

Minutes of Meeting
CONWAY BOARD OF SELECTMEN

May 3, 2005

The Selectmen's Meeting convened at 3:59 p.m. in the meeting room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), Karen Umberger, Gary Webster, David Weathers, and Mark Hounsell; Town Manager, Earl W. Sires; and Recording Secretary, Holly Meserve.

PLEDGE OF ALLEGIANCE

Chairman Martin led the Board in the Pledge of Allegiance to the Flag.

SIGNING OF DOCUMENTS

The Board reviewed and signed various documents contained in the signature folder.

APPROVAL OF BILLS

The Board reviewed and approved the manifest dated 5/05/05.

APPROVAL OF MINUTES

The Board agreed to address the Minutes of 03/15/05; 03/22/05; 04/05/05 and 04/18/05 at the next meeting.

APPOINTMENT TO CONSERVATION COMMISSION

Mr. Sires referred to the Conway Conservation Minutes of 4/13/05 and stated that the CCC has recommended Phil Haynes to fill a vacancy. Mr. Sires stated there have been several alternates who have been attending the CCC meetings with Mr. Haynes being one of them. Mr. Weathers agreed. **Mr. Weathers made a motion, seconded by Mr. Webster, to appoint Phil Haynes to the Conservation Commission. Motion unanimously carried.**

Mr. Sires stated that Conrad Briggs would like to continue as an alternate on the Conservation Commission. Mr. Sires stated the terms of Rob Adair and Chuck Broomhall expire this year. Mr. Sires stated and they have agreed to continue as members and the CCC has recommended they continue. **Mr. Weathers made a motion, seconded by Mr. Webster, to appoint Rob Adair and Chuck Broomhall to the Conservation Commission. Motion unanimously carried.**

Ms. Umberger asked Mr. Weathers if the CCC has a sufficient number of alternates. Mr. Weathers stated there was interest by a woman in whom Paul Pinkham had explained the process to, but to date they have not heard from her. Ms. Umberger asked if the CCC is

actively looking for alternates. Mr. Weathers answered in the affirmative. Mr. Hounsell asked if there is one alternate position available. Mr. Weathers answered in the affirmative.

VOTE ON MOTION MADE AT MEETING OF 4/26/05 BY MARK HOUNSELL,
SECONDED BY KAREN UMBERGER, TO NAME THE SPORTS FIELD
AT THE RECREATION CENTER IN CENTER CONWAY THE
DICK O'BRIEN MEMORIAL FIELD

Mr. Martin asked for discussion regarding the motion from 04/26/05 in regard to naming the sports field in Center Conway after Dick O'Brien. Ms. Umberger stated that she received a couple of phone calls that were quite negative about this occurring. Ms. Umberger stated that the concern, which is nothing against Dick, was there have been many other selectmen over time that have contributed significantly to the community in many different ways and they felt that it was not appropriate to name the ball field for Dick without researching some of the other selectmen that might be appropriate naming the ball field after. Ms. Umberger stated that there was also a comment that at one time when the Town was naming streets, it was naming streets for old selectmen starting back in 1765. Ms. Umberger stated if you look back at the names of the people in the valley at that time there are streets that commemorate them.

Mr. Webster stated the Board elected to shy away from prominent names when naming the North South Road. Mr. Webster stated what has swayed his decision is that this has been a specific request from the Friends of Rec. for a particular facility. Mr. Webster stated that he doesn't see this as opening the floodgates. Mr. Weathers stated that he would prefer to delay naming the field until the Recreation Long-Range Planning Committee completes their report. Mr. Weathers asked what is the time frame for that report. Mr. Sires stated that he hopes to see a report next month.

Mr. Webster stated that there are quite a few parks that over the years have just picked up names and the Board should be looking at all those facilities as well. Mr. Hounsell stated that he does not want to see the Board get bogged down looking at other areas at this time, but focus on what is in front of us and why we are doing it. Mr. Hounsell stated some selectmen deserve to have something named after them and some do not and Dick is one that should have something named after him. Mr. Hounsell stated he thinks the appropriate amount of time has passed and this is fresh in our minds. Mr. Hounsell stated that what Dick did he did in his own unique way and this is a positive thing we can do.

Ms. Umberger stated that we need to go ahead and vote on the motion, however, the Board should have another discussion regarding what to do in the future and how we will handle it. Ms. Umberger stated that this is an important aspect for the Town and it won't be long before something else happens. Ms. Umberger stated that we should have some overall policy that we can follow. Mr. Martin agreed.

Mr. Martin stated this is a unique situation as Dick was in office when he passed away and it might be part of the reason why we are looking at this. Mr. Martin stated that his seat was left vacant in respect to Dick. Mr. Martin stated that the other unique piece, not

like past selectmen, is we have had a specific request. Mr. Martin stated that Mr. Hounsell thinks we have waited long enough and he is leaning toward doing this for Dick, but think we should look at the other properties as well.

Mr. Webster asked if the discussion last week included funding for signage and whatever else is appropriate. Mr. Martin stated that that discussion should come after the naming, plus the Friends of Rec. will probably step forward with funding. Mr. Sires stated that Mike Digregorio had called him with some concerns and suggestions. Mr. Sires stated Mr. Digregorio had suggested if the Board chose to rename the field that he would like to see some improvements along with it. Mr. Sires stated that he explained to Mr. Digregorio that the Friends of Rec. were planning to do some upgrades and the Town is reworking and reconstructing the infield. Mr. Martin stated that those types of items could be discussed after a decision is made.

Motion carried with Ms. Umberger voting in the negative and Mr. Weathers abstaining from voting (3-1-1). Mr. Weathers stated that he abstained from voting until the report from the Recreation Long-Range Planning Committee is received. Ms. Umberger asked if they should continue to discuss the other properties. Mr. Martin stated that it could be an agenda item at another meeting.

Mike Digregorio arrived at this time and the Board asked if he would like to speak to the renaming of the field. Mr. Digregorio stated that he supports the name change. Mr. Digregorio stated that we all know Dick supported the sports in town and he had wanted to see some of the fields in better shape, as there are some fields that cannot be used right now. Mr. Digregorio stated that he thinks this is an opportunity to enhance in Dick's memory and would like the Board to consider that as well. Mr. Digregorio stated in addition to a press box and a scoreboard similar to Whitaker Woods, it would be a nice place to hold tournaments. Mr. Digregorio stated that the tournament brings teams to our hotels and restaurants and spending money. Mr. Martin thanked Mr. Digregorio and stated that the Board would take his suggestions into consideration.

UPDATE ON SUMMER RECREATION PROGRAMS

Mr. Sires suggested rescheduling this item, as he is not sure John Eastman was invited to the meeting this evening.

ADOPT A HIGHWAY PROGRAM

Mr. Sires stated there had been a warrant article for the Adopt a Highway Program, which was defeated. Mr. Sires stated that the money under the warrant articles was to purchase safety equipment for the volunteers. Mr. Sires stated that the Town's policy was developed parallel with the State program. Mr. Sires stated that he wanted to discuss with the Board how they see this moving forward and Paul DegliAngeli would like to update the Board regarding equipment under a separate article.

Paul DegliAngeli appeared before the Board. Mr. DegliAngeli stated there had been a warrant article to purchase the necessary safety signs and reflective vests for the

volunteers. Mr. DegliAngeli stated that the article was defeated, however, there was another warrant article to purchase Safety Equipment for the Highway Department, which after purchasing the necessary equipment there was approximately \$2,800 remaining. Mr. DegliAngeli stated that the Police Department has donated the safety vests, he can purchase the gloves under the operating budget, and with the surplus money they would like to purchase the sign kits, which would allow them to go forward with the program.

Mr. Hounsell stated that he is inclined to interpret the defeated warrant as not just to the expenditure, but to the program as well. Mr. Hounsell stated that a concern of his is under the State Adopt a Highway program, they are allowed to have a sign on the highway that identifies the group and some people don't necessarily like to see those signs. Mr. Hounsell asked if the Conway Adopt a Highway program models the State by allowing signs to be put up by groups. Mr. DegliAngeli answered in the affirmative, and stated that it could be removed from the program.

Mr. Weathers asked what is envisioned after the purchase this year for the operating budget in the following years. Mr. DegliAngeli stated that he is not planning to increase the operating budget. Mr. DegliAngeli stated that the sign packages are to be used according to policy, which would be four times a year. Mr. DegliAngeli stated that in time they would need to be replaced. Mr. DegliAngeli stated that the sign packages are approximately \$800 and two kits would be required per a group.

Mr. Weathers stated there were negative comments during the deliberative portion of Town Meeting and there was confusion between the State program and what the town was proposing. Mr. Weathers stated that this could be perceived as getting the foot in the door and adding to the budget. Mr. DegliAngeli stated this is a volunteer program. Mr. Weathers asked if there would be any increase to the budget. Mr. DegliAngeli stated that the Town would need to provide gloves, plastic bags, signs and vests.

Mr. Hounsell stated he would vote no as it is a good savings and he will leave it at that. Mr. Hounsell stated that the people voted and it was defeated. Mr. Sires stated there has been litter found on the road while mowing the North South Road, which had to be cleaned. Mr. Sires stated they are trying to avoid growth in the Public Works Department by using volunteers. Mr. Sires stated that this program would be adding to the operating budget in a minor way. Mr. Sires stated if we don't move forward with the program than the answer to the Town would give to the community is that this is not a priority.

Ms. Umberger stated the voters turned it down and this Board should not try to work around that. Ms. Umberger stated the Board of Selectmen voted in favor of this article and since the voters turned it down we should not pursue it. Ms. Umberger stated that the voters would have to understand that this is the decision they made.

Mr. Weathers stated that the proposal this year was for the West Side Road and the North South Road. Mr. DegliAngeli stated that it included some other Town roads as well. Mr. Webster stated that the program was an inexpensive way to keep the roads clean. Mr. Weathers stated that the North South Road is disgusting and other communities have

volunteers. Mr. Webster stated that he honestly feels the voters don't want the program, but we cannot pull our employees off other jobs to do this. Mr. Webster stated unless someone steps up and donates the funds or a flat warrant article with no \$ attached is approved, we cannot move forward. Mr. Webster stated we are in a catch 22, as he cannot see with all the projects, pulling the Highway Crew from those projects to pick up trash. Mr. Webster stated that he thinks it is a good program.

Mr. Hounsell stated there is the Valley Pride Week, plus anyone can stop and pick up trash if they want to. Mr. Hounsell stated what concerns him is if the Town is thinking of not picking up trash and not doing the job in front of us. Mr. Hounsell stated if there is trash to be picked up, it is part of the job; it may be inconvenient, but we need to do the very best at it. Mr. Hounsell stated he doesn't want his non-support of the program to be interpreted as to not bother to pick up the trash.

Mr. Sires stated they would continue to do it as it has been done in the past, there is just more to do with the responsibility of new roads. Mr. DegliAngeli stated that a lot has changed in the last decade in what we do as the spring clean up has been superseded by Valley Pride Day. Mr. DegliAngeli stated that they still respond to complaints or if there has been an obvious dumping, but they don't schedule a day or week as it is a matter of prioritizing things. Mr. DegliAngeli stated there are two employees in the Recreation Department we contact, but they don't regularly comb the roadside. Mr. DegliAngeli asked will we continue to pick up messes and answered of course we will.

Mr. Martin stated that the article was not recommended by the Budget Committee, but was recommended by the Board of Selectmen. Mr. Martin stated that he agrees with Mr. Webster that the North South Road is a mess. Mr. Martin stated that the problem with this now is we are in a catch-22; if we do vote to appropriate the money then we are going against the voters and would appear that we are back dooring our way in for what we wanted. Mr. Martin stated he does not know why they voted the way they did. Mr. Martin stated to spend \$800 out of the \$2,800 saved would have been money well spent.

Ms. Umberger made a motion, seconded by Mr. Weathers to spend \$800 to purchase sign kits. Motion defeated with Mr. Hounsell, Ms. Umberger and Mr. Martin voting in the negative (2-3-0). Mr. Sires stated that the approach would be the same as in year's past.

HIGHWAY DEPARTMENT PROJECTS

Railroad Crossing on Allens Siding Road and Intervale Crossroad: Mr. DegliAngeli stated there is a combined project with Conway Scenic Railroad to repair the railroad crossing on Allens Siding Road. Mr. DegliAngeli stated the project should be completed tomorrow [05/04/05]. Mr. Sires asked Mr. DegliAngeli to explain why the town is involved in this project. Mr. DegliAngeli stated that the crossing is over a town road, which was in place prior to paved roads and plow trucks with wings on them. Mr. DegliAngeli stated that the pavement is pretty well broken up. Mr. DegliAngeli stated the crossing is repaired first, and then the pavement is being rehabilitated. Mr.

DegliAngeli stated that there is a combined project with the Railroad for the crossing on Intervale Crossroad.

Seavey Street: Mr. DegliAngeli stated there is a combined project with the North Conway Water Precinct on Seavey Street, which is expected to wrap early next week. Mr. DegliAngeli stated the Town is expected to begin their work the week of the 16th. Mr. Hounsell asked the limits of the work. Mr. DegliAngeli answered Route 16 to the North South Road. Mr. Hounsell asked if new sewer lines were being installed. Mr. DegliAngeli stated the sewer lines had already been replaced they are replacing the water lines. Mr. Hounsell asked when Seavey Street would be opened. Mr. DegliAngeli stated it would be open for the Fourth of July.

Crosswalks: Mr. Weathers asked roughly the tentative date to repaint lines on the roads and crosswalks. Mr. Weathers stated that the crosswalks in Fryeburg, Maine, are in really good shape and asked if Mr. DegliAngeli had checked the Maine DOT. Mr. DegliAngeli stated that they use a thermo plastic adhesive, which lasts approximately three years, but is not cost effective.

Mr. Hounsell stated that the two crosswalks in Conway scare him, as there just isn't anything there. Mr. Hounsell stated he is not sure what can be done, but we need to do something. Mr. DegliAngeli stated that the State is going to grind the pavement and put a 1" layer of topcoat in Conway Village this summer. Mr. DegliAngeli stated the Town is planning to use an imprinted reflective recessed crosswalk at the school with the additional stripe painted. Mr. Weathers asked if the tentative date to paint the crosswalks and lines is next month due to the temperature. Mr. DegliAngeli answered in the affirmative and stated that pavement temperature needs to be 55 degrees.

Mechanic Street: Mr. DegliAngeli stated that Joe Jones on Mechanic Street owns property on both sides of the road and have proposed improvements through a Planning Board application. Mr. DegliAngeli stated due to these improvements, the water main needed to be improved. Mr. DegliAngeli stated the Town was not prepared to go forward with the road improvements so the applicant agreed to make it a part of his application. Mr. DegliAngeli stated Mechanic Street would be reconstructed from White Mountain Highway to Pine Street and the contractor is scheduled to begin May 16th.

Ms. Umberger asked if the road would be closed. Mr. DegliAngeli answered in the affirmative. Ms. Umberger stated two of the major arteries are closed and asked if there would be signs to move the traffic around the construction and the village. Mr. DegliAngeli stated that there would be detour signs from the light at Pine Street, to Mason Road and then to Swett Street to get to the North South Road. Ms. Umberger stated that that would not make people happy. Ms. Umberger asked how long the road will be closed. Mr. DegliAngeli stated they are trying to pave Seavey Street and Mechanic Street at the same time. Mr. DegliAngeli stated that the paving bids will be opened on May 11th and once the base pavement is down one lane could be opened.

Ms. Umberger stated that the public needs to be notified. Mr. DegliAngeli stated in the case of Seavey Street, the Town sent letters to all the property owners. Ms. Umberger stated that the owners on Pine Street, Mason Road and Swett Street should be notified of

the excessive traffic. Mr. DegliAngeli agreed. Ms. Umberger stated she doesn't have a problem with the project she just wants to make sure the community knows what is happening.

Lowe's/Mountain Valley Mall: Mr. DegliAngeli stated that the Town has indicated to the new owners of the Mountain Valley Mall that there is an existing problem at the intersection of Wal-Mart and Mountain Valley Mall and that they must remove that entrance to the mall, make it an exit only and extend the island to be between the two entrances. Mr. DegliAngeli stated the applicant has made a request for lights at the Mountain Valley Boulevard and North South Road intersection and we have told them based on input from the community that it would not be allowed. Mr. DegliAngeli stated that the applicant's response was that the study shows that a light is warranted. Mr. DegliAngeli stated that he told the applicant they would agree to a stacking lane, but not a light.

Mr. Webster asked who paid for the lights at Barnes Road and White Mountain Highway. Mr. DegliAngeli answered the Holiday Inn Express paid for the lights. Mr. Webster asked if Mountain Valley Boulevard was a private road. Mr. DegliAngeli answered in the affirmative. Mr. Webster stated that he does not want the Town to have to fund the light. Mr. DegliAngeli agreed. Mr. Hounsell stated that there is going to be several people who will look at this discussion as a disappointment as the Master Plan indicates the North South Road as a parkway. Mr. Hounsell stated lights were not a part of the discussion of the North South Road. Mr. DegliAngeli stated the applicant has provided a 350-foot stacking lane.

Mr. Hounsell stated that he is counting on the Planning Board to see how this comes together. Mr. Hounsell stated that he is disappointed that this road will probably have to have a series of lights and if not done during the construction phase how do you get them later. Ms. Umberger stated the town does not want a lot of traffic lights on the North South Road, as they put in the 4-way stops, which she is not in favor of either, but if the Town requests a traffic light then one will be wanted at Common Court or Barnes Road. Ms. Umberger stated the Town needs to review left-hand turn lanes and other options to get there. Ms. Umberger stated that the North South Road is not to be a commercial development road; it is there to move traffic off Route 16.

Mr. Martin stated that North of Common Court is a heavy commercial area, however, we are trying to close that Pandora's box, but how do you do that. Mr. DegliAngeli stated that we had an idea of what the Town wanted and he is hearing that consensus tonight. Mr. DegliAngeli stated the Town does not have the responsibility of exiting their sites, but to the capacity of the North South Road. Mr. Hounsell asked does the Town have the authority to disallow a light and require the construction of a barrier. Mr. DegliAngeli answered in the affirmative and stated the ordinance gives the Town the authority.

Mr. Sires asked about the land behind Staples on Barnes Road. Mr. DegliAngeli stated that the land behind Staples has been rezoned to Highway Commercial and he will be attending a scoping meeting with NHDOT in regard to that property. Mr. DegliAngeli asked if the Town wants to allow another intersection on the North South Road. Mr.

DegliAngeli stated that his sense from the community and the Board of Selectmen was that they wanted to preserve the North South Road as a nature road. Mr. DegliAngeli stated that he would continue with that interpretation unless directed otherwise.

Ms. Umberger stated that if the site maintains the same number of entrances and exits as now she doesn't have a problem, but she does have a have a problem with adding another entrance and/or exit to primarily serve one business establishment. Mr. Webster stated over the last two or three years this board has gone through hell with the widening project and he would support the North South Road staying as rural as it is today.

Mr. Hounsell stated that he attended the Planning Board hearing for the rezoning of the parcel and the concern was the impact on the North South Road. Mr. Hounsell stated that those concerns have never been alleviated. Mr. Hounsell stated that his position is to agree with Ms. Umberger to keep the same number and to close off the one that is causing a problem. Mr. Hounsell stated that he is a long way off from supporting the extension of Barnes Road. Mr. Martin stated that the entrance to Common Court from the North South Road is not ideal and he suggested relocating that entrance.

Fryeburg Water Company: Ms. Umberger asked what happened at the hearing for the Fryeburg Water Company. Mr. DegliAngeli stated that the Commissioners have not yet issued an order. Mr. Martin read a letter from Graham Morrison, Commissioner.

CONTINUED DISCUSSION OF SCHOOL SECURITY ISSUES

Mr. Sires stated that the Board of Selectmen had asked for communication between the school and the Town in regard to the bomb threats. Mr. Sires stated that Town Counsel, Peter Malia, is awaiting response from the school attorney. Mr. Sires stated he does not have any more information at this point.

TOWN MANAGER REPORT

Peterson Petroleum Property (PID 215-83): Cindy Russell and Conrad Briggs appeared before the Board. Ms. Russell stated that they hope to close on the property on Friday, May 13th, 2005. Ms. Russell stated that the funds are nearly raised to pay for the property, however, there will be a loan provided to them by an individual. Ms. Russell stated that they lack approximately \$28,000 to pay for the property and approximately \$19,000 to restore it.

Ms. Russell stated that the property would be paid for at the closing, but would like to ask if it would be agreeable to the Board to deed the property to the Town at the time of closing. Ms. Russell stated the committee would commit to completing the project within 30- to 90-days of closing on the property.

Mr. Webster stated that the Board of Selectmen assured they would accept this property once the deed was free and clear. Mr. Sires stated it was agreed that the Town would not assume any liability from a financial standpoint, but it could be accomplished through a written agreement or form of surety. Mr. Sires stated that the only sure way to ensure no

risk to the Town is to not accept the property until the improvements have been made. Mr. Sires stated that he has concerns with trying to craft an agreement in less than two weeks.

Mr. Martin asked why the committee does not want take ownership. Ms Russell stated the individual helping them with the loan has asked them to request this in order to result in a single transaction and avoid additional expenses to the fund raising. Mr. Martin stated that he is concerned with the liability of taking ownership prior to demolition.

Mr. Hounsell stated that he doesn't have a concern that the committee won't be forthright, however, he does think the Board needs to double check for safety purposes that there is no environmental concerns. Mr. Hounsell stated if there was only a single transaction with the property being deeded to the Town then a tax stamp and the fee associated with that would not be required. Ms. Russell stated if the property were deeded to the Town at the time of the closing it would save those fees. Mr. Hounsell asked if there would be any type of lien. Ms. Russell answered in the negative. Mr. Sires stated that he believes there has to be two transactions, with the second transaction not needing a tax stamp. Mr. Sires stated there are other stipulations that are required and that by putting together an agreement at the last minute some of those stipulations could be missed.

Mr. Sires stated that they would need more information before deciding if this is what we want to do. Mr. Sires stated that he would work with Mr. Malia on an agreement. Mr. Martin stated that the Town would incur legal expenses to form this agreement and the Board agreed that this was going to be a gift of land.

Mr. Hounsell stated he does not see the need to require surety from the committee, as there is no doubt in his mind that they won't complete the work. Mr. Hounsell stated that there would be some minimal expense when receiving a gift of land. Mr. Hounsell stated he is not ready to support this yet, but no problem with the Town accepting the property with the buildings in place and not having a bond in place. Mr. Martin stated the Board should be careful not to get away from the original intent. Mr. Webster stated the Board has to be careful with not getting a bond, as they cannot leave the town out to dry. Mr. Weathers stated it was explained to the voters that the Town wouldn't accept the property until after everything was done.

Mr. Hounsell stated that he doesn't see a link between the warrant article and the need for the demolition before we take over the property, but he does respect the need to be comfortable. Mr. Hounsell stated that he thinks the Town can take the property and have the committee accommodate the demolition. Ms. Umberger stated when the Board stood at town meeting we said it would come to us done so it makes it hard to change our minds.

Mr. Hounsell made a motion, seconded by Mr. Weathers, that it was the intention and the desire of the Board of Selectmen to give a gift to the town with the work complete and all concerns be dealt with prior to accepting and direct the Town Manager to work with Peter Malia. Ms. Umberger stated that the motion should not be

limited to just speaking with Peter Malia, but to work with the committee as well. **Mr. Weathers withdrew his second and Mr. Hounsell withdrew his motion.**

Mr. Hounsell made a motion, seconded by Mr. Weathers, that the Board of Selectmen would like the Town Manager to work with Peter Malia and anyone else towards the goal of this property being transferred to the town once the improvements and details have been worked out. Motion unanimously carried. Mr. Weathers left the meeting at this time.

Police Commissioners – Resignation of Chief Sean Billert: Bob Porter, Paul Whetton and David Doherty appeared before the Board. Mr. Doherty stated the Commissioners wanted to eliminate any confusion on the recent resignation of the Chief. Mr. Doherty stated once an impasse was reached the Commissioners joined with Town Counsel and all meetings were held with Town Counsel. Mr. Doherty stated that it is his understanding that the Commissioners were the right body to negotiate this situation, find the money in their budget and to not shift any money within the budget.

Mr. Doherty stated that the Board of Selectmen has received both pieces of their press releases and most of the papers have the press release. Mr. Doherty stated that this is as far as we have to go and we will live within our budget. Mr. Doherty stated that the Commissioners have the right to pay this individual and the request was sent to the Finance Director last week and would expect it to be paid approximately next Monday.

Mr. Hounsell stated that this Board is not second-guessing the authority of the Commissioners, but it seems more and more necessary for the Commissioners and other Boards to communicate. Mr. Hounsell stated that the Town Manager received a phone call from the Governor's Office and he wasn't in a place to respond. Mr. Hounsell stated that it just seems as though more courtesy should have been given to the Town Manager to at least be given the same information that the press is privy to.

Mr. Porter stated that he has been in communication with Mr. Sires. Mr. Hounsell stated when the Town Manager receives a phone call and does not have the information that is out in the press based on a press release, which he doesn't have a copy of is a lack of professional courtesy. Mr. Hounsell stated what we have here is a failure in communication. Mr. Hounsell stated that it puts the Town Manager in an awkward position. Mr. Hounsell stated that he would like to see communications between the Chief and the Town Manger on what is released to the press. Mr. Doherty stated this could be discussed at our meeting on Friday. Mr. Martin stated that the policy needs to be reviewed.

Mr. Doherty stated that the Attorney gave the Commissioners a list of people in which they could speak. Mr. Doherty stated that the Commissioners listened to Counsel throughout the entire process. Mr. Hounsell stated that he commends the press release, as it was very clear.

Mr. Whetton stated that they have heard from a reliable source that the request for the funds to be available on Monday was not going to happen. Mr. Sires stated that there

have been some individual discussions as to how this was going to be absorbed in the budget and that the total bottom line couldn't be exceeded. Mr. Sires stated that the Board of Selectmen had concerns regarding the settlement, which resulted from simply not having had direct communication with them, but having the request go straight to the Finance Director.

Mr. Webster stated that he has been out of Town for the past 10 days and he was asked to sign off on a payment that he felt forced to sign. Mr. Hounsell stated that we have a failure in communication. Mr. Whetton asked if they could expect a check on Monday. Mr. Martin stated that the Board has to vote to approve the expenditure.

Ms. Umberger stated that she does not know how much is in benefits for this year, but she would assume that what ever pay agreement was agreed upon with Chief Wagner was within the pay agreement, and that the \$32,000 paid out was taken into account. Ms. Umberger stated that there is not quite two months left, and she does not want to end up in November a mistake was made in the benefits and labor lines. Ms. Umberger stated that she doesn't have a problem signing if it is within the budget. Mr. Whetton stated there is enough money in the labor line to pay for this expenditure.

Ms. Umberger made a motion, seconded by Mr. Hounsell, to be sure to have the other check ready on Monday. Motion unanimously carried. The Commissioners left at this time.

New High School/Building Fees: Mr. Sires stated there would be a meeting on Thursday afternoon with the school representatives, Conway Village Fire Chief Larry Wade, North Conway Fire Chief Patrick Preece, and David Pandora, Building Inspector in regard to the building fees. Mr. Sires stated that there would also be a meeting between Chief Wagner, Conway Fire Chief Larry Wade and himself to discuss internal communications.

Locust Lane Property (PID 230-47) – For Sale by NHDOT: Mr. Sires stated that the property on Locust Lane owned by the State is going to auction. Mr. Sires asked if the Board would like to see additional easements to connect the existing easement with a trail that might run along the north south road. Ms. Umberger asked if Mr. Sires has approached NDHOT yet. Mr. Sires stated he hasn't other than to bounce it off Don Lyford.

Ms. Umberger made a motion, seconded by Mr. Webster, for the Town to pursue an additional easement. Mr. Hounsell stated that this request should be copied to our Representatives, Senators and the Governor's office. **Motion unanimously carried (4-0-0).**

Charles Sacre (PID 276-222) – Purchase Lane: Mr. Sires stated that Tom Holmes had received a request from a property owner for the Town to purchase his unbuildable land for \$5,000, which is what it was assessed at. Mr. Sires stated that the property owner would like a formal response from the Board of Selectmen. **Ms. Umberger made a**

motion, seconded by Mr. Webster, to purchase the unbuildable lot owned by Charles Sacre for \$5,000. Motion unanimously defeated (0-4-0).

Puddin Pond – Pedestrian Bridge: Mr. Sires stated that Rob Adair had put together a grant application to rebuild the pedestrian bridge at Puddin Pond and we have received that grant.

BOARD REPORTS AND COMMENTS

Mount Washington Valley Economic Council: Mr. Hounsell stated that the Mount Washington Valley Economic Council met last Thursday and he gave an overview of the meeting.

Budget Committee: Ms. Umberger stated that the Budget Committee appointed Robert Drinkhall to replace Mike Digregorio. Ms. Umberger stated that the Committee agreed that they would like the Town Budget by December 15, 2005.

Planning Board: Mr. Martin stated that Ted Sares has resigned from the Planning Board and Robert Drinkhall has been contacted, since he was the third vote getter, to see he would be interested in being appointed to the Board.

Theodore Sares: Mr. Hounsell thanked Ted Sares for his service to this community with his recent resignation as School Clerk, Budget Committee and the Planning Board. Mr. Hounsell thanked Mr. Sares for his involvement and wished him all the best.

TOWN MANAGER GOALS

The Board agreed to move this item to the next agenda.

PUBLIC COMMENT/MEDIA QUESTIONS

Mike Digregorio stated that he wanted to make clear that the town does a lot for the recreation programs and wanted the Board to know how much John Eastman and Todd Gallagher do for them as well.

ADJOURN

Mr. Webster moved, seconded by Ms. Umberger, to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 6:58 p.m.

Respectfully submitted,

Holly Meserve
Recording Secretary