asked for comments from the police. Chief Wagner stated that they do not patrol this road a whole lot but they do have some issues on the road. There are motor vehicle issues and he would support a reduction of the speed limit.

Public Works Director, Paul DegliAngeli, stated that the Board of Selectmen have set speed limits on all roads in town and also did a study. It is not advised to post below 25 mph. Currently the lowest posted limit is 25 mph in town.

Mr. Weathers asked if it is unenforceable to post below 25 mph. Chief Wagner stated that basically you are idling below 20 mph. He is not sure that it is unenforceable. If it is posted it is enforced but he is not sure how many tickets would be given for going 20 mph on any road.

Mr. Thibodeau questioned if it would do any good to post the road at 15 or 20 mph. Chief Wagner stated that it would slow people down who do go the speed limit. There are limits on every road and they are all broken at some time. In his mind this is more of peace of mind for the Stewart family and for their child who will be safer.

Ms. Seavey questioned if this is a through street. Mr. Stewart stated it is not –it is one way in and out. Also, he is the second house to the end. Ms. Seavey questioned how many houses on the street. Mr. Stewart stated there are approximately 11 homes on the street. Ms. Seavey asked if the people speeding are close to his home as his house is not at the beginning of the street. Mr. Stewart stated it is mostly out of state people turning around, etc. Mr. Thibodeau questioned if the street is clearly posted that it is a dead end. Mr. DelgliAngeli responded in the affirmative.

There was further brief discussion by the Board. Mr. Sires stated that the Board could schedule a public hearing. **Mr. Thibodeau moved, seconded by Ms. Seavey, to hold a public hearing to have a discussion to reduce the speed limit on Hunting Ridge Road. The motion carried unanimously.**

REQUEST TO REDUCE SPEED LIMIT ON EAST SIDE ROAD – BECKY MULKERN

Becky Mulkern appeared before the Board. Ms. Mulkern advised that she lives on East Side Road and people having been flying by her house at 60, 70 and 80 mph. She has been hit twice. Also, animals have been hit on the road, bicycles, etc. Ms. Mulkern next stated that there is so much traffic on the road and feels the speed limit should be reduced to 30. People are trying to avoid traffic by using this road and they are going as fast as they can.

Ms. Seavey stated that she agrees with Becky and also pointed out that before you get to the bridge on East Side Road the limit is 15 mph.

Mr. DegliAngeli stated that this is a state roadway and suggested writing a letter to the State of NH DOT.

Chief Wagner stated that people come off of Route 16. He thinks it is more of a problem going south as people are trying to beat the light. Chief Wagner stated that he feels this is worth looking at.

There was brief discussion by the Board. **Mr. Thibodeau moved, seconded by Mr. Colbath, to request that Paul DegliAngeli send a letter to the NHDOT examining the speed limit on this stretch of road with the possibility of lowering it to 30 mph. The motion carried unanimously.**

PROPOSED 2016 BUDGET

Overview – Mr. Sires gave a brief overview of the proposed 2016 recommended budget.

Tax Rate – Mr. Sires next advised that the town just received the tax rate and tax bills will go out next week with a due date in the second week of December. The town rate is flat, the county tax rate increased and the school rate decreased.

Recreation - Recreation Director, John Eastman, joined the meeting. Mr. Eastman gave an overview of the proposed 2016 Parks and Recreation budget.

Police – Police Commissioner, Larry Martin, Police Chief Ed Wagner, Lt. Walker and Lt Mattei, were present for discussion. Chief Wagner gave an overview of the proposed 2016 Police budget. Chief Wagner further advised that they have also decreased their request by about \$8,000 as of yesterday and that page 9 of the budget has been updated.

Mr. Thibodeau asked how the Victim Witness Advocate is working out. Chief Wagner advised that it is working out well. The Victim Witness Advocate started working in July and has worked about 100 cases already.

Mr. Thibodeau next asked about outsourcing interview transcription services and if this was bid out. Chief Wagner advised that they looked at two companies for transcription services. They chose to outsource this as the turnaround time when outsourcing for this service is one day. Mr. Martin stated that they also don't have manpower tied up doing the

transcriptions and this was the best overall solution. Mr. Thibodeau asked if there was anyone local. Chief Wagner stated they could not find anyone local.

There was next a brief discussion of fuel.

Library – Library Trustee, William Marvel, and Library Director, David Smolen, joined the meeting. Mr. Smolen and Mr. Marvel gave a brief overview of the proposed 2016 budget. Mr. Smolen further reviewed that they are projecting about \$26,000 in revenue and will turn this back to the town.

Request for Selectmen's Warrant Article/Historical Register Nomination Grant – Mr. Smolen next reviewed that the Library received a grant for \$8,640 from the National Park Service to hire an architectural historian to submit the library to the National Historical Registry. The total cost of the project is \$10,800 and this is a reimbursement program so we would need to raise the funds. The Trustees are asking the Board of Selectmen to support a warrant article in that amount so we can ask for the funds. Mr. Sires reviewed that a warrant article would read something like –shall we raise and appropriate \$10,800 for this grant with \$8,640 from the granting agency and the balance to be paid by the town. Mr. Smolen next stated that there is a feeling that if we have the library on the National Historic Register then we also may be available for other grants, etc., for things such as a roof.

Mr. Weathers questioned if having this on the National Historic Register would it limit any land taking, etc., such as for a roundabout in Conway Village. Mr. Smolen responded in the negative advising that the only thing they could do was delist us. Mr. Thibodeau questioned if when it comes time to make repairs or an addition, does this restrict the type of materials that can be used. Mr. Marvel advised that it sets no restrictions. Ms. Seavey stated that she sees having the library on the National Historic Register as a positive for the town. It will protect the building and, also, we have other buildings in town that should be on the register as well.

Mr. Smolen next stated that, as part of this, their larger goal would be to incorporate historic resources into the disaster mitigation plan in the future.

Highway – Public Works Director, Paul DegliAngeli, appeared before the Board. Mr. DegliAngeli gave an overview of the proposed 2016 Highway budget. There was a brief discussion regarding overtime.

Discussion of proposed purchase of trailer dump body – Mr. DegliAngeli next discussed the demand for salt last year. Mr. DegliAngeli advised that we picked salt up ourselves and got a trucking credit last season and this ended up being cheaper. This year he is asking for a piece of equipment, a trailer dump body. Mr. DegliAngeli next reviewed that they hauled 140 loads of salt last year with a solid waste employee. Mr. Thibodeau questioned if we would be able to use the requested piece of equipment in the Solid Waste Department. Mr. DegliAngeli responded in the affirmative and advised that we will use it for scrap, etc., and it will become a year round piece of equipment for the town.

Solid Waste - Public Works Director, Paul DegliAngeli, next gave an overview of the proposed 2016 Solid Waste budget. There was a brief discussion regarding overtime. Mr. Colbath asked about a reduction of hours at the transfer station. Mr. DegliAngeli reviewed that this was discussed in the past. Mr. Sires added that in a previous year this was proposed and at town meeting it was added back into the budget so that the hours at the transfer station would stay the same. Ms. Seavey stated she feels the hours we have at the transfer station are a necessity as people in this town work all different hours. There was further brief discussion of the hours at the transfer station.

Government Buildings - Public Works Director, Paul DegliAngeli, gave an overview of the proposed 2016 Government Buildings budget.

REVIEW AND APPROVE 2016 RECREATION REVOLVING FUND BUDGET

Finance Director, Lilli Gilligan, and Recreation Director, John Eastman, were present for discussion.

Mr. Sires reviewed that there are two different funds that support recreation. One is the general fund which Mr. Eastman went over earlier in the meeting and the second is the Recreation Revolving Fund which receives fees and funds during the year. Mr. Sires next reviewed that we have to set a budget for the recreation revolving fund.

Mr. Eastman next reviewed the proposed 2016 Recreation Revolving Fund proposed budget with the Board.

Mr. Eastman next advised that they use a tent for the summer recreation program. The one they have is nine years old and has holes, etc. Mr. Eastman next stated they are requesting \$4,500 to replace the tent.

Mr. Sires next reviewed projected 2016 revenues for recreation. Mr. Sires explained that any monies accumulated go into this fund and can only be used for recreation. We have accumulated approximately \$96,000 at this time and are asking to spend \$4,500 on a tent.

Ms. Seavey asked about set up and clean up for events. Mr. Eastman advised that he has not submitted all of this information to Lilli yet and we still have four events on the list to give her.

Ms. Seavey asked about the rink attendant. Ms. Gilligan explained that this is weather dependent. The budget would allow an attendant to stay until March if needed.

Mr. Colbath stated that the FOCR could probably get a grant for the tent; however, since we do have \$96,000 in the fund is all for buying the tent.

Ms. Seavey next asked about the bridge attendant. Ms. Gilligan explained this is weather dependent as well and this budget reflects what would be spent if we had a perfect summer with sunny days and high water.

Mr. Colbath moved, seconded by Ms. Seavey, to approve the budget for the Recreation Revolving Fund as presented. It was reviewed that the proposed budget is \$119,979. There was next a brief discussion of buying the tent now instead of 2016. **The motion carried unanimously.**

Mr. Colbath moved, seconded by Mr. Porter, to expend up to \$4,500 for a tent with the current budget from the Recreation Revolving Fund. The motion carried unanimously.

APPOINTMENT OF NAT LUCY AS ALTERNATE TO CONSERVATION COMMISSION

Mr. Weathers reported that an alternate on the Conservation Commission has moved out of town and Nat. Lucy has stepped forward to be appointed for this position. Mr. Weathers

stated that he does feel however that the position should be advertised first and that this be brought back to the next meeting. The Board agreed.

SIGNING OF DOCUMENTS

- a. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 241-3.1
- b. Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 272-10
- c. Land Use Change Tax Tax Map/Lot 241-3.1
- d. Land Use Change Tax Tax Map/Lot 272-10
- e. Notice of Intent to Cut Wood or Timber Tax Map/Lot 226-5
- f. Notice of Intent to Cut Wood or Timber Tax Map/Lot 247-112 & 113

Mr. Thibodeau moved, seconded by Mr. Colbath, to sign the Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 241-3.1, Current Use Land Use Change Tax Collector's Warrant Tax Map/Lot 272-10, Land Use Change Tax Tax Map/Lot 241-3.1, Land Use Change Tax Tax Map/Lot 272-10, Notice of Intent to Cut Wood or Timber Tax Map/Lot 226-5 and Notice of Intent to Cut Wood or Timber Tax Map/Lot 247-112 & 113. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest dated 11/5/15

Mr. Thibodeau moved, seconded by Ms. Seavey, to sign the Accounts Payable Manifest dated 11/5/15. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Accounts Payable Manifest dated 10/29/15
- b. Payroll dated 10/29/15

Mr. Thibodeau moved, seconded by Mr. Porter, to ratify the Accounts Payable Manifest dated 10/29/15 and the Payroll dated 10/29/15. The motion carried 4-0-1 with Mr. Colbath abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no Special Event Applications to consider.

CONSIDERATION OF MINUTES: 10/20/15

Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the minutes of 10/20/15 as written. The motion carried unanimously.

TOWN MANAGER REPORT

250th Party – Mr. Sires reported that he attended the 250th wrap up party on Sunday, November 1, 2105 at Flatbreads. Mr. Sires stated that he conveyed to them that when this thing started that the Board of Selectmen wanted this to be community driven and it really ended up being what the Board wanted and it was successful. The 250th Committee will be coming before the Board in December to sign off.

Conway Pines – Mr. Sires reported that he attended the Conway Pines groundbreaking ceremony on October 23, 2014.

Public Hearings/Conway Village – Mr. Sires reviewed that public hearings are scheduled for Thursday, November 5, 2015 in the meeting room at the Conway Fire Station. The first public hearing will be at 6:30 pm to discuss the work being done on Pollard Street and the second hearing is at 7:30 pm and this is to talk about the transfer and negotiations of the sidewalks and maintenance of sidewalks.

Mount Washington Valley Ski Touring Association (MWVSTA) – Mr. Sires reported a MWVSTA meeting was held yesterday. A proposed agreement will be presented at the next meeting.

CDBG – Mr. Sires reported that he will be attending a CDBG meeting in Concord on November 5, 2015 in Concord.

Health Insurance – Mr. Sires reported that we spoke with Interlocal Trust about health insurance and it would be \$90,000 less than our quote from NHMA for this year. Mr. Sires next recommended not taking on that switch this year as over the last several years we have received a refund from our current carrier (NHMA). Also, if we do leave NHMA, then we won't receive the rebates and further if we do go with the Interlocal Trust then we are locked in with them for three years and rates could go up. Also, the school has Interlocal Trust and their rates are higher than ours. Lastly, if the Board did want to try moving to Interlocal Trust, we will have a tough challenge having union negotiations within the next thirty days. Mr. Sires stated that he and Lilli Gilligan recommend staying with NHMA and hope that we do get another rebate back this year. There was brief discussion by the Board. Mr. Colbath stated that he has been in the medical field for 50 years and we can't win either way and we don't know what the outcome would be. Mr. Cobath thanked staff for looking into this. Mr. Thibodeau stated the he certainly wouldn't change carriers if we had to be locked in for three years.

BOARD REPORTS AND COMMENTS

Public Hearing/Conway Village – Mr. Porter reviewed that the public hearing regarding sidewalks is scheduled for Thursday, November 5, 2015 at the Conway Village Fire Station.

Planning Board – Mr. Porter reported that the Planning Board does not meet again until December.

ZBA and Budget Committee – Mr. Cobath reported there were ZBA and Budget Committee meetings last Wednesday. He was going to just briefly go to the ZBA to make sure that Phyllis was recognized as receiving the White Mountain Treasure award; however, he did end up staying at this meeting so they had a quorum. After the ZBA meeting he went to the Budget Committee meeting where the town and school presented budget updates. Mr. Colbath next reported that the Budget Committee has also added another meeting to their schedule and this will be held in December. They will be reviewing rules of procedure and an ethics policy.

Governor's Advisory Council on Intermodal Transportation (GACIT) – Mr. Colbath reviewed the GACIT hearing was held on October 26, 2015. Councilor Kenney scheduled seven of these hearings in his District. At this hearing there was a Powerpoint presentation of updates for roads and buildings. This meeting was filmed and will be on Valley Vision. There was also discussion at this meeting about bike lanes, Conway traffic study, and the proposed roundabout for Conway Village. Mr. Sires stated there was no support regarding the bypass.

There are two tracks – looking at the bypass and also look at local improvements which are less expensive and to see if they solve the problem instead of a bypass which we can't afford anyway. Also, with regard to the bypass project, the state may have to pay back money to the feds for land that was taken etc. Mr. Sires next stated that the Board may want to contact the NHDOT and discuss local improvements. Why don't they look at the cost of doing the bypass versus the cost of doing local improvements --look at these two tracks and then determine if the bypass needs to be built. Mr. Weathers and Mr. Colbath next reviewed that there were also bicyclists at the meeting who voiced concerns to the NHDOT regarding the materials they use to fix roads.

ESAA – Mr. Thibodeau reported a meeting will be held next week. Also a meeting of the full ESAA Board is scheduled for November 24, 2015.

MWVEC – Ms. Seavey reported that there has not been a MWVEC meeting.

Conservation Commission – Mr. Weathers reported that the Conservation Commission will meet next Wednesday at the Whitaker Meeting House.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked Finance Director, Lilli Gilligan, if she was satisfied with the county tax bill speed. Ms. Gilligan stated that the County was first to be approved and this didn't affect our tax rate setting.

Mr. Steer next questioned what the piece of equipment that Mr. DegliAngeli wants to buy that was discussed earlier in the meeting. Mr. Sires reported it is a dump body.

NON PUBLIC SESSION / NH RSA 91-A:3,II(d) CONSIDERATION OF ACQUISITION, SALE OR LEASE OF REAL ESTATE

At 6:33 pm, **Mr. Colbath moved, seconded by Ms. Seavey, to go into non public session under NH RSA 91-A:3,II(d) to discuss real estate matters.** Included in the nonpublic session, was Realtor, Greydon Turner, Town Manager, Earl Sires, and Recording Secretary, Karen Hallowell. **The motion carried by unanimous roll call vote.**

At 7:02 pm the Board returned to public session.

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

ADJOURN

At 7:03 pm the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary