

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

May 23, 2006

The Selectmen's Meeting convened at 4:05 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), Karen Umberger, Dave Weathers, Gary Webster, and Mark Hounsell; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

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 signed the manifest dated May 25, 2006.

APPROVAL OF MINUTES

The approval of minutes was carried to the next meeting.

PUBLIC HEARING: ACCEPT UNANTICIPATED REVENUE:
\$992,000 FROM THE STATE OF NEW HAMPSHIRE/DEPT OF TRANSPORTION TO
THE TOWN OF CONWAY

At 4:06 p.m. the public hearing regarding the acceptance of \$992,000 from the State of New Hampshire Department of Transportation to the Town of Conway was opened.

Mr. Sires explained this money is for landscaping, street improvements, etc, as is outlined in a formalized agreement made with the North Conway Village Association. Mr. Sires further explained that the funds will not be received in a lump sum but will be disbursed over the next several years throughout the life of the project. The Town's auditors have recommended holding the public hearing to accept and formally designate the funds and the monies will be held by the Town by the Finance Director, Lucy Philbrick.

Chairman Martin asked for questions or comments from the public. There were none and the public hearing was closed at 4:10 p.m.

The Board next briefly discussed accepting the money all at once. **Mr. Webster moved, seconded by Mr. Weathers, to accept unanticipated revenue up to \$992,000 from the State of New Hampshire Department of Transportation with a note that the money will not come in a lump sum but will be used as noted in the Memorandum of Agreement between the Mount Washington Valley Preservation Association and the Town of Conway. The motion carried 5-0-0.**

CONSIDERATION OF TRAIL EASEMENTS FOR EAGLES WAY

Bayard Kennett and Attorney Randy Cooper joined the meeting to discuss consideration of trail easements for Eagles Way.

Mr. Sires reviewed that this matter is in an update of some trail easements. The Kennett Corporation is subdividing and this affects the trail easements and we had made previously. Also, once the Bypass is built the existing corridor will go away and these easements will keep a continuous corridor.

Bayard Kennett next reviewed a map of the Mineral Springs Subdivision and area of the proposed trails with the Board and there was a discussion.

Mr. Kennett and Mr. Cooper next explained that they will be before the Planning Board this Thursday for Conditional Approval and need to have the Easement Agreement with the Board of Selectmen for final approval. Mr. Kennett and Mr. Cooper further explained that an agreement is already in place and now this request is for the actual easement.

There was discussion by the Board. The Board agreed they would like the document reviewed before giving final approval on the easement. There was discussion regarding whether to sign the document pending review or to wait until the document was reviewed. Some Board members were not comfortable with signing the document before review. **Ms. Umberger moved, seconded by Mr. Webster, to sign the document upon Earl's review.** Mr. Hounsell advised that he would not be available to sign after today and before Thursday. There was further brief discussion. **The motion failed 2-3-0 with Ms. Umberger and Mr. Webster voting in the positive and Messrs. Hounsell, Weathers and Martin voting in the negative.**

Mr. Hounsell moved, seconded by Mr. Martin, that the Board of Selectmen accept the easement and the Chairman not sign it until after the due diligence of the Town Manager and staff and that if that meets the approval of the Town Manager, the Chair's signature represents the release for recording. Mr. Webster indicated that he would still wait until after the document is reviewed until he signs same. **The motion carried 3-2-0 with Messrs. Hounsell, Weathers and Martin voting in the positive and Ms. Umberger and Mr. Webster voting in the negative.**

The Board requested that, in the future, to please provide information for review ahead of time.

ELDERLY EXEMPTIONS/REVERSE MORTGAGES

Tax Assessor, Thomas Holmes, joined the meeting. Mr. Holmes reviewed information provided to the Board regarding Elderly Exemptions and Reverse Mortgages. (See attached). After brief discussion, **Ms. Umberger moved, seconded by Mr. Webster, to consider reverse mortgage revenue as income for the elderly exemption. The motion failed 0-5-0.**

Ms. Umberger moved, seconded by Mr. Webster, that any interest earned on reverse mortgage deposits will count as income toward the elderly exemption. The motion carried 5-0-0.

FRYEURG WATER/PUC

Public Works Director, Paul DegliAngeli, joined the meeting. Mr. DegliAngeli presented a draft letter prepared to the PUC as directed by the Board and reviewed same. The Board suggested rephrasing one paragraph of the letter. **Mr. Hounsell moved, seconded by Mr. Webster, that we authorize the Chair to sign and communicate this letter with the aforementioned changes. The motion carried 5-0-0.**

AMBULANCE AGREEMENT

Conway Village Fire Chief, Larry Wade, was present for discussion.

Mr. Sires advised that the Town received a response from Conway Village advising they could not agree to the terms of the Ambulance Agreement.

Mr. Hounsell moved, seconded by Mr. Weathers, to withhold payment to existing ambulance service contractors until such time that all stipulations, including but not limited to the contractors providing the town with financial and response data information contained in the ambulance service contract. There was a brief discussion by the Board. Mr. Hounsell explained this is so that the Town can have all the necessary information. Mr. Sires stated he would prefer the Board to determine if the information received is sufficient to their satisfaction when same is received. There was further brief discussion. **Mr. Hounsell amended the motion, seconded by Mr. Weathers, to withhold payment to the existing ambulance service providers continue until such time that all stipulations including but not limited to the contractors providing the town with the financial and response data and information and equivalent document contained in the ambulance service contracts to the general satisfaction of the Town Manager thru December 31, 2005.** There was discussion that the Town Manager would receive the information and forward same on to the Board. Mr. Sires would provide a letter to both providers. **The motion carried 5-0-0.**

Mr. Webster next questioned if there was any interest of the Board to try to salvage this rollover year. Mr. Webster stated the general public wants their ambulance service and he would like to see us keep this another year and start fresh next year. Mr. Webster next suggested opening a dialogue with other precincts.

Ms. Umberger stated that from the contract she read that you need 180 days notification to end a contract. She interprets Chief Wade's letter as a termination of the contract and would like an opinion from Town Counsel on this issue. Chief Wade stated that he wanted it made clear they are not terminating the contract. They just don't agree with the dollar figure and are willing to work together to come to an agreement. There was further discussion by the Board. The Board did not give direction to send this issue to Town Counsel for an opinion.

There was next a brief discussion about mailing the rollover agreement. Mr. Sires explained it was mailed the same way as in years past. It was sent to Conway Village first with the instruction that it be sent to North Conway Ambulance after signing. Conway Village returned the agreement to Town Hall unsigned. There was next a discussion as to whether the agreement should be forwarded to North Conway

Ambulance for signature. No Board decision was made and no direction was given to staff on this issue.

Mr. Hounsell moved, seconded by Mr. Weathers, that we authorize the Town Manager to communicate in writing to the Fire Chiefs and Precinct Commissioners asking them if they are interested in pursuing the discussion of the future of ambulance service throughout the Town. Ms. Umberger stated that North Conway Precinct is not authorized by their charter. Mr. Hounsell stated they could still participate in a discussion. After further brief discussion, **the motion carried 4-1-0 with Ms. Umberger voting in the negative.**

DISCUSSION OF AIRPORT BOARD REPRESENTATION

The Board held a discussion on the continued involvement of the Town with the Eastern Slope Airport. The Board agreed that it was important to keep a connection to the Airport. Mr. Webster pointed out that some decisions made by the Airport Board could impact Conway citizens and we need to be cognizant of what is going on at the airport. The Board agreed that one elected official and one private citizen from the Town should be appointed to the Airport board. **Mr. Webster moved, seconded by Mr. Weathers, that for the foreseeable future, the Town of Conway representatives on the Eastern Slope Airport Authority be one elected official and one private citizen appointed by the Board.** Mr. Webster suggested notifying the ESAA of this change by letter from the Town. **The motion carried 5-0-0.** The Board all agreed that Mr. Webster will continue as the representative to the Airport Board.

TOWN MANAGER REPORT

Summer schedule – Mr. Sires distributed a memo listing the summer schedule of Board meetings. Meetings will be held every other Tuesday starting May 30, 2006 through September. The meeting schedule is subject to change, if necessary.

Commissioner Murray Letter – Mr. Sires distributed and reviewed a copy of a letter received from Commissioner Murray dated May 17. This letter was in response to the letter sent by the Town. Mr. Hounsell suggested sending a letter back to Carol Murray thanking her for her response and the Board agreed.

Meeting with Ray Burton – Mr. Sires reported receiving a call from Councilor Burton's office. A meeting has been scheduled at Town Hall with Councilor Burton and Carol Murray of the NHDOT for Tuesday, June 13, 2006 at 9:00 a.m. to discuss construction concerns. The Board asked if a CDRC meeting could be scheduled for the same day.

Conway Police Department Letter – Mr. Sires distributed and reviewed a copy of a letter from the Conway Police Department asking for help with traffic control concerns regarding the construction in North Conway.

BOARD REPORTS AND COMMENTS

Joint Town/School Committee – Ms. Umberger reported there was an organizational meeting of the Joint Town/School Committee today regarding healthcare. The Committee agreed to receive input from three providers and Mr. Sires will be contacting them and scheduling same for an upcoming meeting of the committee.

Memorial Day Weekend – Mr. Webster reminded everyone to be safe and mindful of the construction and traffic this Memorial Day weekend.

Striping/Crosswalks – Mr. Hounsell thanked Earl and staff for getting crosswalks and striped in front of the schools.

Request for Signs on West Side Road – With regard to the discussion held last week on the Swift River Local Advisory Committee's Request for Signs on West Side Road, **Mr. Hounsell moved, seconded by Ms. Umberger, to reconsider the vote to call for a Public Hearing for signs on West Side Road.** Mr. Hounsell explained that this was due to comments received from citizens of overwhelming non support of signs. **The motion carried 5-0-0.**

Mr. Webster moved, seconded by Mr. Weathers, that we hold a public hearing for the signs on West Side Road. The motion failed 0-5-0.

Mr. Hounsell moved, seconded by Ms. Umberger, that we authorize the installation of the Swift River signs. The motion failed 0-5-0.

Mr. Sires advised that there has also been some inquiry about the number of signs on River Road as well. Mr. Sires further commented that there may be some unnecessary signs at the second and third bridge and he has asked the police chief to look and see which ones are unnecessary. Mr. Sires advised he would advise the Board on this in the next few weeks.

Dedication of Dick O'Brien Memorial Field – Mr. Martin advised that the dedication of the Dick O'Brien Memorial Field will be held on May 26, 2006 at 7:45 p.m. The Board agreed that Mr. Hounsell would speak on behalf of the Board at the dedication ceremony.

PUBLIC COMMENTS / MEDIA QUESTIONS

There were no public comments or media questions.

NON PUBLIC SESSION: NH RSA 91-A:3,II(a) TOWN CLERK/TAX COLLECTOR

It was agreed that this agenda item would be carried to the next meeting.

ADJOURN

Mr. Weathers moved, seconded by Mr. Webster, to adjourn the meeting. The motion carried 5-0-0.

The meeting adjourned at 6:45 p.m.

Respectfully submitted,

Karen J. Hallowell
Executive Secretary

