

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

June 27, 2006

The Selectmen's Meeting convened at 4:06 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 document contained in the document folder

APPROVAL OF BILLS

The Board reviewed and signed the manifest dated June 29, 2006.

APPROVAL OF MINUTES

**Ms. Umberger moved, seconded by Mr. Weathers, to approve the minutes of the 5/16/06 regular meeting and 5/16/06 meeting at Colleen Doe's house, as written. The motion carried unanimously.**

**Ms. Umberger moved, seconded by Mr. Webster, to approve the minutes of 5/23/06.** Ms. Umberger noted corrections as follows: Page 1, paragraph 2, under the heading regarding the Public Hearing to Accept Unanticipated Revenue, the sentence should reads "...outlined in a formalized agreement made the North Conway Village Association." and should be corrected to read "...outlined in a formalized agreement made with the North Conway Village Association."; Page 2, paragraph 5, under the heading Consideration of Trail Easements for Eagles Way, the motion regarding signing the document with a vote of 2-3-0 should read "failed" not "carried"; Page 5, paragraph 4, under heading Request for Signs on West Side Road, the motion to authorize the installation of signs should read "failed" 0-5-0 instead of "carried". **Ms. Umberger amended the motion, seconded by Mr. Webster, to approve the minutes as amended. The motion carried 5-0-0.**

Consideration of the minutes of 5/30/06 and 6/9/06 was carried to the next meeting.

EXIT INTERVIEW WITH EXTERNAL AUDITOR

Accountant, Greg Colby, of the firm Plodzick and Sanderson, and Finance Director, Lucy Philbrick, joined the meeting. A copy of the audit and letter of opinion of the Town was distributed to the Board. Mr. Colby reviewed the report and letter of opinion with the Board and commented on the clean opinion the town has received. Mr.

Colby also commented on the good financial condition of the Town and complimented Lucy and staff. There was a brief discussion with the Board.

CONSIDERATION OF REQUEST BY NCWP FOR 50-YEAR LEASE FOR PROPERTIES LOCATED AT 16 AND 18 SEAVEY STREET, NORTH CONWAY

North Conway Water Precinct Commissioner, Jim Umberger, and North Conway Fire Chief, Pat Preece, were present for discussion.

Mr. Sires reviewed that previously the Board had voted to give the property located on Seavey Street to the NCWP as they had requested but a legal review revealed this would require town meeting vote. Mr. Sires advised that the idea of a 50-year lease is now being considered. There was brief discussion by the Board. **Mr. Hounsell moved, seconded by Mr. Webster, that we enter into a 50-year lease for property located at 16 and 18 Seavey Street, North Conway. The motion carried 5-0-0.** Mr. Sires advised this should be confirmed by legal as well and or it may need an intergovernmental agreement. There was further brief discussion. **Mr. Hounsell moved to reconsider, seconded by Mr. Webster, and carried 5-0-0.** **Mr. Hounsell moved, seconded by Mr. Webster, that we enter into a 50-year lease for property located at 16 and 18 Seavey Street, North Conway, or enter into an Intergovernmental Agreement if the lease isn't possible at this time. The motion carried 5-0-0.**

TEMPORARY USE AGREEMENT WITH NHDOT FOR RETENTION BASIN AT COMMON COURT CONNECTOR

Public Works Director, Paul DegliAngeli, was present for discussion.

Mr. Sires advised that there is a need to put a retention basin on a small parcel of land which would be partially on land currently owned by the State. This would be needed in moving forward with the northern roundabout. NHDOT Commission Murray and Councilor Ray Burton have been contacted regarding this matter. Mr. Sires advised if the town moves forward with this we would need to secure a use agreement and then purchase the land required and this should be covered by money we have for the northern roundabout. Mr. DegliAngeli suggested writing to the Commissioner and requesting they sell the lot to the Town. Mr. DegliAngeli advised that the process is that the State would have an appraisal done, then the offer goes to Governor and Council, a price is set, etc. Further, in the interim, while all of this is happening, the State would forward the Town a temporary agreement. There was brief discussion by the Board. **Ms. Umberger moved, seconded by Mr. Weathers, that we have Paul DegliAngeli send a letter to the NHDOT for the purchase of the land required for the northern roundabout. The motion carried 4-1-0 with Mr. Hounsell voting in the negative.**

**Mr. Webster moved, seconded by Mr. Weathers, that after all appropriate reviews, that Earl Sires will be authorized to sign the Agreement with the NHDOT regarding this piece of property. The motion carried 5-0-0.**

REVIEW OF TOWN PROJECTS

Mr. DegliAngeli provided a brief review of town projects to the Board. Mechanic Street is waiting a top coat of pavement and it is anticipated it will be done July 12,

weather permitting. Work is now being done on Hillside Avenue and Muster Avenue with the Precinct. Also, Old West Side Road was reclaimed a couple of weeks ago and we are awaiting the overlay.

#### STATE BUILDING CODE – RESIDENTIAL INSPECTION

Building Inspector, David Pandora, joined the meeting.

Mr. Sires reviewed Article 39 from the 2003 town meeting, which was passed by the voters regarding inspections. Mr. Sires next reviewed that effective July 8, 2006 a new state law goes into effect regarding inspections. Mr. Sires next advised that he has contacted Susan Slack of the Municipal Association and she had opined that until the town votes again we may have to have residential inspections. Mr. Sires added we would need to hire someone to do same if required. There was a discussion by the Board regarding residential inspections. It was pointed out that voters never voted for mandatory inspections. It was also questioned if the State would come in and do the inspections. After further discussion, Mr. Pandora advised that he has not yet been contacted by anyone from the state yet and suggested that he collect more data on this matter from the State such as how they plan on enforcing etc. The Board agreed.

#### CONSIDERATION OF REQUEST FOR PROPERTY EXEMPT STATUS FOR NEWLY ACQUIRED LAND ADJACENT TO CHILDREN UNLIMITED

Nancy Cavaleri, Financial Manager for Children Unlimited joined the meeting. Tax Assessor, Thomas Holmes, was also present for discussion.

Ms. Cavaleri advised that Children Unlimited just purchased a ½ acre behind their property. They didn't know they needed to merge the lots for it to be exempt until recently. They have now submitted an application to the Planning board and are awaiting approval. They are requesting that the taxes be abated. There was a brief discussion. **Ms. Umberger moved, seconded by Mr. Hounsell, to abate taxes based on approval of Planning Board of merger lot. The motion carried 5-0-0.**

#### APPOINTMENT WITH PAT SELL/ENFORCEMENT CONCERN

This agenda item was withdrawn.

#### PUBLIC COMMENTS / MEDIA QUESTIONS

Peter Gagne/River Road First Bridge – Peter Gagne stated that he represents canoe outfitters and campgrounds in the area. Mr. Gagne next stated that canoe companies utilize the area on River Road for loading/unloading and are looking for a safe area to do so. Last week he met with Mr. Sires, Mr. DegliAngeli and Police Chief Wagner at the location on River Road to talk about this issue. Mr. Gagne next distributed a hand drawn map to the Board with a proposal to move some boulders for a canoe loading/unloading area and to put up a 5 minute “unloading area” sign. Mr. Gagne further advised the land is owned by the North Conway Water Precinct (NCWP) and he has also spoken with Mr. Bernier on this matter.

There was a lengthy discussion on the matter. The Board generally agreed that since this is NCWP property it is not this Board's decision to make. The Board was

generally supportive of trying the idea for the season if NCWP is agreeable. The Board also agreed that a long term solution is needed. The Board also warned that signed is a touchy issue. Further, it was pointed out that the Town cannot help out with enforcement of 5 minute parking for canoe launch area if this should happen and Mr. Gagne acknowledged that he understood.

Mr. Hounsell next suggested that a letter be written to the NCWP stating that this Board thinks there is a demonstrated need that something be worked out. Mr. Webster felt the letter could also suggest that a long term solution needs to be worked out as well. Mr. Gagne next advised that liveries and campgrounds are forming an organization to fundraise and look toward a better future solution as well. **Mr. Webster moved, seconded by Mr. Weathers, to write a letter to the North Conway Water Precinct stating that we think there is a demonstrated need that something be worked out and that something needs to be done and that a long term solution needs to be worked out as well and, also, there is a willingness of this Board to help facilitate an interim solution. The motion carried 4-1-0 with Mr. Martin voting in the negative.**

**Mr. Webster moved, seconded by Ms. Umberger, that should the North Conway Water Precinct approve this opportunity to get through this season that at the end of this season a meeting be convened to look at a long term fix. The motion carried 3-2-0 with Ms. Umberger and Messrs. Hounsell and Webster voting in the positive and Messrs. Weathers and Martin voting in the negative.**

Ambulance – Hud Kellogg stated that it has been 77 days since the Town voted to do the rollover regarding the ambulance agreement and he is here to urge that action be taken. Mr. Kellogg also stated that he recommend the Board make a committee of citizens to look at a 2008 contract and report back in October with a recommendation.

There was discussion with the Board. The Board assured Mr. Kellogg they have continued to look at the ambulance issue. The Board also advised Mr. Kellogg of a letter that was sent to the Fire Departments to put together discussions regarding the future of ambulance in Town.

#### TOWN MANAGER REPORT

Recreation Program – Mr. Sires advised that both the towns of Albany and Eaton have responded to the letter sent regarding meeting to discuss recreation funding. The Board agreed a meeting should be scheduled with representatives from Albany, Eaton, Earl Sires, Mark Hounsell and a staff person

Fourth of July – Mr. Sires advised that Town offices will be open on Monday the 3<sup>rd</sup> of July and closed on the Fourth of July. On the 4<sup>th</sup>, there will be a parade in Conway and festivities and fireworks in North Conway.

#### BOARD REPORTS AND COMMENTS

Budget Committee – Ms. Umberger reported a Budget Committee meeting was held on June 14, 2006. Mr. Sires spoke at the meeting about hiring a Emergency Management person and the Budget Committee was favorable. There was also discussion at the meeting on the School Budget. The Budget Committee also appointed

a new member at the meeting. The next Budget Committee meeting is scheduled for July 19, 2006.

Valley Vision – Mr. Webster reported he attended a Valley Vision Board meeting. They apologized for the blue screen problems they had recently. This was due to new equipment problems and they hope to have the problems solved soon. Mr. Webster also advised there was discussion regarding that there is some interest in communities who have been shut off to be turned back on to Valley Vision.

Shared Information – Mr. Hounsell questioned if the Town has heard from the School regarding developing procedures for the shared information policy. Mr. Sires advised we have not received this information but he would contact the school regarding same.

Trees on North-South Road – Ms. Umberger commented on the new trees planted along the North-South Road but also pointed out that there are still some dead ones. Mr. Sires advised that the Town will pull up the dead trees and find out about replacing them.

Joint Town School Committee - Ms. Umberger reported that Primex and LGC spoke about insurance programs at the Joint Town School Committee held on June 20, 2006. Mr. Sires will be scheduling School Care to talk to the Committee in the next couple of weeks.

Pandemic Planning – Mr. Martin reported there is a Pandemic Planning meeting scheduled at the Notchland Inn tomorrow.

Technology Village Dedication – Mr. Martin reported the Mount Washington Valley Technology Village dedication ceremony is scheduled for tomorrow afternoon at 4:00 p.m.

#### ADJOURN

**Mr. Weathers moved, seconded by Mr. Webster, to adjourn the meeting. The motion carried unanimously.**

The meeting adjourned at 6:50 p.m.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary