

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN  
December 5, 2023**

The Selectmen's Meeting convened at 4:00 pm at Town Hall with the following present: Mary Carey Seavey, Carl Thibodeau, John Colbath, Steve Porter, 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

Ms. Seavey noted there were a few additions and changes.

She noted that they would be adding the following:

6d.iv. Garage

8. Signing of Documents

- a. Request to the Trustees of the Trust for \$33,101 from the Capital Reserve Fund for Parks Vehicles and Equipment
- b. Request to the Trustees of the Trust for \$123,049.71 from the Capital Reserve Fund for Maintenance of Leased Town Buildings and Facilities
- c. Request to the Trustees of the Trust for \$123,733.30 from the Capital Reserve Fund for Maintenance of Town Buildings and Facilities
- d. Request to the Trustees of the Trust for \$6,300 from the Capital Reserve Fund for Landfill Expansion
- e. Request to the Trustees of the Trust for \$320,655.93 from the Capital Reserve Fund for Solid Waste Equipment
- f. Request to the Trustees of the Trust for \$239,508.40 from the Capital Reserve Fund for Highway Equipment
- g. Request to the Trustees of the Trust for \$513,613.15 from the Capital Reserve Fund for Infrastructure Reconstruction
- h. Request to the Trustees of the Trust for \$129,804.18 from the Public Educational Government Cable Television Trust Fund
- i. Request to the Trustees of the Trust for \$68,008 from the Capital Reserve Fund for Police Vehicles

She also noted they would be swapping 6e. with 6f.

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

DISCUSSION OF FLAGS IN CONWAY VILLAGE

Ms. Seavey explained that she had spoken with Mike DeGregorio regarding the need for new flags for Conway Village.

After brief discussion, Mr. Eastman will look into flags and finding the funds to purchase them.

DISCUSSION OF TAX RATE

Ms. Golding presented the Board with the current tax rate as reported by the DRA of \$10.80.

She explained that the Town has a very healthy fund balance that could be used to help bring that rate down a bit more.

The DRA suggests that you keep between 5% and 7% in the fund balance.

Currently the Town has \$5,673,959.

Ms. Golding presented different amounts of fund balance and what that would do to not only the tax rate, but also what the average tax bill would be for a mobile home, single home, condominium, vacant land, and commercial property.

See attached spreadsheet with amounts.

Town Clerk/Tax Collector Louise Inkell noted that the full increase in taxes would be seen on this second bill for 2023.

Mr. Eastman noted that last year they had used \$750,000 of fund balance to offset the tax rate.

**Mr. Colbath moved, seconded by Mr. Porter, to use \$1,000,000 of fund balance to offset taxes.**

Mr. Porter stated that he would like to see them use even more, potentially \$2,500,000.

Ms. Golding stated that she would need to run downstairs to run the numbers to see that effect on the tax rate.

**The motion failed (0-5-0).**

The Board moved to the next agenda item while Ms. Golding ran the numbers.

2024 BUDGET REVIEW

a. Code Enforcement

Deputy Town Manager Paul DegliAngeli and Code Enforcement Officer Nick DeVito appeared before the Board.

Mr. DegliAngeli explained that the Code Enforcement budget was a new department this year.

He noted that they had allocated \$45,000 to legal expenses for this department specifically.

b. Valley Vision

Mr. Edmunds explained that his budget for 2024 included funding for 12 filmed ZBA meetings.

The only other area of note was that they needed to purchase a new computer.

c. Conservation Commission

Chair Nat Lucy explained that the Conservation Commission was becoming less of a land management group and more of a people management group.

He noted that they were doing things such as providing portable toilets, building and maintaining parking lots, and improving and managing trails.

Because of this, the proposed budget was up 51.74%.

d. Department of Public Works

a. Government Buildings

Mr. Smith explained that the Government Buildings proposed budget was up 4.9%.

He noted that they had completed the LED light upgrade at Town Hall but do not have enough information to see how that will affect the bill.

He also noted that they had created a vehicle repair line.

b. Highway

Mr. Smith explained that the proposed Highway budget was up 5.56%.

He noted that the insurance benefit line had actually decreased due to a large number of employees taking the high deductible insurance plan.

The big increase was in pavement and line striping.

c. Solid Waste

Mr. Smith noted that the Solid Waste Budget was proposed with a 7.87% increase.

d. Garage

Mr. Eastman explained that during the budget process he tried to lean the budget as much as possible.

He had removed Mr. Smith's request for a 4<sup>th</sup> mechanic during this process.

However, he wanted to let Mr. Smith make his case to the Board to see if they would be willing to add that position back in before they vote on the budget next week.

Mr. Smith provided a spreadsheet showing the number of units that the mechanics garage have to work on each year which included units from the School, Center Conway Fire, and Conway Village.

He explained that they have had the same number of mechanics for 24 years and they have only taken on more units.

He explained that without hiring another mechanic, they may need to start turning those other organization away which will in turn cost the tax payers more because those entities will need to find mechanics elsewhere which costs everyone more.

In the garage budget now, they had a 30% increase in overtime to be able to cover the current work load.

If they add the money for another mechanic, it would only increase the budget about .05%

He noted that in the last 20 years the have added 92 units that they need to maintain and fix yet they have the same number of staff.

Mr. Thibodeau stated that he understands that Mr. Eastman was trying to keep a lean budget, but lean is not always efficient.

Mr. Thibodeau would like to see the funds added back into the budget for the mechanic position.

Mr. Colbath agreed as the cost benefit analysis shows that it would be worth it.

The consensus of the Board was that they would like the money added back into the operating budget before it is voted on next week.

#### DISCUSSION OF TAX RATE

Ms. Golding came before the Board with the information on what applying \$2,000,000 or \$2,500,000 of fund balance to the tax rate would do.

**Mr. Porter moved, seconded by Mr. Shepard, to apply \$2,500,000 of fund balance to lower the tax rate.**

Mr. Thibodeau explained that he was not questioning giving the money back to the taxpayers, but needing to keep it level year after year which would be difficult to do with this amount of offset.

Mr. Porter agreed but he wanted to try and deaden the impact of the revaluation as much as possible.

Mr. Colbath agreed that it cannot be sustained.

Mr. Shepard agreed with Mr. Porter and said that if there is one thing everyone can come together on, it is reducing their taxes.

**Mr. Porter and Mr. Shepard rescinded their motion.**

**Mr. Porter moved, seconded by Mr. Shepard, to apply \$2,000,000 of fund balance to lower the tax rate. The motion carried unanimously.**

Town Clerk/Tax Collector Louise Inkell noted that if taxpayers are having difficulty, the State of New Hampshire has a program to help.

#### e. Other Selectmen's Warrant Articles

Ms. Golding explained that in order to get insurance costs down, they offered a high deductible insurance plan to their employees.

Part of this would include the Town providing \$1,500/\$3,000/\$4,500 towards the total deductibles of \$3,000/\$6,000/\$9,000 for single/2-person/family plans.

In order to reduce the liability, she would like the Board of Selectmen to add a warrant article to create and fund a Capital Reserve Fund as written below:

(Special-not included in Budget Appropriation Article #). To see if the Town will vote to establish a **CAPITAL RESERVE FUND FOR THE HEALTH REIMBURSEMENT ARRANGEMENT (HRA)**-to fund the deductible reimbursement of the Town's high deductible health insurance plan under the provisions of RSA 35:1 and to authorize the Board of Selectmen to be the agents to expend in accordance with the purpose of the Fund. And further to see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be placed in the **CAPITAL RESERVE FUND FOR THE HEALTH REIMBURSEMENT ARRANGEMENT (HRA)** to be used according to the purposes for which the fund was established. Said funds are to be withdrawn from the Town's Unassigned Fund Balance. No money will come from taxation.

It was also noted that the employee does not get the \$1,500/\$3,000/\$4,500 if they do not use it towards meeting their deductibles.

Library Director David Smolen appeared before the Board to request that the Selectmen place an article on the warrant for the following:

To see if the Town will vote to raise and appropriate the sum of **THREE HUNDRED FORTY THOUSAND FIVE HUNDRED TWENTY-THREE DOLLARS (\$340,523)** for the purpose of renovating and redesigning the **CONWAY PUBLIC LIBRARY PARK**, with the full amount of this warrant article to be reimbursed by a grant from the Northern Borders Regional Commission no later than 2026. The full cost of the project is \$681,047, with the remaining amount to be raised through private fundraising.

There was discussion regarding the fact that the money would affect the tax payers for 2024 as it would not be reimbursed until perhaps 2026.

Mr. Colbath asked if they would not be able to secure the grant from Northern Borders if they do not do it this way.

Mr. Smolen told him that this is what Northern Borders would like to see before they move forward.

Ms. Seavey questioned why they were raising the funds themselves.

Mr. Smolen noted that they are planning to fundraise as well, they just need the full amount in order to get the partial notice to proceed.

Mr. Thibodeau stated that he had dealt with Northern Borders a lot and had not heard about doing it this way.

It was stated that it would be a tax burden to the Town and that it would be more appropriate in 2025.

Mr. Smolen thanked the Board.

Mr. Thibodeau noted that he would like to Board of Selectmen to consider putting an article on the warrant for the ESAA as follows:

(Special – Not included in Budget Appropriation Article # ). To see if the Town will vote to raise and appropriate the sum of Twelve Thousand Dollars (\$12,000) for the support of **EASTERN SLOPE REGIONAL AIRPORT. Recommended by the Board of Selectmen (0-0-0). Recommended by the Budget Committee (0-0-0).**

Mr. Thibodeau explained that he hoped the Selectmen would support this warrant article and that again so would the voters as the airport is vital to the Town of Conway.

Mr. Eastman explained that he had been having discussions and meetings with both Louise Inkell and the Supervisors of the Checklist regarding the pay scale/stipend for the Supervisors.

He believed they had come to a consensus on what would be agreeable to put in front of the voters.

Louise Inkell explained that at the NH Town Clerk Association Conference they had collected information regarding the PayScale for Moderators, Supervisors of the Checklist and Ballot Clerks.

She explained that the pay seems to be anywhere from an hourly rate to a per event/election rate to an annual rate.

Currently the Supervisors for Conway are getting \$1,500 per year which went into effect in 2018 by a warrant article.

Since that time, there have been a number of changes in the laws and additional duties put upon the Supervisors.

They are requesting an increase of \$500 per year.

Supervisor of the Checklist Tom Reed explained that a lot of work goes in before, during and after elections.

He gave examples of the different type of work that they do and stated that they are a clerk but outside of the clerk's office.

He stated that when he does the math out, it equates to approximately \$6.25 in compensation.

The article they would ask the Selectmen to consider placing on the warrant was as follows:

(Special – Not included in Budget Appropriation Article # )To see if the Town will vote to amend the **TERMS OF COMPENSATION FOR THE THREE MEMBERS OF THE SUPERVISORS OF THE CHECKLIST** as follows: To increase the Annual Compensation by Five Hundred Dollars (\$500.00) each from the current One Thousand Five Hundred Dollars (\$1,500.00) to Two Thousand Dollars (\$2,000.00) for each Supervisor and include additional compensation of Two Hundred Fifty Dollars (\$250.00) for each Supervisor of the Checklist to be paid for each election held in the Town and fully attended by the Supervisor of the Checklist AND to raise and appropriate the sum of Four Thousand Five Hundred Dollars (\$4,500.00) to

fund this increase for the current fiscal year. In subsequent years this compensation shall be included in the Town's Operating Budget.

Ms. Inkell explained that with the survey that was provided by the NH Town Clerks Association, our Moderators are paid 50 dollars per election.

They have been paid at this rate for over 25 years.

In comparison, the rates on the survey are anywhere from \$100 to \$500 per election for the moderator.

Albany currently pays \$200 per election.

She would like the Board to consider placing the following on the warrant:

To see if the Town will vote to increase the **COMPENSATION FOR THE TOWN MODERATOR, ASSISTANT MODERATOR AND/OR MODERATOR PRO TEMPORE** by One Hundred Fifty Dollars (\$150.00) each from the current Fifty Dollars (\$50.00) each to Two Hundred Dollars (\$200.00) each per election, special election and deliberative session held by the Town of Conway for local and state elections AND to raise and appropriate the sum of One Thousand Five Hundred Dollars (\$1,500.00) to fund this increase for the current fiscal year. In subsequent years this compensation shall be included in the Town's Operating Budget.

f. Recreation Revolving Fund

Mike Lane appeared before the Board to discuss the Recreation Revolving Fund for 2024.

He stated that he expects more income coming in for special events in 2024.

For total projected revenue for 2024 they were expecting \$266,290.

a. CRF Warrant Articles

a. CRF for Infrastructure Reconstruction

Mr. Smith explained that they are asking for a little extra for this year in order to complete the brick replacement in North Conway Village.

He also noted that the Washington Street Bridge work will hopefully be starting in the spring.

The request for 2024 is proposed for \$500,000.

b. CRF for Highway Equipment Replacement

Mr. Smith stated that this fund has been taking quite a hit as the price of equipment is constantly increasing.

The request for 2024 is proposed to be \$500,000.

c. CRF for Solid Waste Equipment Replacement

Mr. Smith stated that the request for 2024 is proposed for \$225,000.

d. CRF for Landfill Expansion

H explained that HEB had done a study on their existing landfill and evaluated where we were at in regards to space in the landfill.

There is roughly 10 years left for phase 3.

The proposed request for 2024 is \$100,000.

e. CRF for Maintenance of Town Buildings and Facilities

The proposed request for 2024 is \$200,000.

Mr. Smith noted that the window replacement at the Police Station if the bond does not pass is budgeted in here.

Chief Mattei stated that the windows need to be done.

When it is below 20 degrees outside, the staff is wearing winter coats inside.

f. CRF for Maintenance of Town Buildings and Facilities Leased by the Town

The proposed request for 2024 is \$75,000.

The is a proposal is to upgrade the boiler in 2024.

g. CRF for Parks Department Vehicles and Equipment Replacement

Mr. Smith noted that they could potentially purchase the wheeler out of ARPA funds that could also reduce the CRF ask by \$50,000 for the next few years.

Lost revenue was part of the criteria for ARPA and a few years ago they encouraged the voters to vote down these funds.

Mr. Eastman said they are really trying to not make big jumps from year to year on the Capital Reserve Funds.

The proposed request for 2024 is \$45,000.

h. CRF for Police Department Vehicles

The proposed request for 2024 is \$80,000 for the purchase of two vehicles.

Chief wanted to give the Board some bond information for the Police Station.

He explained that based upon the 7.8 million dollar bond, if we look at 20 years at 5.25% for year 1 and use \$200,000 of fund balance, it would bring the payment to \$589,750 which is a .18 per \$1,000 tax implication.



If they do not use the fund balance, it would be \$789,750.

If we did a 25 year bond at 5.5% and used fund balance, that would bring it to \$524,500 for the first year.

These figures are based on a building without a basement.

- i. Expendable Trust Fund for Public Educational Government Cable Television

The proposed request for 2024 is \$126,000.

REVIEW OF RECEIPTS

(none)

SIGNING OF DOCUMENTS

- a. Request to the Trustees of the Trust for \$33,101 from the Capital Reserve Fund for Parks Vehicles and Equipment
- b. Request to the Trustees of the Trust for \$123,049.71 from the Capital Reserve Fund for Maintenance of Leased Town Buildings and Facilities
- c. Request to the Trustees of the Trust for \$123,733.30 from the Capital Reserve Fund for Maintenance of Town Buildings and Facilities
- d. Request to the Trustees of the Trust for \$6,300 from the Capital Reserve Fund for Landfill Expansion
- e. Request to the Trustees of the Trust for \$320,655.93 from the Capital Reserve Fund for Solid Waste Equipment
- f. Request to the Trustees of the Trust for \$239,508.40 from the Capital Reserve Fund for Highway Equipment
- g. Request to the Trustees of the Trust for \$513,613.15 from the Capital Reserve Fund for Infrastructure Reconstruction
- h. Request to the Trustees of the Trust for \$129,804.18 from the Public Educational Government Cable Television Trust Fund
- i. Request to the Trustees of the Trust for \$68,008 from the Capital Reserve Fund for Police Vehicles

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 12/7/2023

This will be signed out of session and ratified at the next Board of Selectmen Meeting.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Conway Area Humane Society Flash Tattoo Fundraiser (3/10/2024)

Mr. Colbath moved, seconded by Mr. Shepard, to sign the special event

### CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 11/21/2023
- b. Regular Minutes from 11/28/2023

Colbath, Thibodeau

### TOWN MANAGER REPORT

Mr. Eastman reported that they have a tentative agreement with the Public Works Union for a 3 year contract.

Mr. Eastman reiterated that they spent so many hours to work to get the insurance costs down.

Mr. Thibodeau stated that this was his first go with Union negotiations.

He stated that he found that group that was representing the Union was very easy to deal with.

They were very agreeable to most of the things put on the table and he feels good about the 3 year period.

Mr. Eastman stated that they had received correspondence from the Pea Porridge Pond Association to give kudos to the highway department with all of their work this summer on the Modock Hill reconstruction.

Mr. Eastman stated that he had a long conversation with Mary Russell from the Assistance Canine Training Services.

One of the things they need to train the animals to do is to use an elevator.

In the weeks to come, they will be utilizing our elevator to help train their puppies.

Mr. Eastman thanked the Garden Club for their donation of the wreaths for the front of Town Hall.

He also thanked them for all of the great work that they do.

### BOARD REPORTS AND COMMENTS

Mr. Shepard noted that the Historic District Commission was meeting the next evening and the Budget Committee would be meeting on December 13, 2023.

Mr. Shepard gave a shout out to all of the highway employees for all of their winter weather clean up.

Mr. Colbath stated that the ZBA would be meeting on December 20, 2023.

Mr. Porter noted that the Planning Board would be meeting on December 14, 2023.

### PUBLIC COMMENTS AND MEDIA QUESTIONS

Shawn Bergeron appeared before the Board ask if they would entertain a few questions about the rental program.

He stated that in the 24 years of his companies existence, they have never had as many questions as they have about the rental program.

Mr. Bergeron thanked Mr. DegliAngeli for speaking with him last week.

He asked if they were still starting the mandatory program on January 1, 2024.

Mr. DegliAngeli stated that as long as the Board does not change their mind.

He noted that they have put on the website that the Board would consider a submitted application by January 1, 2024 as being in compliance with that deadline.

Mr. Bergeron asked if they are going with 1 and 2 family as well as the 3+ units.

Mr. DegliAngeli stated that by January 1, 2024, the Board has initiated the program for 1 and 2 family rentals as well as the 3+ units.

He noted that the mixed use rentals will be discussed at a future meeting.

Mr. Bergeron asked if the appeals process has been created.

Mr. DegliAngeli stated that at this time, the appeals process would be the same as the building permit appeals process for 1 and 2 unit rentals which would be to appeal to the ZBA.

He noted that the appeals process for 3+ units would go to the Fire Marshall's office.

Mr. Bergeron noted that there is a statute in the State of NH that actually empowers the ZBA.

RSA 674:33 says the ZBA is empowered to do only 4 things specific to zoning only.

In towns where they have been empowered to be the Building Code Board of Appeals, they are only allowed to hear appeals relative to the State Building Code.

Mr. Bergeron suggested coming up with a local board of appeals specific to this program.

Daymond Steer from the Conway Daily Sun suggested amnesty for those who did work in their homes without a building permit who would be leery about letting someone inspect their home.

Mr. DegliAngeli asked if that was a concern of the landlords.

Mr. Steer stated that he had spoken to Town Officials and other people who have knowledge of rental programs.

Mr. DegliAngeli asked if he thought amnesty would be needed.

Mr. Steer stated he was just a guy with a computer.

Mr. DegliAngeli stated that the Town's goal is to bring these properties into compliance with life safety.

He noted that they had given people the opportunity to do a self-affidavit to help give people time to bring things into compliance.

Mr. DegliAngeli also noted that there are rumors going around that the Town is going to force landlords to shut down which simply is not true.

Mr. Steer asked if they had thought about putting the list of rentals that are licensed.

Mr. DegliAngeli stated that they would be open to that concept if there was a request and interest from the owners and landlords that have worked with the Town.

Mr. Steer wondered if they would be open to having a meeting in a larger space to answer questions about this program.

Mr. DegliAngeli explained that they have had many meetings leading up to this point.

Mr. Steer stated that they could have a later meeting so that people who would like to attend and ask questions could make the meeting.

Mr. Colbath stated that he would be fine with a meeting.

He did note that the Charter Commission meetings were held later and not many people attended those.

Mr. Porter stated that they should be contacting Town Staff to get their questions answered.

He does not personally think they need to have more meetings where people do not show up.

Mr. Shepard stated that he agreed with Mr. Porter that people may still not attend.

He noted that he would be interested if there was some kind of guaranteed audience.

Mr. DegliAngeli stated that he would be open to it with some ground rules.

He stated that they would not entertain questions regarding the legality of the program.

He said that they will create a temporary email where people could pose questions about this program only.

This would help Town staff to determine the information they need to go over at the meeting.

Mr. Bergeron stated that if they provided the opportunity to have peoples questions answered that a lot of the hard feelings out there would dissipate.

Mr. Bergeron suggested moving the due date for applications to be a week after that meeting.

ADJOURN

**At 7:21 pm, the meeting adjourned at the call of the Chair.**

Respectfully Submitted,

Krista Day  
Executive Secretary