

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
May 28, 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, 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 that there would be two additions to the agenda as follows:

- 9a. Acceptance of Invest NH Grant Funding
- 14y. Notice of Intent to Cut Wood/Timber on Map/Lot 253-43

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

APPOINTMENT OF LIBRARY TRUSTEE

Library Trustee Chair Julie Laracy appeared before the Board to ask for the appointment of James Cousins as Library Trustee as Trustee Kathy Bennett has resigned.

Mr. Colbath moved, seconded by Mr. Shepard, to appoint James Cousins as Library Trustee. The motion carried unanimously.

DISCUSSION OF RECREATION SERVICES

Recreation Director Mike Lane explained that with the restructuring of schools, discussions were being had between the Rec and the Middle School regarding athletics.

He explained that he had received an email from a resident of Eaton regarding participation in Conway Rec programs.

Mr. Eastman added that they are trying to be proactive and they had reached out to the Town Administrator from Eaton to see if they would be interested in looking into participating in the Rec services again.

Mr. Eastman explained that Albany pays to participate in Rec programs based upon equalized value; this would be the same if Eaton wanted to participate.

Mr. Eastman stated that they would not entertain a “pay to play” format as the tax payers of Conway pay for recreation programming regardless of whether they utilize the programs or not.

Mr. Colbath and Mr. Porter both believe it would be a good idea to reach out and make the offer to Eaton.

Mr. Colbath noted that there was also be the possibility that a benefactor could donate the funds.

PARKING PROGRAM GUIDELINES UPDATE

Mr. Eastman and Mr. Lane explained that they are suggesting an amendment to the parking program rules to deal with oversized vehicles/RVs taking up more than one spot.

The proposed language was as follows:

6. Parking stickers are meant to be placed on vehicles that can fit into one parking spot. (Includes: car, pick-up truck and motorcycle). Large vehicles such as dump trucks, recreational vehicles and any vehicle too large for a single parking space are prohibited at Conway Lake, First Bridge, Davis Park and Smith-Eastman parking lot from the Saturday of Father's Day weekend and through the Sunday of Labor Day Weekend.

Mr. Colbath moved, seconded by Mr. Shepard, to approve the amendment to the parking program guidelines as presented. The motion carried unanimously.

DISCUSSION OF MEMORIAL BENCH FOR SWIFT RIVER BRIDGE

Mr. Lane explained that he had been contacted by the family of Jimmy Yamartino who tragically passed a year ago.

They would like to place a granite memorial bench in one of the Town parks.

Mr. Lane and Mr. Eastman believe the best location would be at the Swift River Bridge.

Mr. Colbath moved, seconded by Mr. Porter, to approve the memorial bench for Jimmy Yamartino at the Swift River Bridge as presented. The motion carried unanimously.

PUBLIC HEARING ON REC PATH PHASE II

Ms. Seavey opened the public hearing at 4:26 pm.

Josh McAllister explained that this was the first public hearing to present the proposal for phase II of the rec path.

It is the intent of the project to mimic the first phase of the path.

Mr. McAllister presented a slideshow of the preliminary design (see attached).

Mr. Colbath stated that the feedback he had received was related to the safety of road crossings.

Mr. McAllister explained that they have chosen the road crossings carefully and there will be bollards and signage.

Marie from Center Conway asked if this path would be strictly for skiers or strictly for walkers in the winter.

Mr. DegliAngeli stated that he does not believe that this would be an exclusive ski or walking path.

Ellin Leonard stated that she would rather see crushed gravel than pavement.

Mr. DegliAngeli explained that they had taken an inventory of the trail systems in Town, there are lots of trails that are not paved.

The group believed they were missing a paved multi-use pathway in Town.

Chris Meier, President of the Trails Association explained that in order to receive grants, the path must be ADA compliant.

Peter Benson stated that he believed the path would be a great asset to Town.

He requested that in the future the Town look into continuing the sidewalk from Memorial Hospital to the Scenic Vista in order to create a continuous safe pathway.

Jonathan Chase asked what they were planning for security cameras.

Mr. DegliAngeli explained that they had not seen any need for security in phase 1.

Mr. Meier stated that studies actually show that paths like this bring in good users and drive out the bad users.

Paula Chappelle expressed concern over adding asphalt.

She wanted them to consider keeping Whitaker Woods in the same condition it is in now.

Coco Oyler asked what they plan to do for the increased traffic that this path would bring.

Mr. DegliAngeli explained that the hope was to utilize parking at the Vista.

Peter Donohoe asked if the acceptance of the project would compel the Town to purchase the state owned right of way property at the Kearsarge entrance of Whitaker Woods.

Mr. DegliAngeli explained that the Town was going to get that property back from the State regardless of the path construction as it was taken for the potential bypass.

Mr. Donohoe asked if the Trails Association would be paying for ongoing maintenance.

Mr. Meier stated that they are going to try and continue to raise money to help the Town cover the costs of future maintenance.

Mr. Donohoe would prefer gravel in Whitaker Woods.

Mr. Donohoe also questioned whether this pavement would meet the requirements of the deed for Whitaker Woods to leave it in its "wild and natural state."

Mr. Shepard noted that he would rather not see accessibility limited by a gravel path.

Mr. Meier noted that the goal is to achieve balance between natural state and allowing everyone to access Whitaker.

He stated that they allow ski groomers in the woods for accessibility and usability as well. The public hearing was closed at 5:33 pm.

The Board took a brief recess.

The meeting resumed at 5:35 pm.

PUBLIC HEARING ON SOLAR PILOT

Ms. Seavey opened the public hearing at 5:36 pm.

Mr. DegliAngeli explained that the voters had approved a 25 year lease for a solar project on the capped landfill at the Transfer Station.

As per RSA, they were required to hold a public hearing regarding the PILOT agreement for the project.

There were no public comments.

Ms. Seavey closed the public hearing at 5:39 pm.

Mr. Porter moved, seconded by Mr. Shepard, to authorize the Deputy Town Manager to sign the PILOT Agreement for Kearsarge Solar at the Transfer Station. The motion carried unanimously.

ACCEPTANCE OF INVEST NH GRANT FUNDING

Town Planner Ryan O'Connor explained that the Town had received 2 grant awards from Invest NH to help both AVESTA and the Bluebird Project developments reach construction.

He added that they hope to use \$200,000 of it for zoning rewrites.

Mr. Colbath moved, seconded by Mr. Thibodeau, to accept a grant for the River Turn Apartments Project, grant award: MPU22-131 and for the North Conway House Projects, grant award: MPU22-130-, and enter into a grant contract with the New Hampshire Department of Business and Economic Affairs (the "BEA"), subject to Governor and Executive Council approval; and further authorized the Select Board Chair to execute any documents and perform any other acts necessary or convenient to cause the Town to enter into the Contracts with the BEA. The motion carried unanimously.

ALLOCATION OF ARPA FUNDS

Mr. Colbath moved, seconded by Mr. Shepard, to spend \$11,325 for the purpose of purchasing 6 new poll pads. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Thibodeau, to authorize the Town Manager to sign the contract to purchase and submit a letter of intent to the Secretary of State's Office. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Thibodeau, to vote to implement the use of poll pads in elections moving forward in the Town of Conway. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Shepard, to authorize the expenditure of \$10,879.20 from ARPA funds for the purpose of purchasing a new website, 311, and emergency notification program. The motion carried unanimously.

NOTIFICATION OF DEMO PERMIT APPLICATION FOR 1657 WHITE MT. HIGHWAY (OLD FRIENDLY'S)

The Board and public were notified of the demo permit application for 1657 White Mt. Highway.

CERTIFICATE OF AUTHORITY FOR HAZARDOUS WASTE DAY

Mr. Colbath moved, seconded by Mr. Shepard, to authorize Andrew Smith, Public Works Director, to enter into contracts or agreements on behalf of the Town of Conway with the State of New Hampshire and any of its agencies or departments and further is authorized to execute any documents which may in his judgement be desirable or necessary to affect the purpose of this vote. The motion carried unanimously.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Permit to Sell Raffle Tickets for Mt. Washington Valley Arts Jubilee (7/11/24 – 8/8/24)
- b. Permit to Sell Raffle Tickets for Carroll County RSVP (5/25/24 – 12/7/2024)
- c. Notice of Intent to Cut Wood or Timber on Map/Lot 201-22
- d. Notice of Intent to Cut Wood or Timber on Map/Lot 227-1 & 227-2
- e. Notice of Intent to Cut Wood or Timber on Map/Lot 253-90
- f. Certification of Yield Taxes Assessed on Map/Lot 260-57
- g. Certification of Yield Taxes Assessed on Map/Lot 255-9
- h. Certification of Yield Taxes Assessed on Map/Lot 280-77.11
- i. Certification of Yield Taxes Assessed on Map/Lot 253-90
- j. Certification of Yield Taxes Assessed on Map/Lot 239-1
- k. Certification of Yield Taxes Assessed on Map/Lot 238-4
- l. Yield Tax Levy on Map/Lot 239-1
- m. Yield Tax Levy on Map/Lot 238-4
- n. Yield Tax Levy on Map/Lot 280-77.11
- o. Yield Tax Levy on Map/Lot 255-9
- p. Yield Tax Levy on Map/Lot 253-90
- q. Yield Tax Levy on Map/Lot 260-57
- r. Abatement of Taxes on Map/Lot 262-83.299
- s. Abatement of Taxes Recommendation on Map/Lot 268-130
- t. Abatement of Taxes Recommendation on Map/Lot 268-136
- u. Abatement of Taxes Recommendation on Map/Lot 299-96
- v. Abatement of Taxes Recommendation on Map/Lot 266-143
- w. Abatement of Taxes Recommendation on Map/Lot 266-144
- x. Abatement of Taxes Recommendation on Map/Lot 266-139
- y. Intent to Cut Wood/Timber on Map/Lot 253-43

Mr. Colbath moved, seconded by Mr. Shepard, to sign the document listed above in a., and c. through y. The motion carried unanimously.

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 5/30/2024
- b. Payroll dated 5/30/2024

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP manifest and payroll dated 5/30/2024. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 5/23/2024
- b. 2024 Tax Collector's Warrant
- c. Quitclaim Deed for Map/Lot 251-149.3

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

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Valley Pride Day White Mountains Pride Festival (6/29/24)
- b. NCCC Annual Mud Bowl (9/6/24 – 9/8/24)
- c. White Mt. Recovery Hope is Real Recovery Event (9/14/24)
- d. Farmers Market 2024 (Tuesdays from 6/18/24 – 10/1/24)
- e. Pope Memorial Library Bike for Books (9/22/24)
- f. Tri Tek Events Stephen Siller Tunnel to Tower Foundation (7/6/24)

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

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 5/14/2024

Mr. Colbath moved, seconded by Mr. Shepard, to adopt the regular and non-public minutes from 5/14/2024 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Linda Burns explained that she had been working on bike helmet grants for the last 30 years through Dartmouth.

She noted that she had received another grant and the bike helmets would be fitted and given out to local elementary school students in needs.

Mr. Eastman noted that there were new flags up in Conway and thanked Mike DiGregorio.

Mr. Colbath gave kudos to the garden club that had been out planting this morning.

He noted that they have been struggling with their membership so if the public was interested they should reach out.

Mr. Eastman noted that in mid-June the bridge over the Swift River in Conway on West Side Road would be down to one lane as they would be doing a deck refurbishment.

Mr. DegliAngeli explained that there will be the creation of a commission through NHMA in order to look into the homesteaders tax.

On September 27, 2024, Mr. DegliAngeli will attend the annual NHMA Policy Conference.

Mr. DegliAngeli explained that he had received a letter from the State and the DOT had determined that they would convey to the Town the parcel that holds the rec path and where they envision the Skate Park to be.

He noted that they had received plans for the Roundabout for East Conway Road in Redstone.

The plan was to advertise in August.

In regards to the second phase of the Main Street Project, the Right of Way Department has said they will need 15 months which will put the construction back at least until August 2025.

Mr. DegliAngeli explained that they had met with Drummond and Woodsum regarding their rental certificate program to discuss the process of setting fines for those who do not comply.

Mr. DegliAngeli explained that the legislative body gave them authority to set finds in 1980.

They will be holding two public hearings in order to set these fines.

BOARD REPORTS AND COMMENTS

Mr. Shepard noted that the Conway Historic District Commission was meeting the next evening.

Mr. Colbath noted that ZBA did not meet this month.

He explained that the Economic Council met last week.

He noted that one of the biggest spaces at the Council has been vacated but already re-rented.

They have received two \$50,000 grants.

Once the road is up and built, the housing coalition will be looking at a potential tiny house community back there.

There is a fully formatted marketing committee working for the Economic Council.

Mr. Porter noted that the Planning Board met the previous week for a work session.

Ms. Seavey noted that she would really like to see a bathroom put in the information booth in Conway Village.

Mr. Thibodeau asked if the cell tower was going to happen in North Conway.

Mr. Eastman stated that they had not applied for a building permit yet.

He will get an update from Planner Ryan O'Connor.

Mr. Thibodeau asked if they were waiting to re-discuss paid parking in North Conway until a cell tower was built or if they were just going to let "it die in a heap."

Mr. Thibodeau also asked if they were going to discuss public restrooms again for potentially behind the Ski Museum.

Mr. Colbath stated that he believed they were still waiting for clarification regarding what the property behind the Ski Museum could be used for.

Mr. Shepard noted that Alec Tarberry had said their new food court would have bathrooms that can be used by the public.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun asked when the public hearing for the rental fines would be.

It was stated that this had not been determined yet.

At 6:46 pm, Mr. Colbath moved, seconded by Mr. Shepard, to go into non-public session under 91-A:3 II (I). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A :3 II (I) EMERGENCY FUNCTIONS

The Board returned to public session at 7:13 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 7:13 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary