

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 18, 2018**

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room of Conway Town Hall with the following present: C. David Weathers, Carl Thibodeau, John Colbath, Steven Porter, Town Manager, Thomas Holmes, and Executive Secretary, Krista Day

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers stated that they were going to remove agenda item number 4, Presentation by Sanctuary ATC. Mr. Weathers also noted that Ms. Seavey was away and unable to attend the meeting tonight.

Mr. Porter moved, seconded by Mr. Colbath, to approve the agenda as amended. The motion carried unanimously.

DISCUSSION OF BUILDING PERMIT FEES

Shawn Bergeron, from Bergeron Technical Services, appeared before the Board requesting that they consider reducing the building permit fee for his clients, Mt. Top Music Center.

Mr. Bergeron explained that he has been working with Mt. Top Music for years for their project to renovate, repair, and improve the Majestic Building in Conway Village. Because they are a non-profit, their sources of funding have been from donations and grants.

Mr. Bergeron stated that because the cost of the project was between 1.2 and 1.4 million dollars, the building permit fee required by the Town was about \$12,000. Mr. Bergeron was before the Board to ask if some consideration could be given for a possible reduction of the building permit fee. Mr. Bergeron noted that he planned to have one or two certified licensed inspectors on site for 3 hours during each construction day. Mr. Bergeron proposed that this could help alleviate some of the work that building inspector, David Pandora would need to do.

Mr. Pandora stated that the Town had never done this type of thing before and that the Selectmen set the building permit fees.

Mr. Weathers asked Mr. Pandora if having those extra certified inspectors on site would reduce the time he would need to spend on the project. Mr. Pandora stated that it would not because he would still do everything he normally would because he would be the one actually signing off on the project.

Mr. Thibodeau stated that he believed this project to be a viable project and something that is desperately needed in Conway Village. While he cannot agree to Mr. Bergeron's proposed \$2,000 for building permit fees, he would be amenable to 50% of the actual cost of the building permit fees.

Mr. Thibodeau moved, seconded by Mr. Colbath, to reduce the building permit fee for Mt. Top Music Center by 50% of the actual cost.

There was discussion regarding 3 or 4 tenant occupied spaces proposed for the building as being taxable.

Mr. Colbath stated that he believes the Board needs to evaluate each individual situation on a case by case basis and they need not to be worried about setting precedent. He stated he was in favor of this motion.

There was discussion regarding whether 50% of the building permit fee would cover the Town's costs

Mr. Porter stated that he agreed with Mr. Pandora that he has to do his job as he is signing off on the project.

Mr. Weathers was concerned with how the Board would determine which non-profit is worthy of a reduction in permit fees and which are not.

Mr. Thibodeau noted that Mt. Top Music has never asked for financial support from the Town in the past.

Mr. Holmes asked Mr. Bergeron what safeguards would be in place to be sure that things are being done right as he has a contractual duty to Mt. Top and not the Town. Mr. Bergeron stated that they would be working with Certified and licensed engineers and that they would have certified liability insurance.

Mr. DegliAngeli stated that after looking at the numbers and the time frame of a 30-week project, 50% of the original building permit fee would only cover 2.5 hours of David Pandora's time per week.

The motion failed (2-2-0) with Mr. Weathers and Mr. Porter in the negative.

DISCUSSION OF ASSESSING SOFTWARE AND REVALUATION

Assessor Dale Schofield stated that they had requested quotes regarding new assessing software as requested by the Board. She noted that their current vendor had nothing new to offer.

Ms. Schofield explained that they had received two quotes; one from Vision and one from Patriot. She added that the third company, Avitar, had answered and would not give a quote because they stated that they would not have time in 2019 to complete the work.

Patriot had quoted \$33,600 and Vision had quoted \$45,500 for the conversion. Ms. Schofield noted that this was a considerable difference. She noted that their proposal for an annual contract is the same.

Ms. Schofield stated that she had talked to Patrick Ramsay who stated that the Town would need a new server and a new public terminal. However, she noted that the assessing clerk is already scheduled for a new computer in 2019 and her current computer could be used for the terminal.

In regards to doing the statistical update, Vision had quoted \$134,000 for them to do all the work. Ms. Schofield noted that Patriot is supposed to be getting back to her.

There was discussion regarding whether or not this work could be done internally. It was determined that the Town does not have the level of IT knowledge that would be required.

Ms. Schofield stated that she has offers to go and see these software platforms in action from other Towns.

Mr. Thibodeau stated that he would like clarification regarding the definition of license for each of the proposals.

It was determined that the Board would not be making any decisions before they receive additional information.

It was stated that Avitar is what the Tax Collector uses and it would have been nice to have the same for assessing software.

There was discussion regarding whether there would be enough time between the Town vote and November when tax bills go out to complete the transition. It was determined that there may not be enough time and that the Board should consider a side by side transition or perhaps not purchasing the software until November of 2019.

DISCUSSION OF FEE SCHEDULE FOR EXCAVATION PERMITS

Town Planner Tom Irving stated that he had discovered that the regulation adopted in 1990 in respect to the base fee for excavation permits was contrary to the enabling statute. According to the RSA, the Town should only be able to charge \$50 as a base fee; currently the Town charges \$100. In addition, Mr. Irving stated that he believed that the Selectmen should eliminate the per square foot fee in regards to excavation permits as it cannot be considered reasonable as there are other fees that encompass administrative costs.

Mr. Porter moved, seconded by Mr. Colbath, to amend the fee schedule relative to excavation for base fees from \$100 to \$50. The motion carried unanimously.

Mr. Porter moved, seconded by Mr. Colbath, to eliminate the per square foot fee within the fee schedule for excavation. The motion carried unanimously.

DISCUSSION OF WARRANT ARTICLE REQUEST FOR LIBRARY PHONE SYSTEM FOR \$6,000

David Smolen appeared before the Board to ask for the Selectmen's support and for them to submit a warrant article for \$6,000 to upgrade the phone system at the Library. Mr. Smolen noted that this warrant would have zero tax impact as the funds would come from the Trustees Income Account. They were just wishing to use the warrant article process as the method to raise the funds.

Mr. Porter moved, seconded by Mr. Colbath, to place an article on the warrant to read as follows:

To see if the Town will vote to raise and appropriate a sum not to exceed Six Thousand Dollars (\$6,000) for Conway Library purposes, specifically replacement of the current Phone System for the Conway Public Library. This article will not affect the tax rate, as the funds to be expended for this purpose are already held in a Library Trustee Income Account under the control of the Library Trustees.

The motion carried unanimously.

DISCUSSION AND VOTE ON ENCUMBRANCE OF \$2,020 FOR LIBRARY WEBSITE

Mr. Colbath moved, seconded by Mr. Porter, to encumber \$2,020 for the Library website. The motion carried unanimously.

DISCUSSION AND VOTE ON ENCUMBRANCE OF FUNDS

- a. \$12,860 to upgrade the computer system at Transfer Station guard shack for billable items and scalable items.
- b. \$160,000 to move Town Hall (Warrant Article #8)
- c. \$665,031.18 to move Recreation Center to new Middle School location (Warrant Article # 7)
- d. \$2,000,000 to build a multi-purpose path Warrant Article #19)
- e. \$375,000 for Police Communications System (Warrant Article #17)

Mr. Colbath moved, seconded by Mr. Thibodeau, to encumber the items above in a. through e.

There was brief discussion of what encumbering these funds meant. Mrs. Gilligan clarified that if encumbered, these monies would be carried over and not budgeted for in 2019.

Chief Wagner was asked to explain what the \$375,000 for the Police Communications System entailed. Chief stated that this would include 2 new consoles, a new repeater on Oak Hill and at the High School, a new repeater and radio for Conway Village Fire, and a new repeater and Tower at the Police Department. He noted that the site work for the tower would need to be completed by the Town.

The motion carried unanimously.

DISCUSSION OF AIRPORT WARRANT ARTICLE

Mr. Thibodeau stated that he was hoping to have the Selectmen sponsor another warrant article for \$10,000 in support of the ESAA.

Mr. Porter moved, seconded by Mr. Colbath, to place the article on the warrant to see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the support of the Eastern Slopes Regional Airport. The motion carried unanimously.

VOTE ON PROPOSED 2019 BUDGET AND WARRANT ARTICLES

Mr. Porter moved, seconded by Mr. Colbath to put the following article on the warrant:

Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the Warrant for the purposes set forth therein, totaling Eleven Million Three Hundred Sixty-Three Thousand Five Hundred Four Dollars (\$11,363,504). Should this article be defeated the default budget shall be (TBD by the Budget Committee) which is the same as last year, with certain adjustments required by previous action of the Town of Conway or by law, or the governing body may hold one special meeting accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. Note: This operating budget warrant article does not include appropriations contained in any other warrant article.

The motion carried unanimously.

Chief Wagner told the Selectmen that he was willing to have them change the amount requested for the CRF for Police Vehicles from \$70,000 to \$35,000.

After some discussion the Selectmen thanked Chief Wagner for being willing to make that change.

Mr. Thibodeau moved, seconded by Mr. Colbath, to amend the article regarding police vehicles to read as follows:

To see if the Town will vote to raise and appropriate the sum of Thirty-Five Thousand Dollars (\$35,000) to contribute to the Capital Reserve Fund for Police Vehicles to be used according to the purposes for which the fund was established.

The motion carried unanimously.

Mr. Thibodeau moved, seconded by Mr. Colbath to put the following articles on the warrant including the article regarding police vehicles as previously amended:

To see if the Town will vote to raise and appropriate the sum of Eight Hundred Fifty Thousand Dollars (\$850,000) to be placed in the Capital Reserve Fund for Infrastructure Reconstruction to be used according to the purposes for which the fund was established.

To see if the Town will vote to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) to be placed in the Capital Reserve Fund for Highway Equipment to be used according to the purposes for which the fund the established.

To see if the Town will vote to raise and appropriate the sum of Three Hundred Thousand Dollars (\$300,000) to be placed in the Capital Reserve Fund for Solid Waste Equipment to be used according to the purposes for which the fund was established.

To see if the Town will vote to raise and appropriate the sum of Eighty Thousand Dollars (\$80,000) to be placed in the Capital Reserve Fund for Landfill Expansion to be used according to the purposes for which the fund was established.

To see if the Town will vote to raise and appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000) to be placed in the capital reserve fund for maintenance of Town Buildings and Facilities to be used according to the purposes for which the fund was established.

To see if the Town will vote to raise an appropriate the sum the Seven Thousand dollars (\$7,000) to contribute to the Capital Reserve Fund for Parks Department Vehicles and Equipment to be used according to the purposes for which the fund was established.

To see if the Town will vote to raise and appropriate the sum of Thirty-Five Thousand Dollars (\$35,000) to contribute to the Capital Reserve Fund for Police Vehicles to be used according to the purposes for which the fund was established.

The motion carried unanimously.

Mr. Thibodeau moved, seconded by Mr. Colbath, to put the following articles on the warrant:

To see if the Town will vote to raise and appropriate the sum of One Hundred Ten Thousand Dollars (\$110,000) from the annual cable television franchise fees received to add to the Public Educational/Government Cable Television (PEG) Trust Fund, to support the operations and equipment needs of Public Education and Government broadcasting services. No funds shall be raised by local property taxes to support this warrant article.

To see if the Town will vote to raise and appropriate the sum of Fifty Thousand Dollars (\$50,000) to install a Communications Tower at the Police Department.

The motion carried unanimously.

The Selectmen decided to wait to take any action regarding assessing software.

Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the proposed revenue amount of 4,063,256 for the 2019 budget. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Request to the Trustees of the Trust for \$288.00 from the Capital Reserve Fund for Infrastructure Reconstruction.
- b. Notice of Intent to Cut Wood or Timber Map/Lot 272-5.1
- c. Notice of Intent to Cut Wood or Timber Map/Lot 244-16
- d. Abatement of Taxes Map/Lot 258-34.11

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the documents listed above in a. through d. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 12/20/18
- b. Payroll dated 12/20/18

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 12/20/18. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes from 12/11/18

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular minutes from 12/11/18 as written. The motion carried unanimously

TOWN MANAGER REPORT

Mr. Holmes stated that there would be fireworks in Schouler Park on New Year's Eve at 9:30 pm.

Mr. Holmes noted that the skating rink was not currently open but the Town was hoping to have it open after Christmas. He noted that opening was completely weather dependent.

Mr. Holmes stated that the deadline for bids for the new recreation center was Wednesday, December 19, at 4:00 pm.

Mr. Holmes stated that the next Board of Selectmen meeting would be January 8, 2019.

Mr. Holmes stated that he had held the first meeting of the nominating committee for the ESAA, however, they had failed to make a quorum. However, they have decided to send letters to all towns in the airport service area to see who may be interested in being nominated.

Mr. Colbath inquired about the Town Hall move. Mr. Holmes stated that they are meeting with bank personnel on Friday to discuss issues of snow storage and plowing.

Mr. Thibodeau asked who was paying for the fireworks on New Years Eve. Mr. Holmes stated the Celebrations Committee.

Mr. Holmes noted that the Town was going to be taking over the Christmas lights in North Conway. Mr. Porter stated that he would like to see the Town put some effort into lights for Conway Village next year. It was suggested that the Town work in conjunction with the Conway Village Association.

BOARD REPORTS AND COMMENTS

Mr. Colbath stated that the ZBA did not meet in December.

Mr. Colbath noted that there was a Budget Committee meeting on December 12 and invited Mr. LeFebvre to speak on that meeting.

Mr. LeFebvre stated that there had been a quick review of the School budget and a detailed review of the Town Budget by Mr. Holmes and Mrs. Gilligan.

Mr. LeFebvre noted that the East Conway Fire Precinct has not been able to fill their committee spot and did not plan to.

Mr. Colbath thanked Mr. LeFebvre for all he does.

Mr. Thibodeau stated that the ESAA had applied for the EDA grant to build the hanger and that they planned to go to bid sometime in late February.

Mr. Weathers stated that the Conservation Commission had met to review a gravel pit mining application for Gordon T. Burke on East Conway Road near the landfill. Mr. Weathers discussed the details of the project and explained that the Commission made a motion in support of the project, but stated that they

retained the right to comment on it in the future because they had not had ample time to review and investigate all details prior to the meeting.

There was brief discussion of blasting safety.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer, from the Conway Daily Sun, told the Selectmen that they should consider doing something for more holidays other than Christmas to avoid issues like his hometown is seeing.

Mr. Steer asked for clarification on the location of the mining operation.

ADJOURN

At 5:46 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary