

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 17, 2019**

The Selectmen's Meeting convened at 4:02 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. Colbath moved, seconded by Ms. Seavey, to approve the agenda as written. The motion carried unanimously.

DONATION OF BICENTENNIAL PROGRAM AND WOODEN NICKELS

Mr. Holmes explained that Ronald and Janice Rosenwald from Ocala, Florida had donated a bicentennial program and a few wooden nickels to the town.

Ms. Seavey moved, seconded by Mr. Porter, to accept the donation and give them to the Conway Historical Society. The motion carried unanimously.

VOTE ON BUDGET AND WARRANT ARTICLES

a. Budget

Chief Wagner explained that he was before the Board to request a reduction in his budget due to a new hire who is going to be declining insurance coverage which saves over \$18,000 for the year. His new request was for a total budget of \$4,082,305.

Mr. Holmes explained that he had been contacted by a consultant who informed him that they need to update their emergency operations plan in 2020. This cost will be \$5,000. Mr. Holmes would like to add that amount to the Fire and Emergency Management budget.

Chief Wagner informed the Board that after a meeting with the Police Commissioners, they had been instructed to move forward with their alarm systems as soon as possible because it is a big safety concern. The choices were to pay out of it with 2019 funds or add to the police budget for 2020.

Chief Wagner stated that he is fairly confident that he will have enough to cover it before the end of the year.

There was a question regarding why there would be that much money left in the budget. Chief Wagner stated that they have to budget for worst case scenarios such as insurance, sick time buyout, gas, etc.

Mr. Holmes wanted to clarify that the Police have the largest part of the town budget and that having \$30,000 to \$50,000 remaining at the end of the year is actually very tight budgeting.

There was discussion regarding the short amount of time to get the work done and paid for. It was determined that they can pay in advanced or have a signed contract to complete the work.

It was stated that it will probably be cheaper to try and get it done this year as the cost of projects seems to rise every year.

Mr. Thibodeau stated that this is not an option and this project needs to be completed.

Mr. Porter emphasized the need to complete the project soon as it was a life safety concern.

It was determined that the Chief can move ahead with the project as he has control over his own budget. If for some reason there does not end up being enough funds to cover the project, he can come before the Board.

Mr. Holmes stated that they needed to come up with a new solution to protect the high school gym floor for voting.

Mr. Holmes was instructed to contact service master to see if they could help with this.

Mr. Thibodeau stated that whatever the cost was they would need to spend for the 3 elections happening in 2020.

Mr. Weathers stated that they had received a budget request from the Library this year that included \$1,000 for legal fees for them to draw up a contract with Albany to be able to keep the funds paid by Albany for library services instead of giving those monies over to the town.

Mr. Weathers stated that he would like to see their budget reduced by that \$9,000 as they are going to be receiving those funds and the Board will no longer have a say in what they are used for.

Mr. Thibodeau stated that he agreed, but would also like to reduce it by another \$1,000 for the legal fees. Ms. Seavey agreed with Mr. Thibodeau.

Mr. Thibodeau moved, seconded by Mr. Porter, to reduce the proposed 2020 library budget by \$10,000 from \$528,450 to \$518,450 with the understanding that the library keeps the funds from Albany and they pay their own legal fees. The motion carried unanimously.

Mr. Thibodeau moved, seconded by Mr. Porter, to recommend the proposed 2020 Operating Budget of \$11,753,889. The motion carried unanimously.

Mr. Colbath wanted to tell the public that he understands this is a big number, but they spend a lot of time looking at the budget and they do the best they can to meet the concerns of the taxpayers while trying to keep the budget as low as they can.

- b. Capital Reserve Fund for Infrastructure Reconstruction (\$500,000)

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend that the following be placed on the warrant:

To see if the Town will vote to raise and appropriate the sum of Five Hundred Thousand Dollars (\$500,000) to be placed in the Capital Reserve Fund for Infrastructure Reconstruction to be used according to the purposes for which the fund was established.

The motion carried unanimously.

Ms. Seavey moved, seconded by Mr. Colbath, to take the agenda out of order to allow Chief Wagner and Lieutenant Mattei to be able to leave. The motion carried unanimously.

The Board skipped to agenda item 5i.

Mr. Thibodeau moved, seconded by Mr. Colbath, to recommend that the following be placed on the warrant:

To see if the Town will vote to raise and appropriate the sum of Seventy Thousand Dollars (\$70,000) 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.

The Board moved to agenda item 5m.

There was discussion regarding the actual funds to be raised by taxes and the amount to be obtained through a grant.

Chief Wagner stated that 50% of the actual total generator cost of \$82,500 was to be funded through a grant. The remainder of costs associated with this purchase and installation, \$58,750 was to be raised through taxes.

Mr. Thibodeau moved, seconded by Ms. Seavey, to recommend that the following be placed on the warrant:

To see if the town will vote to raise and appropriate the sum of \$100,000 for the purpose of purchasing an EMERGENCY GENERATOR for the Conway Police Station; \$58,750 to be raised from taxes and \$41,250 to be funded from a grant from the New Hampshire Department of Safety, Homeland Security. This special article will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the EMERGENCY GENERATOR installation is completed or by December 31, 2022, whichever is sooner.

The motion carried unanimously.

The Board moved to agenda item 5n.

Mr. Thibodeau moved, seconded by Ms. Seavey, to recommend that the following be placed on the warrant:

To see if the town will vote to approve the cost items of a three-year COLLECTIVE BARGAINING AGREEMENT FOR THE CALENDAR YEARS 2020-2022 BETWEEN THE TOWN OF CONWAY AND CONWAY POLICE DEPARTMENT which calls for the following increases in salaries and benefits over the costs that would have been paid under the current agreement at the current staffing levels.

Calendar Year	Estimated Increase
2020	\$8,708
2021	\$46,206
2022	\$47,593

And further to raise and appropriate the sum of Eight Thousand Seven Hundred Eight Dollars (\$8,708) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid under the current agreement at current staffing levels. The total compounded cost of the 3-year agreement is \$166,129.

The motion carried unanimously.

- c. Capital Reserve Fund for Highway Equipment (\$200,000)

Mr. Colbath moved, seconded by Ms. Seavey, to recommend that the following be placed on the warrant:

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.

The motion carried unanimously.

- d. Capital Reserve Fund for Solid Waste Equipment (\$160,000)

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend that the following be placed on the warrant:

To see if the Town will vote to raise and appropriate the sum of One Hundred Sixty Thousand Dollars (\$160,000) 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.

The motion carried unanimously.

- e. Capital Reserve Fund for Landfill Expansion (\$80,000)

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend that the following be placed on the warrant:

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.

The motion carried unanimously.

- f. Capital Reserve Fund for Maintenance of Town Buildings and Facilities (\$350,000)

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend that the following be placed on the warrant:

To see if the Town will vote to raise and appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000) 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.

The motion carried unanimously.

- g. Capital Reserve Fund for Maintenance of Town Buildings and Facilities Leased by the Town (\$255,000)

Mr. Colbath moved, seconded by Ms. Seavey, to recommend that the following be placed on the warrant:

To see if the Town will vote to raise and appropriate the sum of Two Hundred Fifty Five Thousand Dollars (\$255,000) to be placed in the CAPITAL RESERVE FUND FOR MAINTENANCE OF TOWN BUILDINGS AND FACILITIES LEASED BY THE TOWN to be used according to the purposes for which the fund was established.

Ms. Seavey wanted to clarify why they were including the \$160,000 for the town hall move in this warrant article and another warrant article as well. She stated that this would be confusing to the voters.

It was determined that this warrant article should only include the \$95,000 for the air conditioner at the recreation center.

Mr. Colbath moved, seconded by Ms. Seavey, to amend the previous motion, and recommend that the following be place on the warrant:

To see if the Town will vote raise and appropriate the sum of Ninety Five Thousand Dollars (\$95,000) to be placed in the CAPITAL RESERVE FUND FOR MAINTENANCE OF TOWN BUILDINGS AND FACILITIES LEASED BY THE TOWN to be used according to the purposes for which the fund was established.

The motion carried unanimously.

- h. Capital Reserve Fund for Parks Vehicles and Equipment (\$7,000)

Mr. Colbath moved, seconded by Ms. Seavey, to recommend that the following be placed on the warrant:

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.

The motion carried unanimously.

- i. Capital Reserve Fund for Police Vehicles (\$70,000)

This was discussed earlier in the meeting.

- j. Expendable Trust Fund for PEG Cable Television (\$110,000)

Ms. Seavey moved, seconded by Mr. Colbath, to recommend that the following be placed 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.

The motion carried unanimously.

- k. Eastern Slope Airport Authority (\$10,000)

Mr. Thibodeau moved, seconded by Mr. Colbath, to recommend that the following be placed 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 EASTERN SLOPE REGIONAL AIRPORT.

The motion carried unanimously.

- l. Transfer of Town Hall Money from Fund Balance to CRF (\$160,000)

Mr. Colbath, seconded by Mr. Porter, to recommend that the following be placed on the warrant:

To see if the town will vote to raise and appropriate the sum of \$160,000 to be added to the “Capital Reserve Fund for Maintenance of Buildings and Facilities Leased by the Town”, previously established. This sum to come from unassigned fund balance. No amount to be raised from taxation.

The motion carried unanimously.

The Board noted that this is something they are going to have to make sure the public is clear on. There are no funds being raised through taxes as this has already been done. Instead, this is more of a bookkeeping issue.

- m. Police Generator with 50% to be raised through grant (\$100,000)

This was discussed previously in the meeting.

- n. Police Union Contract (3 year)

This was discussed previously in the meeting.

- o. Modify Elderly Exemption

It was stated that they voted to recommend this article at their last meeting.

p. Modify Disabled Exemption

It was stated that they voted to recommend this article at their last meeting.

q. DPW Union Contract

It was stated that this was a placeholder as the union would be voting on this contract on Wednesday, December 18, 2019.

r. Chapter 261: \$5 Additional Fee for Automobile Registrations

Mr. Holmes noted that they had discussed this at their previous meeting and he is fairly neutral on this.

Mr. Colbath, seconded by Mr. Porter, to recommend that the following be placed on the warrant:

To see if the Town will vote to collect an additional motor vehicle registration fee of \$5.00 per vehicle for the purpose of funding scheduled road and transportation projects as authorized by RSA 261:153 VI. Said funds shall be deposited into the in the Capital Reserve Fund for Infrastructure Reconstruction, to be used to fund, wholly or in part, improvements in the local transportation system including roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities and public transportation. The funds may be used for engineering, right-of-way acquisition, and construction costs of transportation facilities, and for operating and capital costs of public transportation only. The funds may be used as matching funds for state or federal funds allocated for local or regional transportation improvements. Such funds shall not be used to offset any other non-transportation appropriations made by the municipality. And to further name the Select Board as agents to expend this Capital Reserve Fund.

The consensus of the Board was that this should be decided by the voters.

Mr. Thibodeau read the exact RSA and stated that no where did it specifically say 'motor vehicles', therefore he thought trailers could be included.

Mr. Colbath stated that if they are fiscally responsible, they will be able to use funds raised through this instead of asking the tax payers for as much money for the Capital Reserve Fund for Infrastructure Reconstruction in the future.

The motion carried unanimously.

s. Short Term Rental Inventory (\$25,000)

Mr. Holmes stated that this is something that he feels is important to do as they are trying to come up with how to regulate short term rentals. He noted that the Short-Term Rental Committee had looked at a few different companies who perform this service and had recommended that they use Host Compliance. He noted that their quote was for approximately \$20,000, however, there may be a price increase by the time the voters vote in April.

Mr. Porter moved, seconded by Mr. Thibodeau, to recommend adding the following to the warrant:

To see if the town will vote to raise and appropriate the sum of \$25,000 for the purpose of hiring a company to perform an inventory of properties being advertised for rental short term.

The motion carried unanimously.

There was then discussion on whether they should change the wording so that it doesn't lock them into hiring a company if they find a way to do this efficiently in house. There was also recommendation to change the wording to say 'short term rentals' instead of 'rentals short term'.

Mr. Colbath inquired as to what they felt this inventory was going to gain. Mr. Holmes explained that they need to know where they are and have contact information in order to help create and enforce regulations in the future.

Mr. Thibodeau explained that the Short-Term Rental Committee was going to report to the Board at their next meeting regarding their findings and their proposed next steps. It was their hope that regulations could be proposed to the Planning Board and Selectmen by August 1, 2020.

It was stated that this process will most likely involve changing the current town zoning regulations.

Mr. Colbath suggested looking at other places and how they regulated short term rentals. Mr. Holmes and Mr. Thibodeau explained that it is difficult because most other states, and even cities within New Hampshire have different statutory rules than Conway does so it is difficult to use those for guidance.

Mr. Holmes noted that he had contacted the DRA to find out how they are keeping track of who is and is not paying the Rooms and Meals Tax. They had told him that he needs to write a letter that will most likely be sent to their legal team.

Mr. Porter moved, seconded by Mr. Thibodeau, to amend their previous motion and to recommend that they place the following on the warrant:

To see if the town will vote to raise and appropriate the sum of \$25,000 for the purpose of performing an inventory of properties being advertised for short term rentals.

The motion carried unanimously.

Mr. Porter moved, seconded by Mr. Thibodeau, to recommend that the amended warrant be placed on the warrant and read as follows:

To see if the town will vote to raise and appropriate the sum of \$25,000 for the purpose of performing an inventory of properties being advertised for short term rentals.

The motion carried unanimously.

REVIEW OF RECEIPTS

(none)

SIGNING OF DOCUMENTS

- a. Certification of Yield Taxes Assessed for Map/Lot 240-9
- b. Certification of Yield Taxes Assessed for Map/Lot 242-7
- c. Timber Tax Levy for Map/Lot 242-7 and 240-9
- d. Abatement of Taxes for Map/Lot 260-46

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 12/19/19
- b. Payroll dated 12/19/19

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

RATIFICATION OF DOCUMENTS SIGNED OUTSIDE OF SESSION

(none)

REVIEW AND CONSDIRATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular Minutes from 12/10/19

Mr. Thibodeau moved, seconded by Mr. Colbath, to adopt the regular minutes from 12/10/19 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes explained that he had talked with officials at the Bank of America and they are hoping to have the town take possession as early as August 1, 2020.

He noted that Mr. Eastman had informed him that there had been a flag pole at the old recreation center that had been donated, and suggested that it may be used at the new town hall.

Mr. Holmes stated that he had been contacted by representatives from the New Hampshire Lottery regarding whether Conway had interest in placing an article on the warrant that would allow Keno in Conway. He explained that this had failed for the past two years.

Mr. Thibodeau stated that he would personally like to see the pouring establishments in Conway have the same rights as those in Albany. He added that he believes the funds raised are being used responsibly.

Mr. Thibodeau moved, seconded by Ms. Seavey, to place an article on the warrant regarding Keno that has the same wording as in 2019. The motion carried (3-1-1) with Mr. Porter in the negative and Mr. Weathers abstaining.

Mr. Holmes explained that the recreation center had received the quote for the server and it had come in at \$2,942 which was higher than the previously voted upon amount of \$2,500. He was asking if the Board would like to revisit this vote.

Mr. Colbath moved, seconded by Ms. Seavey, to allocate up to \$3,000 to purchase a server for the recreation center. The motion carried unanimously.

BOARD REPORTS AND COMMENTS

Mr. Porter explained that the Planning Board had met the previous week. They had set a proposed date for public hearings on zoning amendments for January 23, 2020.

Mr. Colbath stated that the Budget Committee had met the previous week. He noted that the meeting was not well attended.

Mr. Colbath explained that Mr. Holmes presented very nicely for the town and Mrs. Lilli Gilligan presented well for the School.

Mr. Holmes added that he felt Mr. Colbath was helpful as well during his presentation.

Mr. Colbath stated that the ZBA was meeting on Wednesday, December 18, 2019.

Mr. Colbath and Ms. Seavey explained that they had attended a Broadband Committee meeting and Consolidated Communications had given a very informative presentation.

Ms. Seavey added that Conway was going to host a meeting together with the Economic Council.

Mr. Thibodeau wanted to give a year end statement. He stated that after Mr. Holmes had complimented the Board on being very efficient in being able to move through very loaded agendas, he wanted to express that their efficiency is due to the town staff. He explained that he wanted to thank the staff for working hard and bringing the Board needs-based budgets with minimal increases. He added that if it wasn't for the staff and their long-term planning, the Board would spend way more time wrangling with these budgets and getting to the bottom line. He stated that the Board does not waste a lot of time because they have a staff that is able to present them with what they need, why they need it, and further justification for these requests. He emphasized that the staff does a tremendous job and it is appreciated.

Mr. Weathers stated that he agreed with Mr. Thibodeau and that it was important to him that the new hires are able to fit in with the high work ethic that is established here at the town.

Ms. Seavey stated that as a Board, there are times that they put a lot of demands on the town employees, especially Mr. Holmes. However, they are always able to come back with answers and it is very much appreciated. She also added that the Selectmen work hard as well. She noted that while they don't always agree, they are very dedicated and it is a good partnership.

Mr. Colbath stated that he wanted to sincerely thank and show much appreciation to the town staff for the support they give the Board of Selectmen.

Mr. Colbath wanted to note that while he had some very big personal issues going on, he thought that it was very important that he be present at this meeting as the Board should be fully represented so the public sees the full Board's support on the proposed budget and warrant articles.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from The Conway Daily Sun agreed that the town staff does a great job.

Mr. Steer explained that the Ossipee Selectmen allow the public to ask questions through their website that they answer during their meetings. He wondered if Conway should do that.

Mr. Colbath stated that while it does open it up and give the public more opportunities to ask questions, he believes that if people have important issues or questions, he invites them to show up to their meetings.

Ms. Seavey agreed and stated that she is saddened to see the low numbers who attend deliberative town meeting each year.

Mr. Holmes noted that Conway's website already has links to each departments email and they are regularly answering questions through email.

ADJOURN

At 5:40 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to adjourn. The motion carried unanimously.

Respectfully submitted,

Krista Day
Executive Secretary