

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN  
February 8, 2022**

The Selectmen's Meeting convened at 4:03 pm in the Meeting Room at the New Town Hall with the following present: 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 Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Weathers noted that they would be removing agenda item 4.

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

DISCUSSION OF POLICE GENERATOR

Chief Mattei explained that the generator at the Police Station had an alarm set off during its self test.

After examination it was revealed that the 32 year old generator carburetor was frozen.

It has been determined that there are no replacement parts as the generator is now obsolete.

Chief Mattei reviewed that in 2019-2020, the Police Department had applied for a grant through Homeland Security.

They had been told that they would receive half of the amount for a new generator, however, that fell through.

Chief is concerned because if they lose power, the Police Department will not have fire suppression and there do not seem to be any grants out there to apply for at this time.

Chief is requesting that the Board considered using some ARPA funds for a new generator.

He noted that the delivery and installation from time of order is approximately 10 to 12 months.

Chief Mattei noted that he had received one local quote for \$114,200, but he was expected at least one to two more quotes.

Mr. Holmes stated that he believes this purchase would qualify under the current ARPA guidelines.

Mr. Thibodeau suggested reaching out to Field Electric in Fryeburg to see if they could get a quote.

RECOMMENDATION OF PETITIONED WARRANT ARTICLE

a. Southview Loop

Mr. DegliAngeli explained that for the second year in a row a petition was submitted to accept Southview Loop as a Town Road.

He reviewed that last year when they discussed this petition, he explained that per the Town ordinance, those interested in a warrant article such as this are told to contact the Town in the Fall in order for the Town Staff to inspect the road and whether it has met Town standards.

However, for the second year in a row, they did not contact the Town and just submitted a petition.

**Mr. Colbath moved, seconded by Mr. Porter, to recommend the following warrant article:**

**(Non-Monetary) To see if the Town will vote TO ACCEPT SOUTHVIEW LOOP AS A TOWN ROAD. Submitted by petition.**

**The motion failed unanimously.**

DISCUSSION OF SELECTMEN'S WARRANT ARTICLE

The Board discussed adding a warrant article for public bathrooms.

Mr. Colbath moved, seconded by Mr. Porter, to add the following article to the 2022 warrant:

**(Special – Not included in Budget Appropriation Article # ) To see if the Town will vote to raise and appropriate the sum of Four Hundred Thousand Dollars (\$400,000) for the purpose of building PUBLIC BATHROOMS IN NORTH CONWAY VILLAGE.**

There was discussion regarding the fact that the State statute does not allow the Selectmen a way to put an article on the warrant and then take a vote of whether they recommend or do not recommend.

It was explained that there are many articles the Selectmen feel should be decided on by the voters and there is no mechanism to allow for them to be put on the warrant other than voting to recommend the warrant article.

Mr. Colbath stated that he would like to have it on the warrant because he is receiving pushback from locals who are not interested in paying for public bathrooms for tourists.

**The motion carried (4-1-0) with Mr. Weathers in the negative.**

ACCEPTANCE OF BENCH DONATED BY THE BOARD OF SELECTMEN

Mr. Holmes explained that the Board of Selectmen had donated a bench to the Town.

**Mr. Porter moved, seconded by Ms. Seavey, to accept the donation of the bench on behalf of the Town. The motion carried unanimously.**

APPOINTMENT OF ZBA MEMBERS

- a. Steven Steiner
- b. Richard Pierce
- c. Jac Cuddy
- d. Jon Hebert

**Ms. Seavey moved, seconded by Mr. Thibodeau, to appoint Jac Cuddy as a member of the ZBA for a three year term The motion failed (2-2-1) with Mr. Porter and Mr. Weathers in the negative and Mr. Colbath abstaining.**

**Mr. Weathers moved, seconded by Mr. Thibodeau, to appoint Jac Cuddy as an alternate member of the ZBA for a three year term The motion carried(4-0-1) with Mr. Colbath abstaining.**

**Mr. Porter moved, seconded by Ms. Seavey, to appoint Richard Pierce as a member of the ZBA for a three year term The motion carried (4-0-1) with Mr. Colbath abstaining.**

**Mr. Porter moved, seconded by Mr. Thibodeau, to appoint Steven Steiner as a member of the ZBA for a three year term The motion failed (2-2-1) with Ms. Seavey and Mr. Weathers in the negative and Mr. Colbath abstaining.**

**Mr. Weathers moved, seconded by Mr. Thibodeau, to appoint Steven Steiner as an alternate member of the ZBA for a three year term The motion carried(4-0-1) with Mr. Colbath abstaining.**

**Mr. Porter moved, seconded by Mr. Thibodeau, to appoint John Hebert as a member of the ZBA for a three year term The motion carried (4-0-1) with Mr. Colbath abstaining.**

Mr. Colbath wanted to address the fact that Phyllis Sherman has resigned from the ZBA after being involved with Town zoning since 1980.

**Mr. Colbath moved, seconded by Mr. Porter, to present Phyllis Sherman with a certificate of appreciation at a future meeting. The motion carried unanimously.**

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

(none)

CONSIDERATION OF BILLS

- a. AP Manifest dated 2/10/2022
- b. Payroll dated 2/10/2022

**Mr. Thibodeau moved, seconded by Mr. Colbath , to sign the AP Manifest and Payroll dated 2/10/2022. 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 and Non-Public Minutes from 2/1/2022

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

TOWN MANAGER REPORT

Mr. Holmes noted that Valley Pride Day was scheduled for May 7, 2022.

He noted that he had received an estimate for sod for the O'Brien Park/Old Recreation Center Property of \$34,000.

Mr. Holmes added that the Intervale Scenic Vista Bathrooms would be open 7 days a week.

Mr. Holmes noted that Mr. Eastman is working on getting new chairs for the Selectmen's meeting room.

BOARD REPORTS AND COMMENTS

Mr. Thibodeau noted that there has been quite a lot of activity at the airport but he had not yet received a January Activity report.

Mr. Colbath noted that the Budget Committee would be holding their Public Hearing the next evening.

Chairman of the Budget Committee, Jim LeFebvre, explained that the hearing would take place for the precincts, Town, and School on Wednesday, February 9, 2022 at 6:00 pm at Kennett High School.

Mr. Porter stated that the Planning Board would be meeting on Thursday, February 10, 2022.

Mr. Weathers noted that they were having a discussion at the CCC meeting regarding the issue of people walking on and destroying the cross country ski tracks in Whitaker Woods and that a subcommittee would be coming up with some recommendations.

#### PUBLIC COMMENTS AND MEDIA QUESTIONS

Scott Kudrick appeared before the Board.

He explained that people in the community are concerned about whether the Town was going to appeal their lawsuit against him.

Mr. Kudrick stated that it is stressful to be viewed as the villain.

He noted the following local resident's names saying that they did not want to lose the right to rent: Anthony Fitzsimmons, Bob Nelson, Kevin Lebel.

Mr. Kudrick stated that he did not understand the purpose of eliminating short-term rentals as a lot of people financially rely on them.

He said it would be better to focus on reasonable regulations.

Mr. Kudrick stated that it was a shame to see that the people of Conway were against visitors coming here.

Resident Walter Henderson appeared before the Board to support the ability for people to rent out their properties.

He noted that his wife works for Mr. Kudrick that the he does a great job.

He believes that the vote last year was confusing.

He urged the Town not to appeal.

An employee of Mr. Kudrick spoke to the Board and said that she did not believe that short-term rentals had any effect on the availability of affordable housing in the Valley,

She stated that short-term rentals pay her bills.

Carrie Siefer appeared before the Board and said that she believed short-term rentals have started to self regulate.

She believed that the money spent on the lawsuit could go towards creating housing.

She stated that the Town needs to cater to the tourists.

One woman, Gina, who identified by first name only, appeared before the Board and stated that working for Mr. Kudrick allows her to make a living wage and provide for her family.

Jen Bean appeared before the Board and stated that it has always been a struggle to make ends meet in the Valley.

She said that working for Mr. Kudrick allows her great flexibility.

James Merritt appeared before the Board and said that banning short-term rentals would have a negative impact on the small businesses in the Valley.

Joe Smith noted that if the Town were to ban short-term rentals, he would be out of 80% of his work.

Daymond Steer from the Conway Daily Sun asked about the CVFD meeting and whether the Town would take over their services.

Mr. Holmes noted that the decision is up to the precinct and if they dissolved, the Town would have to take over.

Mr. Steer asked if the question of public bathrooms had been on the warrant previously.

Mr. Eastman said it had in 1990.

Mr. Colbath noted that he had received a lot of feedback from residents who do not want to pay for public bathrooms.

There was a discussion of the Whitaker House for bathrooms.

Mr. Colbath noted that there would be a lot of Highway Department Grants available soon for pedestrian safety.

**At 5:33 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (L). The motion carried unanimously.**

NON-PUBLIC SESSION RSA 91-A:3 II (L) – LEGAL ADVICE

**At 6:23 pm, the Board returned to public session.**

**Mr. Colbath moved, seconded by Thibodeau, to seal the minutes from this non-public session as divulgence of the information would render the proposed action ineffective. The motion carried unanimously.**

ADJOURN

At 6:23 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day  
Executive Secretary