

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
September 26, 2023**

The Selectmen's Meeting convened at 4:00 pm at Town Hall with the following present: Mary Carey Seavey, Carl Thibodeau, Steve Porter and Ryan Shepard, Town Manager John Eastman and Executive Assistant Krista Day.

PLEDGE OF ALLEGIANCE

Ms. Seavey led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Porter moved, seconded by Mr. Shepard, to approve the agenda as written. The motion carried unanimously.

LIGHT REQUEST FOR NORTH ROAD

Elaine and Gail Currier from 17 North Road appeared before the Board to request that a street light be put back in on their street.

Elaine Currier explained that the road is very dark and with excess traffic using North Road to go around the traffic into Town, it is a dangerous situation.

There was a discussion about the reasoning behind the Town removing street lights in the past.

Mr. Porter moved, seconded by Mr. Shepard, to task Andrew Smith with researching and installing another street light on North Road. The motion carried unanimously.

REQUEST FOR PEG FUNDS FOR EQUIPMENT

Station Manager from Valley Vision, Bill Edmunds, appeared before the Board to request \$2,894 from the PEG funds to purchase two pieces of equipment necessary for their streaming coverage around Town.

He emphasized that any equipment purchased with PEG funds belong to the Town of Conway.

Mr. Thibodeau moved, seconded by Mr. Shepard, to authorize the expenditure of \$2,894 from the PEG funds for equipment. The motion carried unanimously.

Mr. Edmunds reviewed all of the coverage they were able to provide for the 100 year Kennett High School Anniversary Celebration.

He commended Saralyn Smith for her work.

PRESENTATION ON COMMUNITY POWER

Bob Hayden from Standard Power appeared before the Board with Jessyca Keeler.

He explained that he was here to discuss the potential for the Town of Conway to assemble a committee to look into community power.

Mr. Hayden gave a brief presentation about community power and how it could potentially offer community members lower electric supply rates than they would be able to get directly from the electric companies.

He also emphasized the potential to offer more renewable energy options.

Mr. DegliAngeli noted that they would need to look at the other two companies as well, Freedom and Coalition.

Mr. DegliAngeli noted that they were in the process of putting a solar field on the landfill.

Ms. Seavey thanked them for coming and they would revisit it at a future meeting.

PUBLIC HEARING ON RENTAL LICENSING FOR 3 OR MORE UNITS

Ms. Seavey opened the public hearing at 4:50 pm.

Mr. DegliAngeli explained that this was the first public hearing for the rental licensing program as it pertains to rental properties where there are 3 or more units.

Along with Mr. DegliAngeli sat Chief Solomon.

Chief Glenn Merrill was also present.

Mr. DegliAngeli explained that the purpose of this program is to ensure that all the rental properties comply with life safety codes.

The proposed fees would be as follows:

Rental structures that hold 3-11 units would cost \$500 once every three years.

Rental structures that hold 12+ units would cost \$375 annually.

He added that the intent is to have the license fee cover the cost of inspections and potential legal costs if they arise.

He noted that they plan to monitor the fees and will adjust if necessary.

Joy Tarbel asked if there could be waivers for recently renovated units that had been inspected.

Mr. DegliAngeli stated that they would start the three year license from the date of that inspection.

Joy Tarbell: any consideration given to buildings that are less than 12 units but have met the requirements?

Shawn Bergeron stated that he felt this was more complex than they were alluding to.

Chief Solomon stated that for 3-11 units they cannot just follow the 10 point check list at State Fire Code does apply.

They will have to adapt to how each rental unit is configured.

Mr. DegliAngeli stated that the people with the training and knowledge are going to have to make decisions.

He added that if there is a disagreement, there will be an appeal process.

Mr. Bergeron suggested getting rid of Chapter 23 of the Conway Code which was the Town of Conway Sprinkler Ordinance.

It was stated that this was actually discussed earlier that day.

Resident Bob Drinkhall wanted clarification of who was doing the inspections.

Mr. DegliAngeli noted that it would be Code Enforcement Officer Nick DeVito and the Fire Chief for the respective precincts.

Daymond Steer from the Conway Daily Sun asked about the deadline for compliance of January 1, 2024.

He questioned what would happen if they have not been inspected by that date.

Mr. DegliAngeli noted that it would be first come, first served but the properties would be able to continue operating until they could get inspected.

Mr. DegliAngeli stated that the voluntary registration program has not been robust but he was hopeful it would pick up.

Mr. Tarbell asked what recourse they have if a tenant refuses entry.

It was stated that it would have to be a court filing.

Ms. Seavey closed the public hearing at 5:29 pm.

REQUEST FOR DISCUSSION ON \$5.00 STICKER FEE

Ryan Wallace appeared before the Board to express his feelings on the \$5 parking sticker fee.

He noted that this program was started at the peak of Covid when we had an influx in visitors.

However, the part that he is struggling with is that there is revenue being made with no addition of services being given to the tax payers.

He felt that this was an additional tax for the residents.

Mr. Wallace mentioned a quote from an attorney regarding the fact that the fee needed to be part of a regulatory process and over cover the expense for performing the function.

It should not be a revenue generating program.

As a Police Officer, Mr. Wallace stated that prior to this program he had never responded to issues at the Rec Sites but now that they are charging, the police are getting more and more calls.

Mr. Wallace suggested renaming the transfer station sticker as a facility sticker instead of having to obtain separate stickers.

Mr. Eastman explained that they had gone back in the minutes and as of January 2022, the Board had voted to charge the \$5 for parking stickers to cover the cost of processing.

He noted that there were a lot of people who flocked to Conway during covid, but the visitors have increased.

The initial reasoning behind the program was to be able to cover the expenses incurred from the increase in visitors such as trash removal and parking kiosks.

Mr. Eastman stated that this is not a tax; it is a processing fee.

He compared it to the \$25 processing fee that is required for a pass for residents to ski in Whitaker Woods.

Mr. Eastman handed out information obtained from the Conway School District's website about student parking.

He explained that Mr. Wallace, the Vice Chair of the School Board, and the rest of the Board charge students \$5 for each parking permit.

They also will boot vehicles if they do not have a sticker or if it is not properly affixed and it will be removed for a \$25 fee.

He stated that this is the same thing the Town is doing.

The School is making revenue from this program and not providing additional services.

Mr. Thibodeau stated that this was a not a tax, it was a user fee.

He noted that a tax is applied evenly across the board.

In this case, the user fee was only being charged to those who used the program.

He added that the first year they handed out thousands of free stickers and it created too much work for the Town because everyone got one just to get one.

He stated that he does not want to pay for others to use the Town Rec Sites.

Ms. Seavey explained that they had worked very diligently to come up with this program.

Mr. Wallace stated that the school actually pays to paint the parking spaces and noted that students don't pay taxes.

Mr. Thibodeau stated that he does not use these sites and does not expect to pay for others to use it.

Mr. Thibodeau stated that the transfer station sticker is not a good comparison because everyone who lives here is generating trash while not everyone is using the recreation sites.

Mr. Shepard noted that perhaps they relook at the cost.

Ms. Seavey noted that when they came up with this program a big problem was that people who live here were not able to use the sites because there was no where to park.

Ms. Seavey stated that she wanted to make sure that the residents were protected and able to utilize the rec sites.

Resident Jackie Scaletti stated that she appreciated having the stickers to allow residents to be able to park in the lot and utilize the beach.

She also hoped that parents would teach their children to get out of the car on the opposite side of the traffic.

NOTIFICATION OF DEMO PERMIT APPLICATION TO REMOVE MOBILE HOME FROM 962 DAVIS HILL ROAD

The Board and the public were informed of the demo permit application for 926 Davis Hill Road.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Intent to Cut Wood or Timber on Map/Lot 239-3
- b. Intent to Cut Wood or Timber on Map/Lot 239-01
- c. Intent to Cut Wood or Timber on Map/Lot 226-01
- d. Intent to Cut Wood or Timber on Map/Lot 238-04
- e. Certification of Yield Taxes Assessed on Map/Lot 264-8
- f. Yield Tax Levy on Map/Lot 264-8
- g. Warrant for Land Use Change Tax on Map/Lot 262-86.271

- h. Municipality Land Use Change Tax Bill on Map/Lot 262-86.271
- i. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 214-20
- j. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 231-14
- k. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 250-61
- l. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 214-24
- m. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 263-20
- n. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 247-92
- o. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 280-40
- p. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 247-41
- q. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 268-117.31
- r. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 219-138
- s. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 250-86
- t. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 210-16
- u. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 247-37
- v. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 203-119
- w. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 234-22.024
- x. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 263-91
- y. Waiver of Municipal Liability for PID: 299-41 on Regent Hill Road

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 9/28/2023

Mr. Thibodeau moved, seconded by Mr. Shepard, to sign the AP Manifest dated 9/28/2023. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 9/21/2023
- b. Payroll dated 9/21/2023

Mr. Thibodeau moved, seconded by Mr. Shepard, to ratify the documents signed out of session as listed above in a. and b. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Post 95 American Legion Veterans Day Parade (11/11/23)
- b. ESSC Ski Sale (11/10/23-11/11/23)

Mr. Thibodeau moved, seconded by Mr. Shepard, to sign the Special Event Applications as listed above in a. and b. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular Minutes from 9/12/23

Mr. Thibodeau moved, seconded by Mr. Porter, to adopt the regular minutes from 9/12/23 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. DegliAngeli explained that the public hearing for the Eastern Main Street Project to determine if this is an occasion for the taking of property via eminent domain, was going to be held on October 17, 2023.

He added that this project is 100% funded by the State and Federal Government but is financed through the Town.

Mr. Porter moved, seconded by Mr. Shepard, to authorize the Chair to sign Federal And Highway Program Amended Project Agreement for Town of Conway State Project 40638. The motion carried unanimously.

In regards to the rental licensing program, Mr. DegliAngeli explained that the inspections will be done on a first come, first served basis.

He did reiterate that they will be able to continue to operate while waiting for their inspection.

Mr. DegliAngeli noted that he was concerned about some misleading information on some of the social media pages and discussed potential liability for owners.

Mr. DegliAngeli noted that the new Zoning Enforcement Officer was sending out notice of violations daily.

Many of the violations have to do with camping and illegal businesses.

Mr. DegliAngeli gave an overview of how the revenue has increased with the new building permit fees.

He explained that in August 2021, the total revenue for building permits was \$6,422.

In August 2022, the total revenue for building permits was \$6,088.

He emphasized that in August 2023, the total revenue was \$196,856.

Mr. DegliAngeli stated that while the discussion had occurred at many meetings and the Board had voted to include the funds to expand the building department in the budget, but it would be much cleaner if they made a formal motion to support residential building inspection in Conway.

Mr. Porter moved, seconded by Mr. Thibodeau, to instruct the Town to inspect all new residential construction. The motion carried unanimously.

Mr. DegliAngeli wanted to let the record show that the Selectmen had voted to proceed with residential building inspection.

Mr. Eastman explained that they had started a new show on Valley Vision to talk about Town issues and give the public information about various topics.

He stated that it was named "Straight Outta Conway."

Mr. Eastman commended everyone on their work for the 100th Anniversary of Kennett.

BOARD REPORTS AND COMMENTS

Mr. Shepard noted that they had a very good turnout for the Historic District Commission event at Tuckermans.

He noted that they would be having their monthly meeting for Historic District Commission the next evening.

Mr. Thibodeau commended Saralyn Smith for her work on the 100th Anniversary.

Mr. Thibodeau wanted Mr. Eastman to look into giving the Boston Cane to Bruce Comer who was about to turn 104 years old.

Ms. Seavey wanted to congratulate everyone on the 100th Committee for all of the work they put into the event.

Mr. Porter noted that the Planning Board would be meeting on Thursday.

He noted that he was impressed with the sense of community that could be felt during the 100th Anniversary festivities.

He commended the Conway Police Department for the work they did at the events during the weekend.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun inquired about the confetti from the parade.

Mr. Eastman noted that while he knew some was biodegradable, there may have been some that was not.

He noted that they can only control so much when it comes to the parade and was taken aback by the fact that with all the positive things that happened for the 100th Anniversary, people had to find something to be negative about.

It was clarified that the intended land for the skate park was still State Land and they need to offer the land for the Town for first right of refusal.

ADJOURN

At 6:50 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary