

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
April 18, 2023

The Selectmen's Meeting convened at 4:00 pm at Conway Town Hall with the following present: C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Steve Porter, Town Manager John Eastman and Executive Assistant 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 adding the following to the agenda:

4a. ZBA Appointments
hh. MS-232

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

DISCUSSION OF CHARTER COMMISSION ELECTION

Ms. Inkell explained that the date she and Mr. Eastman have agreed upon that meets the requirements for the Charter Commission Election is June 13, 2023.

The filing period for the candidates for the 9 member commission will be from May 17, 2023-May 26, 2023.

Anyone who is interested in declaring candidacy must be a registered voter in the Town of Conway.

The Supervisors of the Checklist will be meeting May 16, 2023 for those who need to register.

It was discussed that anyone on any Board can run for election as long as there is not a quorum of any committee or board represented on the Charter Commission.

After some discussion, Ms. Seavey was the only one who had plans to run.

Ms. Inkell noted that the recount for the Selectmen race would be held April 24, 2023 at 9:00 am in the meeting room.

At this point, no other warrant article had been contested for a recount.

ZBA APPOINTMENTS

Mr. Colbath noted that he would be abstaining on this vote as he was the chair of the ZBA.

He added that Debra Haynes would be a great asset, as well as Mr. Kelley who had a great resume.

Mr. Colbath also stated that having Mike Couture would be an asset as Mr. Bartolomeo was not longer serving.

Ms. Seavey moved, seconded by Mr. Porter, to appoint Debra Hayne, Gerald Kelley, and Mike Couture as alternate members to the Zoning Board of Adjustment with terms ending in 2026. The motion carried (4-0-1) with Mr. Colbath abstaining.

LETTER OF AUTHORITY FOR GOEFFR GRANT

Mr. Colbath moved, seconded by Ms. Seavey, to sign the letter of authority for Andrew Smith to apply for the GOEFFR Grant for the reconstruction of the boat ramp. The motion carried unanimously.

RELEASE AGREEMENT FOR 38 HOBBS STREET

Mr. Eastman explained that in 2013 the Town has signed an agreement with Adrian Hurd stating that he would pay back the Town for demolishing his home.

The property has now sold and the debt to the Town has been paid off.

Mr. Colbath moved, seconded by Ms. Seavey, to sign the agreement releasing Adrian Hurd from him obligation to the Town as the previous agreement had been fulfilled. The motion carried unanimously.

APPROVAL OF PLOW TRUCK LEASE AGREEMENT

Mr. Eastman reviewed that Mr. Smith had gone over the plan to lease/purchase a new plow truck at the previous meeting.

The total cost of the plow truck is \$209,215, but will be leased to own over 5 years.

Mr. Colbath moved, seconded by Ms. Seavey, to authorize the lease/purchase agreement for a new plow truck. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review during the Town Manager's report.

SIGNING OF DOCUMENTS

- a. 2023 Cyclical Revaluation Contract
- b. Channel 3 MOU with Albany
- c. Intent to Cut Wood or Timber on Map/Lot 264-8
- d. Abatement of Taxes on Map/Lot 246-60
- e. Application for Current Use Assessment on Map/Lot 223-22
- f. Application for Current Use Assessment on Map/Lot 223-21
- g. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 259-74
- h. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 215-42.057

- i. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 278-97
- j. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 219-183
- k. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 299-108
- l. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 202-135
- m. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 225-14.001
- n. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 253-4
- o. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 256-2.2
- p. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 216-84
- q. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.31
- r. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 202-63
- s. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 272-16
- t. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 232-56
- u. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 276-76
- v. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 277-290
- w. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 268-182
- x. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 277-240
- y. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 223-34
- z. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 278-40
- aa. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 241-6
- bb. Gravel Tax Levy on Map/Lot 238-1, 244-16, 265-128.1
- cc. Certification of Yield Taxes Assessed on Map/Lot 242-9.1
- dd. Certification of Yield Taxes Assessed on Map/Lot 262-86.3
- ee. Yield Tax Levy on Map/Lot 242-9.1 and 262-86.3
- ff. Municipality Land Use Change Tax on Map/Lot 269-104.1
- gg. Warrant for Land Use Change Tax on Map/Lot 259-104.1
- hh. MS-232

Mr. Colbath moved, seconded by Ms. Seavey, to sign the documents listed above. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 4/20/2023
- b. Payroll dated 4/20/2023

The Board held off on this item as it had not been delivered by the bookkeeper yet.

Mr. Colbath moved, seconded by Ms. Seavey, to sign the AP Manifest and Payroll dated 4/20/2023. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. American Legion Post 46 10th Annual Family Campout (7/21/23-7/23/23)

Mr. Colbath moved, seconded by Ms. Seavey, to approve the special event listed above. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 4/4/2023

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular and non-public minutes from 4/4/2023 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Eastman noted that the next meeting would be on May 2, 2023 and they would be discussing bathrooms.

He explained that Valley Pride Day is May 6, 2023 and the organization had requested to hang a banner for the event at visitor booth entering Conway Village.

Mr. Porter moved, seconded by Mr. Colbath, to allow Valley Pride Day to hang their banner at the visitor booth from April 30, 2023 through the May 6, 2023 event. The motion carried unanimously.

Mr. Eastman noted that the property auction for 5 Town-owned properties would be held June 3.

Information on those properties can be found at nhtaxdeedauctions.com.

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 4/20/2023. The motion carried unanimously.

Mr. Eastman noted that the Recreation Center had their grand re-opening.

Mr. Eastman took a minute to thank Mr. Weathers for all that he has done for not only Conway Rec, but the entire Town.

He called him an icon and praised his leadership.

Mr. Colbath noted that Mr. DiGregorio was thankful for the lights on Pollard Street.

BOARD REPORTS AND COMMENTS

Mr. Thibodeau noted that since the ESAA hired Allison Navia, things are running very smoothly.

He gave the March airport activities report.

He noted that there would be aerobatic training on May 24, 25, and 26.

He added that the Canadian Airforce would also be back in Town for the week on April 30, 2023.

Ms. Seavey explained that she was grateful the Rec Center was complete and thanked Sut Marshall and the Friends of Rec for all their work getting the Stage financed and completed.

Ms. Seavey read the following statement:

The Conway Board of Selectmen serve as the Town's chief executive body. As a civic leader and of Selectman Chair, David Weathers has always understood the full responsibility of the position, as well as its limitations. I would venture to say that he has devoted 20-30 hours on a weekly basis to municipal issues and has delegated appropriate tasks and responsibilities to fellow selectmen as needed. David has always treated me, and all the other members of the Board, with respect despite the differences of opinions we might have from time to time. He has also displayed respect for the public that has come before the Board. I am bothered by some of the uncivil ways some residents of Conway have referred to elected officials of Conway and town employees. Being a selectman is not a 3-5-hour weekly commitment on a Tuesday afternoon. In addition to my role as a selectman, I presently serve as the selectmen's representative to two boards and serve as the alternate to the Conway Budget and Conway Planning Board. I would venture to say that I average a minimum of 10-15 hours per week in my commitments as a Town of Conway Selectman. I would also venture to say that my fellow selectman averages the same hour as I on a weekly basis, or more. As a selectman, it is important for me to acknowledge that I am a "municipal employee" and are covered by the conflict-of-interest law. The purpose of the law is to ensure that my private interests and relationships do not conflict with my responsibilities as a public official, especially in my role as the director of a non-profit organization serving the residence of Conway.

Ms. Seavey thanked Mr. Weathers for being a mentor because without him, she was not sure she would be a Selectmen.

Mr. Colbath stated that as he was starting his 9th year as Selectmen, and it had been a pleasure to work with everyone.

He explained that it is hard to lose Mr. Weathers but it seems that the change was too overwhelming in regards to parking.

He stated that if the outcome of the recount remains the same, he will do everything he can to work together, mentor and keep a strong Board.

He thanked Mr. Weathers.

Mr. Colbath explained that the ZBA was meeting this week and had a full agenda.

He noted that he attended the Planning Board meeting the previous week.

Chair of the Budget Committee, Peter Donohoe, explained that they would be having their reorganization meeting on May 3, 2023.

He noted that it will be the first time in more than three years that they have a full slate of members.

Mr. Porter stated that it has been a pleasure and an honor to sit beside Mr. Weathers.

He stated that he believed this group has done a fabulous job in the decisions they had made, especially in regards to COVID-19.

He emphasized that this is not a part time job and they all put a lot of time in.

Mr. Porter noted that the amount of hatred that paid parking generated was disheartening.

Mr. Porter congratulated Ms. Byers and Ms. Grant for being re-elected to the Planning Board.

Mr. Porter gave a brief summary of the applications that had been before the Planning Board.

Mr. Thibodeau thanked the voters for their support of the ESAA warrant article.

He noted that it had passed by the largest percentage he has seen since he has been sitting on this Board.

Mr. Thibodeau noted that he met Mr. Weathers 50 years ago on the Conway Fire Department and it has been a pleasure to work with him.

He stated that he is proud to call him a friend and colleague.

Mr. Weathers joined fire department 50 years ago. Pleasure to work with dave. Proud to call him a friend and colleague.

Mr. Weathers thanked the voters for voicing their opinions and voting for the moratorium and the height restrictions.

Mr. Weathers explained that he had asked for a recount because he did not like the process this year after the polls closed.

He noted that in the past, results had been read within five minutes and this year it took over an hour.

He said that perhaps the recount will show that things could be done differently.

Mr. Weathers stated that they believed there had been a concerted effort to remove Ms. Seavey and himself by the North Conway Businesses and the Conway Daily Sun due to paid parking.

He noted that he could not understand why the business people would think that they would vote for something that would be detrimental to their businesses and keep people away.

He explained that from the research done by the Town Staff, no other Town that implemented paid parking has removed it.

He stated that many say it increased business due to turnover.

He noted that it is his hope that the Town will do a proper study so they can get some tax relief for people.

Mr. Weathers thanked everyone who had reached out to thank him for his contributions.

He stated that it had been a pleasure to serve the Town.

Ms. Seavey clarified with Mr. Weathers that he always wanted the paid parking to go before the voters in a warrant article.

Mr. Weathers confirmed this.

Mr. Eastman from the Conway Daily Sun stated that while he works for the paper, he is an independent voter.

He thanked Mr. Weathers.

Ryan Shepard, who had more votes than Mr. Weathers at the election but had not been sworn in due to the recount, asked to say a few words.

He stated that he wanted to set some things straight.

He explained that many people believe that he did not pay for the ads in the paper.

He stated that with the exception of three ads, everything was paid for by himself.

Mr. Shepard stated that when he decided to run for Selectmen it was not to get rid of any of the current selectmen.

He stated that he wanted to serve the Town.

He stated that it kills him to see the way the current board has been treated.

He stated that he does not discount the investment that anyone on the Board made.

Mr. Shepard noted that it was shocking to him that he won.

He stated that he would have been fine if he did not win.

He stated that while he is not looking for sympathy, he feels like he has done something wrong when all he wants to do is help.

He stated that he is glad he has some time before the recount as he has a lot of thinking to do.

He emphasized that he wanted to come before the Board so that his words did not get misinterpreted in the Conway Daily Sun.

He noted that he understood there are big issues going on in Town like the artwork on Leavitts.

He noted that there was a part of him that hoped the recount comes up in Mr. Weathers' favor.

He ended by saying that if he did not care he wouldn't have come to speak today.

Ms. Seavey stated that she was very disappointed but not against him personally.

She stated that she knows that letters had been written in favor of her and had not been run in the paper.

She stated that the ads not paid for by him however did make the paper.

Ms. Seavey stated that the sign on Leavitts Bakery is not artwork, it is a sign.

She explained that as Selectmen, they do not make the ordinances, however, they have to enforce the ordinances on the books.

She wanted to call attention to the fact that people were told to get a petition with just 25 signatures together to change the ordinance.

She noted that she takes great offense to the article in the paper about supporting the kids.

She stated that the school belongs to the community and there should not be a connection.

She takes offense to Mr. Shepard calling it artwork.

Mr. Shepard stated that they can differ on what they consider the sign.

Mr. Colbath thanked Mr. Shepard for coming to speak.

Mr. Shepard stated that he was impressed by how the Board has been able to insulate themselves as he is having a hard time in just the short period since he was elected.

The whole thing with the sign is so controversial. Death threats, very serious situation.

Mr. Colbath stated that the sign issue is very controversial and is a very serious situation.

He added that people at Town Hall are receiving threatening phone calls.

PUBLIC COMMENTS AND MEDIA QUESTIONS

ADJOURN

At 5:05 pm, Mr. Colbath moved, seconded by Ms. Seavey, to adjourn. The motion carried unanimously.

Respectfully Submitted,

Krista Day
Executive Secretary