

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
February 1, 2022**

The Selectmen's Meeting convened at 4:03 pm in the Meeting Room at the New Town Hall with the following present: C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Steven Porter, Town Manager Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers stated that item number 9d. would now become item 8h.

He also stated that they would be removing item number 11 from the agenda.

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

PRESENTATION BY WHITE MT. COMMUNITY HEALTH CENTER

J.R. Porter appeared before the Board on behalf of the White Mt. Community Health Center.

It was stated that he missed the non-profit budget presentations because of a heating issue at the Center.

He noted that they provide care to anyone regardless of their ability to pay.

He explained that they are asking for \$35,600 from the Town which would cover 49% of their patients that come from Conway.

PRESENTATION REGARDING KENO AND SPORTS BETTING PETITIONS

Charlie McIntyre, Executive Director of the NH Lottery appeared before the Board to speak to the petitioned warrant articles regarding Keno and Sports Betting.

Mr. McIntyre reminded the Board that Keno had been presented to them in the past, so he would be speaking more about sports betting.

He explained that sports betting allows people to wager on live sporting events.

He noted that they would partner with a physical location and work with Draft King.

He added that it has brought in 30 million dollars in profitability in the State of NH.

He noted that currently there are 3-4 locations in the State that offer sports betting and the State is limited to 10 total.

By statute, there would be a hearing for both Keno and Sports Betting on March 15, 2022 at the regularly scheduled Board of Selectmen's Meeting.

Tiffany Eddy appeared before the Board as she was the person who submitted both petitions.

She explained that she represents the retail establishment that is looking to offer sports betting in Conway.

She explained that her clients own 4 other Greek Restaurants/Sports bars/Charitable Gaming Facilities in the State and would like to open another here.

Mr. Colbath asked if the owners were planning to open the restaurant regardless of whether sports betting was approved by the voters.

Ms. Eddy stated that she was not sure of the answer.

DISCUSSION OF AARP APPLICATION FOR GRANT FOR REC PATH

Ms. Seavey explained that she had received notification from AARP regarding some potential grant funding.

When reading the grant, she saw that there were lots of opportunities for recreation funding.

She explained that there had been discussion regarding potentially applying for the grant to put in a walking path around the old Recreation Center/Dick O'Brien field property and/or Schouler Park.

Mr. Eastman said that they could install a gravel-based walking path around the perimeter.

Ms. Seavey noted that this is one of the few grants that she had seen that municipalities could participate in.

Mr. Colbath confirmed with Mr. Eastman that the packed gravel would be handicap accessible.

Mr. Colbath noted that a walking path was one of the things that the Marshalls had wanted to see done with that property.

Mr. Weathers noted that he believed this project would only fit at Dick O'Brien field, not at Schouler Park.

The consensus of the Board was that the path should be 6 feet wide.

Mr. Colbath moved, seconded by Mr. Thibodeau, to instruct staff to pursue the AARP Grant for a walking path at old Recreation Center property/Dick O'Brien Field. The motion carried unanimously

There was mention that perhaps they could use ARPA funds for this project.

Mr. Holmes will look into this as they have loosened their guidelines regarding what the funds can be used for.

Mr. DegliAngeli explained that he would like Board's permission to use sod at the old Recreation Center property/Dick O'Brien Field if he could find the money in the budget.

Mr. Eastman explained that if they went with sod, they would only need to keep people off of it for 8-10 days compared to seed which would close down that part for at least a season.

Mr. Colbath moved, seconded by Mr. Porter, to place sod at the old Recreation Center property/Dick O'Brien Field. The motion carried unanimously.

DISCUSSION OF FEDERAL EDA TOURISM GRANT – CHRIS MEIER

Chris Meier appeared before the Board on behalf of the MWV Trails Association in regards to the Rec Path project.

Mr. Meier explained that they originally had engineering estimates done for the path in 2018.

Since then, the bids came in and were substantially higher due to the increase in materials.

He noted that they took out a bridge loan from Northway Bank in order to allow the project to begin and they are in the middle of fundraising to help pay that back.

He explained that he had applied for a grant for just over 1 million dollars.

While the deadline was January 31, 2022 and he had already submitted his application, he had been told that having a municipal partner as a co-applicant would be beneficial.

It was stated that he had confirmed he could add a co-applicant after application had been submitted.

Mr. Meier stated that there would be no outlay from the Town and the grant match is already in hand.

He added that there was a 5-year construction window for the grant.

Mr. Colbath moved, seconded by Ms. Seavey, to authorize the Town to sign on as a Municipal Partner for the EDA Tourism Grant with the MWV Trails Association. The motion carried unanimously.

RECOMMENDATIONS FOR SUBMITTED AND VERIFIED PETITIONED WARRANT ARTICLES

- A. Keno (Page 6)
- B. Sports Betting (Page 6)
- C. Vaughan Community Service Inc.(\$17,000) (Page 7)
- D. Vaughan Learning Center (\$5,000) (Page 7)
- E. Tri County Community Action Program Inc. (\$23,075) (Page 6)
- F. Children Unlimited Inc. (\$14,000) (Page 7)
- G. Gibson Center (\$36,500) (Page 7)
- H. North Conway Community Center (\$65,000) (Page 6)

The was brief discussion regarding the request of the Budget Committee to put the name of the petitioner on the warrant with each petitioned warrant article.

Mr. Holmes stated he would look into why the Town stopped doing that.

Mr. Colbath stated that he would like to see it go back to having the petitioners name listed on the warrant for this year, but would understand if there was not enough time.

Mr. Colbath moved, seconded by Ms. Seavey, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town of Conway will vote to allow the operation of KENO within the Town pursuant to the provisions of NH RSA 284-41 through 51.

The motion failed (2-3-0) with only Mr. Thibodeau and Ms. Seavey voting in the affirmative.

Mr. Colbath explained that he voted to not recommend this article because it had previously been voted down twice and he had said he would not support it again.

Ms. Seavey stated that she voted in the affirmative because she believed it should be up to the voters.

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town of Conway will vote to allow the operation of Sports Betting within the Town pursuant to the provisions of NH RSA 287-1 through 17.

The motion carried (4-1-0) with Mr. Porter in the negative.

Mr. Porter moved, seconded by Mr. Thibodeau, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Seventeen Thousand Dollars (\$17,000) for VAUGHAN COMMUNITY SERVICE, INC. Submitted by petition.

The motion carried (4-0-1) with Mr. Colbath abstaining.

Mr. Thibodeau moved, seconded by Ms. Seavey, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000) for VAUGHAN LEARNING CENTER. Submitted by petition.

The motion carried (4-0-1) with Mr. Colbath abstaining.

Mr. Thibodeau moved, seconded by Ms. Seavey, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Twenty-Three Thousand Seventy Five Dollars (\$23,075) for the operation of TRI-COUNTY COMMUNITY ACTION PROGRAM, INC. service programs in Conway: Transportation, Energy Assistance, Weatherization, Guardianship, Head Start, Homeless Intervention and Prevention, Tamworth Dental Center. Submitted by petition.

The motion carried (4-0-1) with Mr. Weathers abstaining.

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Fourteen Thousand Dollars (\$14,000) for the Family Resource Center at CHILDREN UNLIMITED, INC. Submitted by petition.

The motion carried unanimously.

Mr. Thibodeau moved, seconded by Mr. Colbath, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Thirty Six Thousand Five Hundred Dollars (\$36,500) to support Conway home delivered meals (Meals on Wheels), congregate meals, transportation and program services provided by the GIBSON CENTER FOR SENIOR SERVICES, INC. Submitted by petition.

The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Porter, to recommend the following petitioned warrant article:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Sixty Five Thousand Dollars (\$65,000) said sum to be allocated to the NORTH CONWAY COMMUNITY CENTER for programs of the North Conway Community Center. Submitted by petition.

The motion carried (3-1-1) with Mr. Thibodeau in the negative and Ms. Seavey abstaining.

**RECOMMENDATIONS FOR PETITIONED WARRANT ARTICLES PENDING
SUBMISSION AND SUPERVISOR VERIFICATION**

- A. Northern Human Services (\$10,115) (Page 8)
- B. White Mountain Community Health Center (\$35,600) (Page 7)
- C. The Conway Area Humane Society (\$10,000) (Page 8)
- ~~D. North Conway Community Center (\$65,000) (Page 6)~~
- E. Starting Point (\$14,735) (Page 6)

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend the following petitioned warrant article pending submission and verification:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Ten Thousand One Hundred Fifteen Dollars (\$10,115) for medical care at the NORTHERN HUMAN SERVICES Submitted by petition.

The motion carried unanimously.

Mr. Colbath moved, seconded by Ms. Seavey, to recommend the following petitioned warrant article pending submission and verification:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Thirty Five Thousand Six Hundred Dollars (\$35,600) for the support of WHITE MOUNTAIN COMMUNITY HEALTH CENTER to help meet the healthcare needs of the uninsured and underinsured residents of the Town of Conway. Submitted by petition.

The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Thibodeau, to recommend the following petitioned warrant article pending submission and verification:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the CONWAY AREA HUMANE SOCIETY for the purpose of supporting continuing services for stray, abandoned and neglected animals brought to the shelter by Animal Control or private citizens no longer able to care for them. Submitted by petition.

The motion carried unanimously.

Mr. Colbath moved, seconded by Ms. Seavey, to recommend the following petitioned warrant article pending submission and verification:

(Petitioned) To see if the Town will vote to raise and appropriate the sum of Fourteen Thousand Seven Hundred Thirty Five Dollars (\$14,735) said sum to be allocated to STARTING POINT providing advocacy and support to victims of domestic and sexual violence and their children. Submitted by petition.

The motion carried unanimously.

VOTE ON PROPOSED ASSESSING WARRANT ARTICLES

- A. Exemption for Solar Energy Systems (Page 5)
- B. Exemption for Wood Heating Energy Systems (Page 6)
- C. Exemption for Wind Powered Energy Systems (Page 6)

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

(Non-Monetary) Shall the town MODIFY the existing provisions of RSA 72:62, Exemption for Solar Energy System, the value of a solar energy system, as defined in RSA 72:61, is exempt from the assessed value of the solar energy system.

(Non-Monetary) Shall the town MODIFY the existing provisions of RSA 72:70, Exemption for Wood-Heating Energy Systems, an exemption from the assessed value, for property tax purposes, for persons owning real property which is equipped with a wood-heating energy system, as defined in RSA 72:69, is exempt from the assessed value of the wood-heating energy system.

(Non-Monetary) Shall the town MODIFY the existing provisions of RSA 72:66, Exemption for Wind Powered Energy System, an exemption from the assessed value, for property tax purposes, for persons owning real property which is

equipped with a wind powered energy system, as defined in RSA 72:65, is exempt from the assessed value of the wind powered energy system.

There was discussion regarding the way these articles would amend the currently adopted articles that allow for these energy exemptions.

The motion carried unanimously.

REAPPOINTMENT OF ZBA MEMBERS (PAGE 10)

- A. Richard Pierce (3-year term)
- B. Steven Steiner (3-year term)

The Board decided to take no action on this item until they could find out if there was any interest from the current alternate members to the ZBA.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Waiver of Municipal Liability for Map/Lot 298-32
- b. Certification of Yield Taxes Assessed on Map/Lot 244-12
- c. Yield Tax Levy on Map/Lot 244-12
- d. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 288/50
- e. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-19
- f. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 263-76.1
- g. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 266-52
- h. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 278-57
- i. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 282-15

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 2/3/2022

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 2/3/2022. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Gibson Center for Seniors Annual Craft Fairs (5/28/22, 5/29/22, 7/2/22, 7/3/22, 9/3/22, 9/4/22, 10/8/22, 10/9/22)
- b. American Legion Post 46 9th Annual Family Camp out 7/22/22-7/24/22

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the special event permit for the Gibson Center Annual Craft Fairs as listed above. The motion carried unanimously.

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the special event permit for the American Legion pending a liquor license. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 1/25/2022

Mr. Colbath moved, seconded by Ms. Seavey to approve the minutes as listed above. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes noted that they were planning to hold active shooter training on March 4, 2022 and would like permission to close Town Hall from 9:00 am – 12:00 pm for this.

Mr. Colbath moved, seconded by Ms. Seavey, to approve the closing of Town Hall on March 4, 2022 from 9:00 am – 12:00 pm for active shooter training. The motion carried unanimously.

BOARD REPORTS AND COMMENTS

Ms. Seavey stated that the Economic Council was in negotiations to sell lot 9.

Mr. Colbath stated that the Budget Committee had met the previous evening to finish reviewing the Town's proposed budget and that they would be holding their annual public hearings for the precincts, Town, and School budgets on February 9, 2022 at 6:00 pm at Kennett High School.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun appeared before the Board.

Mr. Steer inquired as to whether the Board had any comment regarding the overall budget as it was to be discussed at the public hearing on February 9, 2022.

Mr. Colbath stated that he believed that both the School and Town have done a good job keeping costs down with all of the things they need to accomplish.

He noted that the major increases are from insurance and retirement which they do not have control over.

Mr. Steer inquired as to whether any of the Selectmen are in favor of the Keno/Sports Betting warrant articles.

Ms. Seavey stated that she supports it being on the ballot so that the voters can decide.

Mr. Thibodeau stated that he supports both the article and the concept as we are a tourist area and it could raise a lot of revenue for the education fund.

Ms. Seavey noted that she has not seen any issues with Keno which is played at Almost There in Albany.

Mr. Steer requested that the Board provide him with their reasoning on whatever way they choose to go with the STR case.

Ms. Seavey told Mr. Steer that she believed he needed to do a better job explaining why the Board has voted to charge 5 dollars per parking sticker this year.

She added that he failed to mention the large amount they paid in startup costs for the program.

It was also reiterated that the 5-dollar fee would help to not only mitigate the costs that tourism has had on the Valley from increased tourism, but also to cover the cost of the stickers, applications and man power to distribute them.

At 5:24 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (L). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 II (L) – LEGAL ADVICE

At 6:42 pm, the Board returned to public session.

Mr. Colbath moved, seconded by 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.

At 6:42 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (D). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 II (D) – CONSIDERATION OF ACQUISITION, SALE OR LEASE

At 7:13 pm, the Board returned to public session.

Mr. Colbath moved, seconded by 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 7:13 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary