

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 19, 2017**

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath and Steven Porter, Town Manager, Thomas Holmes, and Recording Secretary, Holly Meserve. Paul DegliAngeli, Public Works Director; and Lilli Gilligan, Finance Director, were in attendance.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers stated the following items need to be added to the agenda: item 9.a., Discussion of letter to be sent to Carroll County Commissioners for Forest Land Reimbursement; item 10.b., a request to Trustees of Trust funds for \$274,921.06 from the CRF for Infrastructure Reconstruction; item 10.c., a request to Trustees of Trust funds for \$2,360.77 from the CRF for Maintenance of Town Buildings and Facilities; item 10.d., a request to Trustees of Trust funds for \$9,598.05 from the Public Educational – Governmental Cable Television Trust Fund; and item 10.e., a request to Trustees of Trust funds for \$10,715.00 from CFR for Solid Waste Equipment.

Mr. Porter moved, seconded by Mr. Colbath, to approve the agenda as amended. Motion carried unanimously (5-0-0).

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

- a. \$1,000.00 anonymous donation from the Conway Police Department for holiday food baskets

Conway Police Chief, Ed Wagner, appeared before the Board. Chief Wagner stated every year we receive an anonymous donation for holiday gift baskets to be distributed to needy families.

Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the \$1,000.00 anonymous donation from the Conway Police Department for holiday food baskets. Motion carried unanimously (5-0-0).

DISCUSSION OF PROPOSED SELECTMEN WARRANT ARTICLES

a. North Conway Multi-Use Path

Rob Adair appeared before the Board. Councilor Joseph Kenney was in attendance. Mr. Adair stated we were before the Board in October requesting a letter of support for a grant from the State for federal funds. Mr. Adair stated we have been told that we have received this \$1.2 million grant.

Mr. DegliAngeli stated there is a draft warrant article in your packages. Mr. DegliAngeli read the draft warrant article. Councilor Kenney stated after the Governor and Council meeting there will be a GACIT hearing to put the final touches on funding projects. Councilor Kenney stated this type of grant is typically granted in urban areas so this speaks volumes of the quality of the application. Mr. DegliAngeli stated this speaks volumes to the effort from Councilor Kenney on our behalf.

Mr. Thibodeau stated the warrant article is for \$2 million, will you be fundraising the remaining \$800,000. Mr. Adair stated we have been fund raising since March; we have raised approximately \$507,000 and the Connie Davis Watson Foundation has granted \$300,000. Mr. Adair stated with the approval of this grant we anticipate an influx of contributions.

Mr. Colbath moved, seconded by Mr. Porter, to put the article for the construction of a 2.8-mile North Conway multi-purpose path as written and presented on the warrant. Motion carried unanimous (5-0-0).

b. Valley Vision

Valley Vision Station Manager, Bill Edmunds, appeared before the Board. Mr. Edmunds stated the Town of Albany sent the Town of Conway approximately \$2,300 in the last week or two and they have sent approximately \$588.65 directly to us, which was probably a mistake. Mr. Edmunds stated they have sent \$2,888.65 in total. Mr. Edmunds stated originally, we were assuming \$4,000, but for 2018 we assumed a slight decrease to \$2,700.

Mr. Edmunds stated the grand increase to the budget is \$200, which is approximately \$16.66 per month starting in May. Mr. Edmunds stated the proposed total is \$103,376.60. Ms. Gilligan stated the warrant article would be for \$75,000.

Mr. Colbath moved, seconded by Mr. Porter, to put an article on the warrant requesting \$75,000 to fund Valley Vision. Motion carried unanimously (5-0-0).

c. Supervisors of the Checklist – Request for Selectmen's warrant article for increase in compensation

Terry McCarthy and Jean Simon appeared before the Board. Ms. McCarthy stated we realize this is an elected position, but we have not received a raise since 2004, and a lot has changed since 2004. Ms. McCarthy gave an overview of some of the changes to the RSA's governing Supervisors of the Checklist. Ms. McCarthy stated there is a tremendous amount of work to do.

Mr. Thibodeau asked besides the town elections, the supervisors have to go to all the precinct meetings as well. Ms. McCarthy answered in the affirmative and stated that is an additional six meetings a year in order to accommodate the new state laws. Mr. Thibodeau asked if the precincts keep their own checklist. Ms. McCarthy answered in the affirmative and stated but we have to keep them as well and we are the only ones who can produce them. Mr. Holmes stated they have to be there to sign up the voters at all the precincts.

Mr. Thibodeau asked if you are registered with the Town of Conway are you also registered at the appropriate district. Ms. Simon answered in the affirmative. Mr. Thibodeau asked if they are in charge of that now. Ms. McCarthy answered in the affirmative. Ms. McCarthy stated where some of the confusion lies is that North Conway Precinct also encompasses Bartlett.

Mr. Colbath asked where do the supervisors sit on the 30-town survey. Ms. Gilligan stated none of the 30 towns have precincts the way Conway has precincts, however, there was an even split between \$1,000 to \$2,000. Ms. Gilligan stated some are paying an hourly rate. Ms. Gilligan stated it seems they are underpaid with the 30-town survey even though the style is different.

Mr. Thibodeau asked if we as selectmen could add \$1,500 to the budget and explain the increase to the Budget Committee. Ms. Gilligan stated elected positions require a vote of the Town to change their stipends. **Mr. Porter moved, seconded by Mr. Colbath, to place the proposed article to increase the compensation for the three members of the Supervisors of the Checklist on the warrant as written. Motion carried unanimously (5-0-0).**

DISCUSSION OF POLICE DISPATCH GRANT
AND CAPITAL RESERVE FUND

Chief Wagner stated that the police department moved into their current location something in 1988 or 1989. Chief Wagner stated when we moved in we received a hand me down dispatch console which lasted until 2005. Chief Wagner stated after 9/11 it was determined that the different branches of emergency services could not talk to each so a new console was installed in 2005. Chief Wagner stated for the past 30 years we have not put any money into our consoles at all.

Ms. Seavey joined the meeting at this time. Chief Wagner stated we have also identified places in town that are dead spots for the police, and some of those critical dead spots include Memorial Hospital and Kennett High School. Chief Wagner stated we would like to apply for a grant, which has to be submitted by noon time tomorrow.

Steve Solomon, Chief of the Conway Village Fire Department, stated what started with Conway Village having significant radio issues has resulted in discovering some major safety issues. Chief Solomon stated we have increased the tower height and added antennas, and we have leased a dispatch software. Chief Solomon stated we have determined that the existing antenna location will not work, and that the police system is obsolete and incompatible.

Chief Solomon stated to fix everything is approximately \$800,000. Chief Solomon stated we have broken the project into two phases; phase 1 would be approximately \$400,000 which would replace the existing systems only and fix the radios in the Town of Conway. Mr. Colbath asked if we have a grant package and if they are asking the Board of Selectmen today to support that grant application. Chief Wagner answered in the affirmative.

Brian Vastine of Ossipee Mountain Electronics appeared before the Board and gave an overview of the existing system, the proposed replacement system and the grant application. There was a lengthy discussion regarding the communications infrastructure and how the topography of the Town interferes. Mr. Vastine stated \$400,000 is an accurate number for the console and the radio system, which consists of one for the police and one for the fire department. Mr. Vastine stated it would cost \$1.3 million for an entire new system.

Chief Solomon stated we have a significant problem with the radio system in Town and we need the Board of Selectmen's support to fix this. Chief Solomon stated these systems are generally only good for 10-years, so we need to look at putting together a capital reserve fund for communications. Mr. Holmes asked if it is necessary to be compatible with the private ambulance companies. Chief Solomon stated the town puts in their agreement that the Town is responsible for dispatching them, but it is up to them to keep their radios up-to-date.

Mr. Thibodeau moved, seconded by Ms. Seavey, to support a grant application for the communications system. Motion carried unanimously (5-0-0).

Mr. Thibodeau asked if it would be appropriate to put a warrant article on this year for some amount of money to put into a capital reserve fund. Chief Wagner stated you cannot apply for a grant and request money in a warrant article. Mr. Thibodeau stated this \$400,000 is only the tip of the iceberg and asked if the warrant article could read that it is for future communications infrastructure. Chief Wagner stated if we don't receive the grant we will need to request \$1.3 million in 2019.

Chief Solomon stated we cannot wait four to five years and we cannot do it a little at a time. Chief Solomon stated if we get the grant we will be ahead of the game and would be looking for the rest of the money, but if we don't receive the grant then we will be looking for the whole amount. Chief Wagner stated we came here tonight so we didn't surprise you in 2019.

BUDGET

a. Consideration and vote of proposed 2018 Operating Budget

Mr. Holmes stated we have reviewed the budget over several meetings and he is looking for a vote to send it to the Budget Committee for their review.

Mr. Thibodeau moved, seconded by Mr. Colbath, to approve the operating budget presented at the last Board of Selectmen's meeting and forward it to the Budget Committee. Ms. Gilligan stated there have not been any changes since last week, and the final figure is \$11,078,998, which is just shy of a 1% increase over last years budget. **Motion carried unanimously (5-0-0).**

Mr. Thibodeau moved, seconded by Mr. Porter, to approve the proposed General Fund Revenues of \$3,892,617. Motion carried unanimously (5-0-0).

b. Capital Reserve Funds

Mr. Porter moved, seconded by Mr. Thibodeau, to send the Capital Reserve Funds to the Budget Committee. Motion carried unanimously (5-0-0).

REQUEST FOR DETERMINATION AND AUTHORIZATION OF LETTER OF FIRE COVERAGE FOR ADULT DAY CARE FACILITY

Chief Solomon and Glenn Merrill, Center Conway Fire Chief, were in attendance. Mr. Holmes stated there is a proposed adult day care facility just east of the new church that was just constructed on East Main Street. Mr. Holmes stated the driveway to the site is in the non-precinct area covered by Conway Village Fire Precinct, but the building itself is within the Center Conway Fire Precinct. Mr. Holmes stated the question is, who is the primary responder.

Mr. Holmes stated that 99% of the building and parking lot is within the Center Conway Fire Precinct, so he thinks it should be covered by Center Conway and Conway is the backup. Mr. Thibodeau asked if the two Chiefs have a consensus of opinion on what your departments should be covering. Chief Merrill stated the Center Conway Commissioners feel strongly, since only three quarters of the road is in the Conway Village non-precinct area, that they do not want to give that up coverage.

Chief Solomon stated the concern was having an address covered by Center Conway Fire District between two addresses that are in the non-precinct area covered by a different department. Mr. Holmes stated we cannot tell Center Conway to not respond. Chief Solomon stated we need something to give the Engineer on the project so he knows which department is going to review the application. Mr. Holmes asked if Center Conway has discussed changing their precinct boundaries. Chief Merrill answered in the negative.

Mr. Thibodeau moved, seconded by Mr. Porter, to assign the proposed adult day care facility to Center Conway. Mr. Holmes asked if this letter should be sent to the contractors or to Chief Solomon. Chief Solomon stated it should be sent to Josh McAllister at HEB Engineers who is the engineering firm for the project. **Motion carried unanimously (5-0-0).**

DISCUSSION OF LETTER OF SUPPORT FOR CARROLL COUNTY
SHERIFF'S DEPARTMENT FOR COMMUNICATIONS SYSTEMS GRANT

Mr. Thibodeau moved, seconded by Mr. Porter, to send a letter of support for the Carroll County Sheriff's Department grant application for upgrades to the communications system. Motion carried unanimously (5-0-0).

DISCUSSION OF LETTER TO BE SENT TO CARROLL COUNTY
COMMISSIONERS FOR FOREST LAND REIMBURSEMENT

Mr. Holmes stated we have discovered that the Department of Interior disbursements sent from the New Hampshire Department of Revenue to Carroll County were not forwarded to the Town of Conway. Mr. Holmes stated the letter is requesting reimbursement of those funds, without interest, from 2000.

Mr. Thibodeau moved, seconded by Mr. Colbath, to send letter to the Carroll County Commissioners requesting reimbursement. Motion carried unanimously (5-0-0).

SIGNING OF DOCUMENTS

a. Warrant for Collection of Expenses

Mr. Holmes stated this is a judgment against an owner in Transvale Acres, to reimburse the town for the removal of his camp. Mr. Holmes stated we will be sending him a bill.

Mr. Porter moved, seconded by Mr. Colbath, to sign the Warrant for Collection of Expenses. Motion carried unanimously (5-0-0).

- b. Request to Trustees of Trust funds for \$274,921.06 from the CRF for Infrastructure Reconstruction
- c. Request to Trustees of Trust funds for \$2,360.77 from the CRF for Maintenance of Town Buildings and Facilities
- d. Request to Trustees of Trust funds for \$9,598.05 from the Public Educational – Governmental Cable Television Trust Fund
- e. Request to Trustees of Trust funds for \$10,715.00 from CFR for Solid Waste Equipment

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the request to Trustees of Trust funds for \$274,921.06 from the CRF for Infrastructure Reconstruction; request to Trustees of Trust funds for \$2,360.77 from the CRF for Maintenance of Town Buildings and Facilities; request to Trustees of Trust funds for \$9,598.05 from the Public Educational – Governmental Cable Television Trust Fund; and request to Trustees of Trust funds for \$10,715.00 from CFR for Solid Waste Equipment. Motion carried unanimously (5-0-0).

CONSIDERATION OF BILLS

- a. Accounts Payable Manifest 12/21/17
- b. Payroll 12/21/17

Mr. Colbath moved, seconded by Mr. Porter, to sign the Accounts Payable Manifest dated 12/21/17 and Payroll dated 12/21/17. Motion carried unanimously (5-0-0).

RATIFICATION OF DOCUMENTS SIGNED OUT-OF-SESSION

There were no documents signed out-of-session to ratify.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Tri Tek Events/Tunnel to Towers 5k Run/Walk – 7/14/18
- b. Mount Washington Valley Promotions/Cupcake Battle – 2/17/18
- c. Tuckerman Brewing Co/20th Anniversary Party – 1/13/18

Mr. Colbath moved, seconded by Mr. Thibodeau, to approve and sign the Special Event Applications for Tri Tek Events/Tunnel to Towers 5k Run/Walk – 7/14/18 pending proof of insurance; Mount Washington Valley Promotions/Cupcake Battle – 2/17/18 pending proof of insurance; and Tuckerman Brewing Co/20th Anniversary Party – 1/13/18 pending proof of insurance and a liquor license. Motion carried unanimously (5-0-0).

CONSIDERATION OF MINUTES

Ms. Seavey moved, seconded by Mr. Thibodeau, to approve the regular minutes of 12/5/17 as written. Motion carried unanimously (5-0-0).

Mr. Colbath moved, seconded by Ms. Seavey, to approve the nonpublic minutes of 12/05/17 – Tax Matter and the nonpublic minutes of 12/05/17 – Pending Litigation as written. Motion carried unanimously (5-0-0).

Mr. Colbath moved, seconded by Mr. Porter, to approve the nonpublic minutes of 12/05/17 - Consideration of the Acquisition, Sale or Lease of Real or Personal Property. Motion carried with Mr. Thibodeau abstaining from voting (4-0-1).

Mr. Colbath moved, seconded by Mr. Porter, to approve the regular minutes of 12/12/17 as written. Motion carried unanimously (5-0-0).

TOWN MANAGER REPORT

Mr. Holmes stated we only received one bid, from Smith & Town, for the Town Report. Mr. Holmes stated this is the same company we have used in the past. Mr. Holmes stated the North Country Council has received a resignation from their Executive Director. Mr. Holmes stated we may or may not stay involved with the North Country Council, he will keep the Board posted.

BOARD REPORTS AND COMMENTS

Mr. Porter stated the Planning Board met last week and they approved solar panels on the roof of the building of the former Cinnamon Tree Restaurant. Mr. Porter stated the Planning Board will hold a public hearing on proposed and petitioned zoning articles on January 25, 2018.

Mr. Porter stated there was a letter in the newspaper regarding there being Christmas lights in North Conway Village but not in Conway Village. Mr. Porter wanted to clarify that the Town does not provide those lights and that the North Conway Village businesses use their money to decorate North Conway Village.

Mr. Colbath stated that the Zoning Board of Adjustment will meet tomorrow night. Mr. Colbath stated that the Budget Committee met last Wednesday evening and they have asked for a clarification and/or change to the Rules and Regulations on ethics. Mr. Colbath stated they don't believe the Board of Selectmen's representative should be voting on the Town Budget, nor should the School Board's representative be voting on the School Budget. Mr. Colbath stated it was quite a lengthy discussion and we are waiting on a DRA ruling. Mr. Colbath stated the next meeting is not until the middle of January.

Mr. Thibodeau stated he had nothing to report.

Ms. Seavey stated she had nothing to report in regards to Boards and Committees, but she has received several calls regarding our discussion on Industrial vs. Commercial tax breaks. Ms. Seavey stated she personally, along with other people, would like to revisit this; and Representative Frank McCarthy would like to come in and speak. The Board agreed to put this on the next agenda.

Mr. Weathers stated he had nothing to report.

PUBLIC COMMENT/MEDIA QUESTIONS

Daymond Steer of the Conway Daily Sun asked in regard to the Police Dispatch Grant why the Board would want to be in the communications business anyways and ask the County to take it over. Mr. Weathers stated we are managing our own services.

Mr. Thibodeau stated he believes this was discussed a few years back, the County is not going to just step in and take over, it is going to cost a certain amount of money a year for them to do that. Mr. Weathers stated they have the same problem that we have with dead spots. Mr. Holmes stated every option will be reviewed and debated before we go forward to the voters.

Mr. Colbath stated he won't make any decision until he obtains further information; he is baffled that there is a Town system, a County system and a State system. Mr. Thibodeau stated this will require more research.

NON-PUBLIC SESSION / RSA 91-A:3 II(e) – PENDING LITIGATION

At 6:14 pm, **Mr. Colbath moved, seconded by Mr. Thibodeau, to go into nonpublic session under NH RSA 91-A,II(e) to discuss pending litigation. Motion carried by unanimous roll call vote.**

At 6:47 pm the Board returned to public session. **Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes of this nonpublic session. The motion carried unanimously (5-0-0).**

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

At 6:47 pm, **Ms. Seavey moved, seconded by Mr. Thibodeau, to go into nonpublic session under NH RSA 91-A,II(d) to discuss pending litigation. Motion carried by unanimous roll call vote.**

At 7:24 pm the Board returned to public session. **Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes of this nonpublic session. The motion carried (5-0-0).**

ADJOURN

The Chair adjourned the meeting at 7:24 p.m.

Respectfully submitted,

Holly L. Meserve
Recording Secretary