

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
January 28, 2020**

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

SACO RIVER ADVISORY BOARD NOMINATION

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommended that the State appoint Randy Ouellette to the Saco River Advisory Board. The motion carried unanimously.

DISCUSSION REGARDING ZONING ORDINANCE NARRATIVE

Mr. Holmes reminded the Board that one of their goals for his was to work with the Town Planner to form a more readable version of the town's zoning ordinance. However, after discussing with the Tom Irving, it was determined that he needed more clarification on what exactly the Board wanted.

Mr. Thibodeau explained to Mr. Irving that he felt it could be made simpler by saying something along the lines of "the following shall apply to the following districts:".

Mr. Irving stated that this was the opposite of what they were instructed to do in 2003.

Mr. Holmes wanted to clarify to Mr. Irving that he was under the impression that the Board did not wish to replace the ordinance, but instead create a more readable and understandable addendum.

Mr. Irving expressed concern regarding the possibility that the redundancy could create additional confusion and/or potential litigation.

Mr. Thibodeau stated that he would like to go back and look at the ordinance so he can look at it from Mr. Irving's standpoint.

Mr. Irving invited Mr. Thibodeau to come in and meet with him.

DISCUSSION OF WARRANT ARTICLES AND UPDATED WARRANT ARTICLE
PACKET

- a. Main Street Project Financing

Mr. Colbath moved, seconded by Mr. Thibodeau, to rescind the motion that the following article be place on the warrant:

ARTICLE ____: (Special – Non-Lapsing) To see if the Town will vote to raise and appropriate the sum of Seven Hundred and Fifty Thousand Dollars (\$750,000.00) for the purpose of funding the Main St. projects while awaiting reimbursement by NHDOT. The town is required to pay all invoices before being reimbursed 90% of the cost by NHDOT for the Westerly Main Street Project and 100 % for the proposed Easterly Main Street project. Said funds to be withdrawn from the Unreserved Fund Balance. The funds will be replaced once reimbursement is received. This special warrant article will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until NHDOT has reimbursed the Town of its funding obligation under its contract or by December 31, 2025, whichever is sooner. No money used under this appropriation will come from property taxes.

**Recommended by the Board of Selectmen (- -).
Recommended by the Budget Committee (- -).**

The motion carried (4-0-1) with Ms. Seavey abstaining.

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

ARTICLE ____: (Special – Non-Lapsing) To see if the Town will vote to raise and appropriate the sum of Seven Hundred and Fifty Thousand Dollars (\$750,000.00) for the purpose of funding the Main St. projects while awaiting reimbursement by NHDOT. The town is required to pay all invoices before being reimbursed 90% of the cost by NHDOT for the Westerly Main Street Project and 100 % for the proposed Easterly Main Street project. Said funds to be withdrawn from the Unreserved Fund Balance. The funds will be replaced once reimbursement is received. This special warrant article will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until NHDOT has reimbursed the Town of its funding obligation under its contract or by December 31, 2025, whichever is sooner. No money used under this appropriation will come from property taxes.

**Recommended by the Board of Selectmen (- -).
Recommended by the Budget Committee (- -).**

The motion carried unanimously.

b. Selling of Recreation Center

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

ARTICLE ____: To see if the town will vote to authorize the Board of Selectmen to sell the Town's recently vacated Recreation Facility formerly known as the Old Pine Tree School located at 1808 East Main Street (Assessor's Map 259-13) once the School District has transferred title to the Town and upon such terms and conditions as are deemed appropriate by the Board of Selectmen.

Recommended by the Board of Selectmen (- -).

Recommended by the Budget Committee (- -).

The motion carried (4-0-1) with Ms. Seavey abstaining.

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

ARTICLE ____: To see if the town will vote to authorize the Board of Selectmen to sell the Town's recently vacated Recreation Facility formerly known as the Old Pine Tree School located at 1808 East Main Street (Assessor's Map 259-13) once the School District has transferred title to the Town and upon such terms and conditions as are deemed appropriate by the Board of Selectmen.

Recommended by the Board of Selectmen (- -).

Recommended by the Budget Committee (- -).

The motion carried unanimously.

Mr. Holmes noted that the School Board had voted to sign the deed for the old recreation center.

DISCUSSION OF AGE FRIENDLY COMMUNITY 2019 REPORT

Mr. Holmes stated that Mr. Colbath had requested that this be placed on the agenda.

Mr. Colbath explained that he would like the Age Friendly Community's 2019 report included in the Town's Annual Report. Ms. Seavey agreed as it covers information that can be widely used by many in the area.

Ms. Seavey moved, seconded by Mr. Colbath, to include the 2019 Age Friend Community's 2019 Report in the 2019 Town of Conway Annual Report. The motion carried unanimously.

Mr. Thibodeau questioned whether this would open the door for any organization to be included in the town report.

It was clarified that we already include short end of the year reports from non-profit organizations.

DISCUSSION OF POLITICAL SIGNAGE

Mr. Holmes explained that he wanted to see if the Selectmen, who are the enforcement officials for the town's sign ordinance, would be amenable to ceasing the enforcement of posted political signs in the town's right of way until after the February 11, 2020 presidential primary.

Mr. Thibodeau agreed with Mr. Holmes. He said that he would like to see something along the lines of what they had done in the past which allowed for political signs in the town's right of way for 8 weeks prior to an election and up to one week after the election.

Mr. Weathers clarified that signs in the line of sight however would be removed.

Mr. Colbath and Ms. Seavey voiced their opinions which were in agreement as well.

Mr. Holmes stated that he would inform the code enforcement officer.

REVIEW OF RECEIPTS

The receipts were available to review.

SIGNING OF DOCUMENTS

- a. Permit to Sell Raffle Tickets for Conway Area Lions Club on 11/4/2020
- b. Permit to Sell Raffle Tickets for American Cancer Society 10/18/2020
- c. Waiver of Municipal Liability for Map/Lot 290-50
- d. Notice of Intent to Excavate for Map/Lot 244-16
- e. Timber Tax Levy for Map/Lot 222-1
- f. Certificate of Yield Taxes Assessed for Map/Lot 222-1
- g. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 254-29.109
- h. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 262-83.257
- i. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 280-72

- j. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 216-28
- k. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 262-83.115
- l. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 266-22
- m. Permanent Application for Property Tax Credits/Exemptions for Map/Lot 277-159

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the documents listed above in a. through m.

There was clarification regarding the purpose of a waiver of municipal liability.

The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 1/30/2020
- b. Payroll dated 1/30/2020

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)

- a. Tri Tek Events Stephan Siller – Tunnel to Towers Foundation Run (6/6/2020)

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the special event application listed above. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular Minutes and Non-Public Minutes from 1/21/2020

Mr. Colbath noted that under the approval of agenda section, it needed to be edited to read “as amended” instead of “as written”. Ms. Day will make this correction.

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes listed above as amended. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes noted that the letters to the residents abutting Cathedral Ledge Road have gone out to get opinions on plowing.

Mr. Holmes noted that the School Board has signed the deed to the Old Recreation Center.

He also noted that he had been called to Jury Duty in March.

Mr. Holmes noted that the Board had received an invitation to the Age Friend Community Steering Committee Meeting. Mr. Colbath noted that the State Director was going to be there.

BOARD REPORTS AND COMMENTS

Mr. Porter noted that the Planning Board had met the night before and that the petitioned articles and articles submitted by the Planning Board had received the recommendation of the Board.

Mr. Colbath noted that the Budget Committee and Board of Selectmen had their joint meeting for the non-profit presentations. They would be meeting next week for continuation of the town budget.

Mr. Holmes noted that the police may go before the budget committee for consideration of an increase of \$6,000 to their proposed budget as their two new hires were opting for family plans for their health insurance.

Mr. Thibodeau explained that the Civil Air Patrol had met and that their next exercise would be in February.

He also noted that the Canadian Helicopter would be returning to the airport in April.

Ms. Seavey explained that the Town of Conway would be hosting the next Broadband Committee meeting on February 13, 2020.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from The Conway Daily Sun inquired as to whether one of the School Board members had expressed their opinion that they should not be transferring the Old Recreation Building over to the town. Mr. Holmes stated that he was unaware of this, but according to Superintendent Kevin Richard, the Board had voted to sign the deed.

There was clarification regarding the time frame that political signs could be put up.

Mr. Steer wanted to know if the Board would consider making the zoning ordinance shorter. Mr. Colbath explained that a lot of the code include state regulations.

At 4:46 pm, Mr. Colbath moved, seconded by Ms. Seavey, to go into non-public session under RSA 91-A:3 II(c) to discuss a tax matter. The motion carried unanimously.

NON-PUBLIC SESSION UNDER RSA 91-A:3 II(C)

At 5:38 pm, the Board returned to public session.

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

ADJOURN

At 5:38 pm, the meeting adjourned by the call of the chair.

Respectfully submitted,

Krista Day
Executive Secretary