

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
February 6, 2024**

The Selectmen's Meeting convened at 4:08 pm at Conway Town Hall with the following present: Mary Carey Seavey, Carl Thibodeau, John Colbath, Steve Porter, Ryan Shepard, Deputy Town Manager Paul DegliAngeli and Executive Assistant Krista Day.

PLEDGE OF ALLEGIANCE

Mr. Thibodeau led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Mr. Thibodeau noted they would be adding agenda item 9a.

9a. Notification of Demo Permit Application for 584 White Mt. Highway.

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

PUBLIC HEARING ON AMENDMENT OF CHAPTER 72: HOUSING STANDARDS

Mr. Thibodeau opened the public hearing at 4:03pm.

Paige Wales asked how they came up with the \$375 fee.

Mr. DegliAngeli explained that the Fire Chiefs are charging \$250 per inspection of 1 and 2 family units and the Town was charging a \$125 administrative fee.

He noted that they will adjust the fees in the future if they find it is warranted.

There was discussion regarding the guideline that gas heating units be serviced every two years.

Mr. DegliAngeli stated that they thought this would be a compromise.

Ms. Tarbell stated that she did not think they should be regulating gas grills.

There was again discussion on the price of the license for different size units.

Mr. DegliAngeli stated that after completing more inspections, perhaps the price structure could be amended.

There was discussion about location of the fire extinguishers.

Linda Burns stated that they should be near an exit.

Ms. Tarbell asked to hear from the Board on how they feel about this program.

Mr. Porter stated that he supports in 100% and that it should have been done 30 years ago.

Mr. Colbath stated that he supports it from a life safety standpoint and like any program, things will most likely need tweaking in the future.

Ms. Seavey stated that she was in support and that property owners need to take responsibility for the people they rent to.

Mr. Shepard echoed what Ms. Seavey said.

Mr. Thibodeau expressed his support.

Ed Minard asked about the makeup of the appeals Board and believed that 72-11.5 should be a landlord who owns property in the Town of Conway.

Wryan Fiels stated that he believed all members of the appeal board should be residents of Conway.

Mr. Thibodeau moved, seconded by Mr. Porter, to amend 72.11.5 to read as follows:

5. Landlord who owns property in the Town of Conway

Mr. Thibodeau and Mr. Porter amended the motion to also include that all members of the appeal board must be residents of Conway.

The motion failed (1-4-0) with Ms. Seavey in the positive.

Mr. Porter moved, seconded by Mr. Shepard, to amend 72-11.5 to read as follows:

5. Landlord who owns property in the Town of Conway.

The motion carried unanimously.

It was noted that any changes that are needed for Chapter 72 would not be able to be changed until the next Town meeting, however, utilizing the Selectmen's authority, changes can be made as they arise.

Mr. Thibodeau stated that things are going to be handled on a case by case basis to stick with the spirit and intent of this program.

Paige Wales asked if the owners/property managers are supposed to accompany the Fire Chiefs during inspection.

It was stated that yes they were.

Joy Tarbell asked for clarification that there would not be inspections for mixed use structures for this year.

It was stated that this was true.

Wryan Fiels asked how they came up with the \$125 administration fee.

Mr. DegliAngeli noted that they looked at the time they are spending on each application and used the employees salary and benefits to figure out that fee.

He added that they are asking the rental segment of taxpayers to offset the rest of the tax payers burden.

Mr. Fiels asked if they could reign in the time frame for scheduling inspections.

Mr. DegliAngeli noted that the Town considers a property in compliance once they apply and pay so there should not be an issue with scheduling.

Ms. Tarbell suggested amending 72-6a. to refer to an owner/property manager of the rental property applies for a CRC.

Ms. Wales would also like to add something about being in compliance once you apply and pay.

Ms. Seavey moved, seconded by Mr. Colbath, to amend 72-6a. to read as follows:

A. Application and Inspection Scheduling: An owner or authorized owner's representative of a rental property applies for a CRC by submitting the form in Appendix 1 to the Conway Town Hall code compliance Department. A completed application and fees received will render the property in compliance. The code compliance Department will review the written application and will respond within 10 business days with any questions or concerns regarding the application if they exist. If there are no questions or concerns, or after any questions or concerns are clarified, the Town will reach out to the owner and appropriate Fire Chief to schedule an inspection. Inspections shall be scheduled at least 2 weeks in advance and shall be done with respect to tenant and landlord schedule limitations. The inspection should be scheduled within 2 months' time.

The motion carried unanimously.

There was brief discussion of a reasonable time frame to expect a post-inspection report.

Mr. Colbath moved, seconded by Mr. Shepard, to strike 72-6c.1, and to amend 72-6c. to read as follows:

Post-Inspection Report and Issuance of CRC: After the inspection is complete, the inspecting fire department will create a written report within 10 business days indicating the property has passed inspection or indicating the property has failed inspection. If a property fails inspection, the written report shall itemize each violation that was identified and what was seen that caused them to determine that the property was in violation of the regulations. This report will be placed in the property's file at the Town of Conway and the written report will be provided by either mail or e-mail to the property owner.

The motion carried unanimously.

Mr. Fiels suggested adding the following to section 72-8:

C. Other waivers may be granted by the appeals Board.

Mr. Colbath moved, seconded by Ms. Seavey, to add 72-8 c as follows:

C. Other waivers may be granted by the appeals Board as necessary

The motion carried unanimously.

Mr. Fiels stated that he does not feel the length of time in the field is necessary for the appeals board.

Mr. DegliAngeli stated that Mr. Bergeron had come up with these.

Mr. Porter moved, seconded by Mr. Colbath, to amend number 5 on the life safety inspection checklist to read 24 months instead of 12 months. The motion carried unanimously.

Mr. Thibodeau closed the public hearing at 6:03 pm.

DISCUSSION OF BUDGET COMMITTEE REQUEST

Mr. Thibodeau explained that the Selectmen had received a request from the Budget Committee as follows:

In consideration of the increase in property tax burden that Conway homeowners recently suffered, I move that the Municipal Budget Committee ask the Conway Board of Selectmen to reduce their budget request to equal the default budget.

Mr. Thibodeau stated that he did not see any possible way to comply with this request.

He explained that they worked really hard to keep the budget request down and the increase over 2023 was below the rate of inflation.

He explained that the estimated difference in the total tax bill between the proposed budget and the default budget were as follows:

\$150,000 home would be about a \$24.00 savings
\$300,000 home would be about a \$48.00 savings
\$500,000 home would be about a \$80.00 savings

Mr. Colbath stated that with all due respect for the Budget Committee, the Town does not have the fluff to cut.

Mr. Porter agreed and that this would mean losing paving and road construction projects and man power to complete these things.

Mr. Thibodeau added that the Town Staff had worked so hard when they were faced with a 25% health insurance cost increase and were able to get it down to below 10%.

Mr. Shepard noted that he understood what the Budget Committee was trying to do, but the staff had worked diligently to get the budget as low as they could.

Ms. Seavey thanked the Budget Committee but emphasized the hard work they had all done to get it low. She gave kudos to all of the staff.

Mr. Colbath noted that they already have a hard time recruiting and retaining quality employees.

Mr. Thibodeau added that if they needed to decrease the budget they could remove the mechanic position, but then the Town would no longer be able to service the School Buses and that increased cost would be passed back to the School Budget.

REAFFIRMATION OF OPERATING BUDGET

Ms. Golding explained that there had been a clerical error made and that the Board needed to reaffirm their recommendation of the proposed operating budget.

She noted that it was just a difference of 307 dollars and that the correct figure of \$14,814,062 was the number that they had been reviewing with the Budget Committee all along.

Mr. Colbath moved, seconded by Mr. Shepard, to recommend the proposed operating budget of \$14,814,062. The motion carried unanimously.

DISCUSSION OF THOMPSON ROAD PARKING

Mr. Colbath explained that they had received a request from Steve Woodcock to add more parking on Thompson Road.

Mr. DegliAngeli explained that with the pandemic bringing more visitors to the area, along with the opening of the Rec path, the available parking at the Thompson Road entrance to the path is inadequate.

He noted that there is the possibility of a parking lot in the future, but they are trying to steer people to use the lots at Cranmore or Hemlock Lane.

Mr. DegliAngeli stated that there is an area adjacent to the road where the Town could create an additional 6-8 parking spaces.

He did note that the neighbors would be opposed to an actual parking lot in the future.

Mr. Colbath moved, seconded by Mr. Shepard, to authorize the Town work crew to add an additional 6-8 parking spaces on Thompson Road. The motion carried (4-1-0) with Mr. Porter in opposition as he said the neighbors should be respected.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO CHAPTER 170 TO INCLUDE FOOD TRUCKS

Mr. Thibodeau opened the public hearing at 6:31 pm.

Mr. O'Connor explained that the purpose for these amendments were to clarify and bring some consistency to the permitting process for food trucks in Town.

There were no public comments.

Mr. Thibodeau closed the public hearing at 6:34 pm.

VOTE ON WARRANT ARTICLE FOR PROPOSED AMENDMENTS TO CHAPTER 170 TO INCLUDE FOOD TRUCKS

Mr. Colbath moved, seconded by Mr. Porter, to place the following on the 2024 warrant:

To see if the Town will vote to amend Chapter 170: Vending Carts to include language which permits FOOD TRUCKS as an accessory to a commercial use. The proposal shall apply to any Food Truck operating in the Town of Conway. This amendment seeks to, (a) specify permitted locations to operate, (b) outline requirements for pedestrian safety and site standards, (c) the permitting process for Food Trucks and Food Truck locations, (c) and applicable definitions.

The motion carried unanimously.

NOTIFICATION OF DEMO PERMIT APPLICATION FOR 584 WHITE MT. HIGHWAY

Mr. Thibodeau notified the public of a demo permit application for 584 White Mt. Highway.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Permit to Sell Raffle Tickets for Mt. Washington Valley Promotions (2/25/24)

Mr. Colbath moved, seconded by Ms. Porter, to sign the document listed above. motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 2/8/2024
- b. Payroll dated 2/8/2024

Mr. Colbath moved, seconded by Mr. Porter, to sign the AP manifest and payroll dated 2/8/2024. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Gibson Center Craft Fairs (5/25/24, 5/26/24, 7/6/24, 7/7/24, 8/31/24, 9/1/24, 10/12/24, 10/13/24)
- b. Bark in the Park (9/21/24)

Mr. Colbath moved, seconded by Mr. Shepard, to approve the special event applications as listed above. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular Minutes 1/30/2024

Mr. Colbath moved, seconded by Mr. Porter, to adopt the minutes from 1/30/2024 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. DegliAngeli explained that they had received a few emails from Charlie Mallar after a few incidences in Whitaker Woods where dogs were not under the control of their owners.

Mr. DegliAngeli noted that as of this meeting they had issued 287 Certificates of Rental Compliance.

He noted that the construction has started at the Ridgeline Project.

BOARD REPORTS AND COMMENTS

Mr. Shepard noted that the Budget Committee would be holding their public hearing on the annual budget on February 14, 2024.

Mr. Thibodeau emphasized the importance of the ESAA as they utilized the airport to help get the victims of the horrible accident in Fryeburg airlifted.

He hoped everyone would continue to support the airport.

Mr. Colbath noted that the Economic Council meeting will be later this month and the ZBA would be meeting on the 21st and there were 8 hearings scheduled.

Mr. Porter stated that the Planning Board would be meeting this Thursday.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Jim LeFebvre noted that they had recognized John Pandora from American Legion Post 95 for his 67 years as part of the organization and would like the Board to recognize him.

Daymond Steer from the Conway Daily Sun asked where the Town stood in regards to hiring a new engineer.

Mr. DegliAngeli noted that he was meeting with a recruitment agency this week.

At 6:50 pm, Mr. Colbath moved, seconded by Mr. Porter, to go into non-public session under 91-A:3 II (E). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A :3 II (E) PENDING LITIGATION

The Board returned to public session at 7:04 pm.

Mr. Colbath moved, seconded by Mr. Shepard, 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 7:04 pm, Mr. Colbath moved, seconded by Mr. Shepard, to adjourn the meeting. The motion carried unanimously.

Respectfully Submitted,

Krista Day
Executive Secretary