

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
March 26, 2019**

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, Steven Porter, Town Manager, Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers stated that there would be one change to the agenda. He would be replacing item number 8, "Review of Receipts", with "Election Assignments".

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

CONSIDERATION OF UNANTICIPATED REVENUE/RSA 31:95-B III

- a. 200.06 from the State of New Hampshire Opioid Abuse Reduction Grant

Police Chief Ed Wagner explained that these monies are part of the Granite Hammer Grant that helps departments with overtime patrols. He asked that the Board accept the funds and place them in the Police Department's overtime budget line.

Mr. Colbath moved, seconded by Mr. Porter, to accept the 200.06 from the State of New Hampshire Opioid Reduction Grant and place it in the Police Department's overtime budget line. The motion carried unanimously.

DISCUSSION OF 4TH OF JULY ENTERTAINMENT/SOUND/STAGE

Recreation Director John Eastman stated that he wanted to apprise the Board of an issue that may affect the Fourth of July Celebration. He explained that the sound and light company that they had been using for years was sold. The new owners of the company reached out to him with a price that was much more than they had budgeted for. He noted that the quote was for \$4,185, which is much more than the \$1,800 they had paid in the past. Mr. Eastman explained that he reached out to some other companies and had an encouraging conversation with one just prior to this meeting. However, he wanted the Board to be aware that if they cannot get that price down, they may be unable to provide entertainment in the park like usual. He did state that they would still have the fireworks.

Mr. Colbath suggested a few people for Mr. Eastman to talk to.

DISCUSSION OF SPECIAL EVENT SIGNAGE FEES

Mr. Holmes explained to the Board that he along with Lynore Wagner and John Eastman had been tasked with trying to improve the Special Event Permit process. In doing so, they had found something that he wanted to bring to the Board's attention to review and revise if they wished. He added that this stemmed from a letter received from Vaughan Community Service requesting that the advertising permit fee be waived.

Mr. Holmes explained that he believed the original intent of the fee was when people wanted to advertise off their property, such as a banner across the road. He recommends not charging a fee to advertise on their own property.

Mr. Holmes noted that people can wrap existing signs for special events as they wish.

Mr. Holmes also noted that currently the regulation states that you can only have an advertising permit if you are expecting more than 1,000 people. He suggested that this also be eliminated.

Mr. Holmes recommended that they eliminate the regulation that an advertising permit requires the Code Compliance Officer's approval. He stated that to his knowledge this had never been done.

Mr. Holmes stated that currently the advertising permit would allow signs to be in place for up to 8 days prior to the event, and must be taken down within 48 hours after the completion of the event.

Mr. Holmes stated that he did see justification in a security fee for signage on Town property in the event that signs were not taken down, it would cost the Town staff money to remove the signs.

Mr. Colbath inquired as to where this new regulation would leave Vaughan if implemented. Mr. Holmes stated that they would be able to advertise for up to 8 days prior to the event. Mr. Colbath stated that they had always been advertising for 20 days in the past.

Mr. Porter moved, seconded by Mr. Colbath, to remove the minimum attendance requirement for an advertising permit. The motion carried unanimously.

Mr. Porter moved, seconded by Mr. Colbath, to remove the requirement that the Code Compliance Officer sign off on advertising permits for special events. The motion carried unanimously.

Mr. Colbath stated that he does not believe 8 days is long enough to advertise prior to an event.

Mr. Colbath moved, seconded by Mr. Porter, to amend the current regulation to allow for advertising for up to 14 days prior to the event, not to exceed 21 days, and to ensure removal of signs within 48 hours of the end of the event. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Porter, to eliminate the 25 dollar a day fee for special event advertising and to require the 200-dollar security deposit for off premise advertising, however, this security deposit may be increased at the discretion of John Eastman. The motion carried unanimously.

DISCUSSION OF PARAMETERS FOR REC PROGRAM ATTENDANCE

Mr. Holmes explained that as a result of Eaton voting to not fund the Town of Conway's request for their participation in our recreation program, the topic of who has a right to utilize the program has come up. Mr. Holmes stated that the current practice follows the stipulation that if you own a residential property in

the Town of Conway with a seasonal or year-round dwelling, you are authorized to take part in rec center programs.

Mr. Holmes explained that the rec center charges users less than it costs to run the rec center programs and the Conway taxpayers subsidize the remainder. The cost to Albany and Eaton for recreation services is determined that same way the fee for the transfer station is; assessed value.

Mr. Holmes stated that it is his recommendation that the Board continue to not allow those who own commercial property in Town to be able to access the programs unless they also own a residence.

Mr. Weathers described the situation in the past where the Board decided to not allow children and grandchildren of the owners of a commercial property to attend the rec center.

Mr. Holmes stated that they need to come up with criteria that they can use to make it fair for all.

Mr. Porter stated that commercial owners are also paying taxes and was not opposed to them accessing the rec department. Mr. Holmes stated that this may open the door for more questions when it comes to big companies like Walmart.

It was noted that it would have cost each Eaton resident 10 dollars in Eaton to allow access to recreation department programs.

Mr. Colbath noted that the recreation center is set up for all ages, not just the kids.

Ms. Seavey stated that she did not want to see the children penalized, she questioned whether there could be an alternative fee structure put in place.

Mr. Holmes reiterated that the current cost to users of the rec center programs is way less than it actually costs to run the programs. He explained that if they were to set the fees based upon what it actually costs, it would be thousands of dollars per person.

Mr. Thibodeau stated that one of the biggest problems would be that if you allow Eaton to “pay to play”, Albany is going to want the same deal. He noted that this would take away the funds that Albany is paying currently. He emphasized that equalization is the fairest way to do things.

Mr. Colbath moved, seconded by Mr. Thibodeau, to allow Eaton resident, Adam Nelson, to speak. The motion carried unanimously.

Mr. Eastman explained that Mr. Nelson came to the office after the Eaton vote did not pass. Mr. Nelson wanted to know if his kids could use the recreation center because he owned a residential property in Conway.

Mr. Nelson stated that he wanted to know if he could use the program because he does not live in the residence he owns in Conway; it is used as a long-term rental property.

Mr. Holmes added that he is a co-owner with his brother who resides in Fryeburg.

It was determined that the renters also access rec programs.

Mr. Colbath and Mr. Porter stated that he believed he would be eligible. Mr. Thibodeau disagreed because he did not live at the property at all.

Mr. Eastman acknowledged that this is a difficult situation that they had never been faced with in the past.

Mr. Nelson asked the Board if because he doesn't live at the residence, does that make his taxes worth less? Mr. Nelson asked for clarification of the current written rule. Mr. Holmes explained that there is not one. He stated that he does understand that time is a concern as spring programs are going to soon begin.

Mr. Thibodeau stated that he felt this deserved a much more detailed discussion. He noted the question of how many people could potentially use a single property as their reason for being able to use the rec programs.

It was decided that Mr. Holmes and Mr. Eastman would work on this issue and come back to the Board with a proposal.

Mr. Nelson asked for the Board to make a decision today as he wanted his children to be able to sign up for spring sports.

Mr. Colbath stated that he felt Mr. Nelson's children should be able to participate.

Mr. Nelson stated he hoped the Board didn't penalize him for his honesty.

Ms. Seavey stated that the Board is often very understanding when it comes to tax issues. She felt that they should make this exception. Mr. Porter agreed.

Mr. Porter moved, seconded by Mr. Colbath, to allow Mr. Nelson's family to enter the recreation programs for 2019. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

Mr. Holmes asked for clarification that this decision was just for this particular family. The Board agreed.

ELECTION ASSIGNMENTS

With election day coming up on April 9, 2019, the Board discussed who would be covering the polls. Mr. Weathers and Mr. Porter stated that they would be at the polls in the morning. Mr. Thibodeau stated that he would be at the polls in the afternoon. Mr. Colbath and Ms. Seavey stated that they would be at the polls for the duration of the day.

SIGNING OF DOCUMENTS

- a. License to Sell Pistols and Revolvers for Conway Village Pawn
- b. Notice of Intent to Cut Wood or Timber Map/Lot 158-10
- c. Certification of Yield Taxes Assessed Map/Lot 279-1
- d. Timber Tax Levy Map/Lot 279-1
- e. Permanent Application for Property Tax Credits/Exemptions Map/Lot 219-87
- f. Permanent Application for Property Tax Credits/Exemptions Map/Lot 272-52.14
- g. Permanent Application for Property Tax Credits/Exemptions Map/Lot 272-52.12
- h. Abatement of Taxes Map/Lot 277-189

Mr. Porter asked if Conway Village Pawn had this License to Sell in the past. Mr. Weathers was unclear on this, however, Mr. Colbath added that there are rules and regulations for someone to be able to get this license.

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 3/28/19
- b. Payroll dated 3/28/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the Accounts Payable Manifest and Payroll dated 3/28/19. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUTSIDE OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes from 3/12/19

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes from 3/12/19 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes informed the Board that in the new recreation center at the middle school, Library Director David Smolen and Recreation Director John Eastman are planning to have a small branch library.

Mr. Holmes explained that he was able to get into the second floor at the Bank of New Hampshire building. The new Selectmen meeting room measured 1,000 square feet which is much larger than the current 622 square foot meeting room they use now.

Mr. Holmes stated that Town Reports were now available at Town Hall, Conway Public Library, the Gibson Center, Hannaford, and Shaws. He also noted that it could be viewed on the Town's website.

Mr. Colbath asked for a rec center update. Mr. Holmes explained that there had been a few things that had come up which were causing a slight delay, however, he stated that things seem to be back on track. He stated that there were some missing parts in the proposed AC units for the classrooms and that we may be requesting about \$5,000 more for that.

Mr. Colbath noted that everything had been pulled out of the Governor's budget, but it looked hopeful that the money for the rec center would be added back in. He stated that he had talked with Representative Tom Buco who promised to stay on top of it.

BOARD REPORTS AND COMMENTS

Mr. Colbath stated that the Budget Committee would be meeting on Wednesday, March 27, 2019 and that Mr. Porter would be covering the meeting for him.

Mr. Colbath explained that the ZBA met to discuss a plan for 34 residential units to be built on Route 16 opposite the North Conway Cemetery. That had been approved to go forward to the Planning Board.

The ZBA had also granted permission for a project on Banfield Road off of Tasker Hill to go over the wetland perimeter. This project would now go forward to the Planning Board.

Mr. Thibodeau stated that the ESAA would be meeting on April 4th and 11th.

Ms. Seavey stated that Eggs and Issues went well for the Economic Council.

Mr. Weathers informed the Board that he had received a response from DOT regarding his request for them to look at the condition of Rt. 153 and they would be doing that in the near future.

Mr. Weathers stated that their next meeting would be on April 16, 2019 and that voting day was April 9, 2019.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from The Conway Daily Sun, asked when they would be discussing the leash law issue. Mr. Holmes stated that he was compiling all of the data and would be giving it to the Selectmen for their review.

Mr. Steer asked about how the Selectmen had made a decision regarding allowing Mr. Nelson's children to attend the rec center. The consensus by the Selectmen was that this was taken as a single case and no policy could be determined from it. Mr. Holmes and Mr. Eastman planned to come back to the Board with recommendations for policy at a future meeting.

Mr. Steer inquired as to why they need to regulate advertising prior to a special event. Mr. Holmes explained that it is to ensure that people do not use the Special Event as a way to get around the Town's sign ordinance.

ADJOURN

At 5:23 pm, the meeting adjourned at the call of the Chair.

Respectfully submitted,

Krista Day
Executive Secretary