

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
March 12, 2024**

The Selectmen’s Meeting convened at 4:00 pm at Conway 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

Mr. Thibodeau noted that there would be one addition:

7a. Reappointment of Andrew Chalmers to the ZBA

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

REVIEW AND APPROVAL ON UPDATED RENTAL LICENSING LETTER

Zoning Officer Nick DeVito explained that Town Counsel had recommended some changes and additions to the previously approved letter that was to be sent out to owners of rental properties.

The changes had to do with giving history on the Town’s previous communications to rental owners.

Mr. Colbath noted that they had previously voted to send out the letter but take no further enforcement action until after the April vote.

Mr. DeVito agreed and noted that they would not begin enforcement until April 24, 204.

Mr. Colbath moved, seconded by Mr. Porter, to approve and send the letter as presented. The motion carried unanimously.

DISCUSSION AND SIGNING OF GRANT AGREEMENT FOR WESTSIDE ROAD HAZARD
MITIGATION

Mr. Eastman noted that Mr. Smith could not be here today, but that this was the grant agreement to begin to see if a hazard mitigation project was feasible on West Side Road.

Mr. Colbath moved, seconded by Mr. Porter, to have The Select Board, in a majority vote, accept the terms of the Hazard Mitigation Grant Program as presented in the amount of \$296,100.00 to complete the first phase of the West Side Road Elevation project to conduct project scoping activities to include: field survey of topographic and boundary features, research of right-of-way documentation, hydrologic and hydraulic assessment, feasibility study/alternative analysis, cost

estimating, public involvement, revisions of benefit-cost analysis, permitting, CLOMR certification, development of engineering design plans. Furthermore, the Board acknowledges that the total cost of this project will be \$329,000.00, in which the town will be responsible for a 10% match (\$32,900.00). The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Shepard, to authorize Chairman Seavey to sign the certificate of authority to authorize Public Works Director Andrew Smith to execute any and all contracts and agreements related to the Hazard Mitigation Grant Program Agreement. The motion carried unanimously.

CHARITABLE GAMING NON-PROFIT UPDATE

Town Planner Ryan O'Connor explained that he wanted to give the information out for local charities to register to be able to benefit from the soon to be constructed Charitable Gaming casino in Town.

The information is as follows:

Criteria for non-profits:

- A non-profit must be registered with the NH Secretary of State as a domestic non-profit for a minimum of 1 year and be in good standing;
- A non-profit must be registered with the NH Attorney General's Charitable Trust Division;
- A non-profit must be a 501c(3), 501c(4), 501c(7), 501c(8), 501c(10) or 501c(19);
- A non-profit must have a board of directors of at least 2 people; a president or Board Chair, and a treasurer.

The following information should be sent as soon as possible to the Conway Poker Room Charitable Coordinator, Brigit Ordway at brigitordway@p2enh.com

- The legal registered name of the non-profit
- Registration certificate from the NH Attorney General's Charitable Trust Division
- A copy of the IRS letter of determination with the full EIN of the non-profit

After some discussion about Senate Bill 472 which would allow the host community to benefit for up to 10 days from a charitable gaming facility, Mr. Thibodeau suggested the Board write a letter in support.

Mr. Colbath moved, seconded by Mr. Porter, to write a letter to the sponsors of SB 472 to express the Town of Conway's hope that they will support the passing of this bill and further to request that the Senate find a way to guarantee that the host town will get 10 days each year. Further, the Board authorizes the Chair to sign this letter out of session. The motion carried unanimously.

DISCUSSION OF PROPERTY OWNER LETTER FOR TREE REPLACEMENT

Mr. O'Connor presented a draft letter to send to the properties that were affected by the cutting of trees by New Hampshire Electric Co-op.

Mr. O'Connor stated that they wanted to open the lines of communication so the owners can work with the Planning Department to come up with a plan moving forward.

Mr. Colbath stated that he would love to see the businesses work together and to see the Town crew assist to come up with a group solution.

Mr. Porter moved, seconded by Mr. Colbath, to authorize the Chair to sign the letter as presented and send to effected properties. The motion carried unanimously.

REAPPOINTMENT OF ANDREW CHALMERS TO THE ZBA

Mr. Porter moved, seconded by Mr. Shepard, to reappoint Andrew Chalmers to a 3 year term on the ZBA. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Permit to Sell Raffle Tickets for Vaughan Community Service Strawberry Festival (6/29/24)
- b. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-79.007
- c. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 259-41
- d. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 277-176
- e. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 234-80
- f. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.173
- g. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.38
- h. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.20
- i. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.112
- j. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.63
- k. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.145
- l. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.100
- m. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.277
- n. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.219
- o. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.260
- p. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 258-63
- q. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 231-117.1
- r. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 247-28
- s. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 260-24
- t. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 265-161-32
- u. Abatement of Taxes on Map/Lot 262-83.023
- v. Abatement of Taxes on Map/Lot 268-154
- w. Abatement of Taxes on Map/Lot 225-25.002
- x. Abatement of Taxes on Map/Lot 225-27.001
- y. Abatement of Taxes on Map/Lot 242-5
- z. Abatement of Taxes on Map/Lot 250-205
- aa. Abatement of Taxes on Map/Lot 254-29.196
- bb. Abatement of Taxes on Map/Lot 262-83.136
- cc. Abatement of Taxes on Map/Lot 265-161.347
- dd. Abatement of Taxes on Map/Lot 268-152.001
- ee. Abatement of Taxes on Map/Lot 268-152.002
- ff. Abatement of Taxes on Map/Lot 201-10.013
- gg. Abatement of Taxes on Map/Lot 275-87
- hh. Abatement of Taxes on Map/Lot 280-40
- ii. Abatement of Taxes on Map/Lot 285-1

- jj. Abatement of Taxes on Map/Lot 202-139
- kk. Abatement of Taxes on Map/Lot 277-115
- ll. Abatement of Taxes on Map/Lot 262-86.2

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

Mr. Colbath moved, seconded by Mr. Shepard, to sign the document listed above in u. The motion carried (4-0-1) with Mr. Porter abstaining.

Mr. Colbath moved, seconded by Mr. Porter, to sign the documents listed above in v. through ll. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 3/14/2024

Mr. Colbath moved, seconded by Mr. Porter, to sign the AP manifest dated 3/14/2024. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 3/7/2024
- b. Payroll dated 3/7/2024

Mr. Colbath moved, seconded by Mr. Shepard, to ratify the documents listed above in a. and b. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. First Church of Christ Strawberry Festival (6/29/24)
- b. NCCC Food Festival (5/25/24)
- c. FOCR Softball Tournament (6/21/24-6/23/24)

Mr. Colbath moved, seconded by Mr. Porter, to sign the special event applications as listed above in a. through c. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular Minutes from 2/27/2024

Mr. Colbath moved, seconded by Mr. Porter, to adopt the minutes listed above as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Eastman stated that the Board had been invited to the local STEM Expo on March 20, 2024 at the Living Shores Aquarium.

Mr. Eastman noted that he had met with a representative for the American Cross Blood Drives.

He encouraged people to donate.

The next drive was April 9, 2024.

Mr. Colbath noted that he believed this partnership was great.

In terms of uncollected tax payments for the 2nd bill that was due in January, they had collected all but 3/9%.

Mr. Colbath wanted to review how the Town paid for the abatements.

Mr. Eastman noted that they paid from the overlay account.

DEPUTY TOWN MANAGERS REPORT

Mr. DegliAngeli stated that the Conservation Commission would be meeting the next evening to go over the preliminary design for phase 2 of the rec path.

He explained that it would go from Cranmore, through Whitaker Woods, and eventually under Route 16 with a tunnel.

He stated that there would be a public hearing on this in the future.

Mr. DegliAngeli explained that he had met with DOT last week regarding the next phase of the Main Street Project.

He stated that they had begun meeting with the CVFD in order to have a smooth transition in January.

Mr. Thibodeau asked how the skier vs walker issues were going in Whitaker Woods.

Mr. DegliAngeli explained that he believed it was going better, but now the issue seemed to be with dogs not being under the control of their owners.

BOARD REPORTS AND COMMENTS

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

Mr. Colbath stated that the ZBA would be meeting later this month and the Economic Council would not be meeting until April.

Mr. Shepard stated that the Budget Committee would be meeting on March 27, 2024 and the Historic District Commission would be meeting on April 3, 2024.

He added that Yankee magazine had named North Conway one of the best places to live.

Mr. Thibodeau gave the February airport report.

Mr. Colbath wanted to discuss voting machines.

Ms. Inkell explained that he had attended part of Jackson election and that they were using the new Voting Worx machines.

She explained that they had meet all necessary approvals to be used.

Ms. Inkell further explained that they were \$7,000 each and they would need one for the school and one for the town.

She noted that if they wanted to use them for the November election, they would need to have them for the September election.

She explained that they need to find a few specific warrant articles from the past in order to use them as well.

Ms. Inkell also explained that they could look into purchasing new electronic poll books which would speed up checking in voters.

Those would be \$2,000 each and they would need at least 4.

Mr. Thibodeau asked that the discussion of voting machines be added to next weeks agenda.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Wryan Feil asked if they would be having a member of the public on the committee for ambulance contracts.

Mr. DegliAngeli noted that it could be considered and elaborated that they hope to establish a scope of work through non-binding referendums on a future warrant.

Mr. Feil explained that he would like the Town to consider having someone from the citizenry.

There was discussion regarding the levels of service in Town and how the ambulance contract in the past had been bottom line driven therefore the required levels of care were the lowest that they could have required.

Ms. Seavey would like these discussions to start sooner than later.

Mr. DegliAngeli noted that while they will begin taking over water and sewer on January 1, 2025, the ambulance contract was in effect until January 1, 2027.

There was discussion regarding private vs. public ambulance services. Statewide, number of private contractors is dwindling.

Wryan Feil stated that he would like public input on which voting machine to choose.

Ms. Inkell noted that only one had been approved for use by the Attorney General's office.

voting machines: presenting options to the public

Mr. Feil asked how the addition of the recreation path would affect the budget.

Mr. DeliAngeli noted that they do not believe adding the maintenance of the rec path would increase the budget substantially, but would involve labor.

He did not see the need to increase staff.

In terms of pavement in the future, he estimated that it would cost approximately \$25,000 per mile at current pavement prices.

Daymond Steer from the Conway Daily Sun asked Mr. Porter if he was satisfied with his abatement.

Mr. Porter stated that he believed it was still slightly inflated but that it was what it was.

Mr. Steer had a question regarding Chapter 72.

Mr. DeVito stated that proposed changes are enacted 180 days prior to any election, therefore they are operating as if the amendments to Chapter 72 have been adopted by the Town.

At 6:05 pm, Mr. Colbath moved, seconded by Mr. Porter, to go into non-public session under 91-A:3 II (c). The motion carried unanimously.

NON-PUBLIC RSA 91-A:3 II (C) TAX MATTER

The Board returned to public session at 6:15 pm.

Mr. Colbath moved, seconded by Mr. 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 6:15 pm, Mr. Colbath moved, seconded by Mr. Porter, to adjourn the meeting. The motion carried unanimously.

Respectfully Submitted,

Krista Day
Executive Secretary