

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN**

November 6, 2007

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

PLEDGE OF ALLEGIANCE

Chairman Weathers 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.

CONSIDERATION OF BILLS

The Board reviewed and signed the manifest dated November 8, 2007.

CONSIDERATION OF MINUTES

Mr. Martin moved, seconded by Mr. Webster to accept the minutes of 8/7/07 regular meeting, 8/21/07 regular and non public, and 9/11/07 regular and non public meetings, as written. The motion carried 5-0-0.

It was agreed that the minutes of 9/25/07 would be considered at the next meeting.

2007 VETERANS DAY PROCLAMATION / AMERICAN LEGION POST 95

On behalf of the Board, Selectmen Webster and Dickinson presented the American Legion Post 95 Veterans with the Town of Conway 2007 Veterans Day Proclamation.

Major Frank McCarthy reviewed activities that will be held at both Schouler Park and Kennett High school on Veterans Day.

DISCUSSION OF CURRENT ASSESSMENT LEVELS

Tax Assessor, Tom Holmes, joined the meeting. Mr. Holmes reviewed information he provided to the Board concerning current assessment levels. A copy of Mr. Holmes' memo is attached hereto.

DISCUSSION OF PROPOSED TAX SALE

Mr. Sires reviewed the schedule of town owned properties with the Board. Mr. Sires reviewed the properties listed to retain, sell, and sell with restrictions. Mr. Sires suggested holding the tax sale on December 5, 2007 at 1:00 am and requested

authorization for same. Mr. Sires further advised that the Board may chose to set minimum bids or they could start the minimum bid at what is owed in taxes. Mr. Sires advised he would recommend the latter. After brief discussion **Mr. Dickinson moved, seconded by Mr. Martin, that the opening bid be started at the outstanding tax amount on the property and that the list was reviewed and acceptable and the sale will be held on December 5, 2007. The motion carried 5-0-0.**

DISCUSSION OF SCHOOL DISTRICT RESPONSE TO
DEFAULT BUDGET LETTER FROM BUDGET COMMITTEE

Mr. Sires reviewed the Budget Committee wrote a letter to the Board of Selectmen regarding a legal opinion regarding the school budget. The Board of Selectmen wrote to the School Board. Mr. Sires distributed copies of school's responses for the Board's review.

Budgeteer, Phil Dighello, was present and advised that the Budget Committee had voted unanimously to ask for a legal opinion from town counsel regarding the school default budget. All they want at this point is an opinion. Mr. Dighello further reviewed that Budget Committee members also went before the legislature and testified when a bill was before the legislature on this same issue however the bill failed. **Mr. Dickinson moved, seconded by Mr. Martin, that we forward the documents concerning the Budget Committee's representation of the school default budget to town counsel for his opinion.** There was further brief discussion. **The motion carried 5-0-0.**

DISCUSSION REGARDING DARK SKY LIGHTING BY NHEC

Bob Drinkhall joined the meeting. Public Works Director, Paul DegliAngeli, was also present for discussion.

Selectman Martin pointed out that he works for New Hampshire Electric Cooperative (NHEC) but does not feel the need to recuse himself from this discussion at this time.

Mr. Drinkhall stated that he noticed new lights, which are dark sky lighting, and doesn't feel these conform with town lighting requirements.

The Board held discussion on the lights, fixtures, and the lighting policy. It was pointed out that it is a Selectmen's policy not an ordinance. Mr. Martin also explained the reasons for changing to dark sky lighting due to they are energy efficient and a non hazardous material. Mr. Martin further explained that NHEC has been replacing these all along but has recently replaced the rest all at once. They have been using these lights for many years. There was also brief discussion by the Board regarding the precinct lighting.

The Board gave a directive to Mr. DegliAngeli and Mr. Sires to check with the lighting districts and get a copy of their lighting requirements and report back. Mr. Weathers advised this matter would be adjourned for further discussion at a later date.

DISCUSSION REGARDING PROPOSED KENNETT PROPERTY ALONG THE SWIFT
RIVER IN CONWAY – DAVID HOUGHTON/CONSERVATION FUND

This agenda item was canceled.

PROPOSED SITING OF COMMERCIAL WELL(S) ON WEST SIDE ROAD

Mr. Hounsell reviewed that a motion was made and tabled at the August 7, 2007 meeting regarding writing to the Governor and Council concerning opposition to the proposed siting of commercial wells and asked that it be taken off the table for discussion. **Mr. Dickinson moved to take the motion off the table. The motion to take the motion off the table carried 5-0-0.** Mr. Hounsell next reviewed the motion as follows: **Mr. Hounsell moved, seconded by Mr. Dickinson, that the Board of Selectmen write to the Governor and Council and tell them that we oppose the citing of a commercially owned well on West Side Road as part of the upgrade of the Birch Hill water system.** Mr. Hounsell stated that he feels it is time to send this letter off now as it is in line with what was previously voted on. Mr. Dickinson added that local representatives should be copies as well. Mr. Weathers advised that he does not agree with sending this letter as it is a desire, a wish, and we don't have the authority to say that. Mr. Webster stated that he does not agree with writing a letter citing our opposition to the siting of a well but would be agreeable to writing a letter reiterating what is in the best interest of Conway. Mr. Hounsell agreed and advised that he would be willing to withdraw his motion and instead send the vote and motion taken at the last meeting where we want it want to be owned by a municipal entity. **Mr. Dickinson withdrew his second and Mr. Hounsell withdrew his motion.**

Mr. Hounsell moved, seconded by Mr. Martin, that we convey to the Governor and Council the vote of October 23, 2007 wherein we said that we want whatever is built to be owned by a municipal entity and request that they distribute the enclosed information to all interested parties. The

Mr. Hounsell left the meeting at 5:20 p.m.

DISCUSSION OF CITIZENS DESIGN REVIEW COMMITTEE

Mr. Webster made a motion, seconded by Mr. Dickinson, that a committee of a couple of Selectmen look at this and make a recommendation to the Board. It was agreed that Mr. Webster and Mr. Dickinson will sit on this committee. **The motion carried 4-0-0.**

PRESENTATION OF PROPOSED 2008 BUDGET

Mr. Sires presented the proposed 2008 budget to the board and briefly reviewed the setup of the budget, the increases, and the narrative.

TOWN MANAGER REPORT

Town Hall Construction Project – Mr. Sires distributed a memo analysis of a town hall construction project as requested by the Board discussing long term debt, construction costs, space, etc. and reviewed same with the Board.

Mount Washington Valley Ski Touring Agreement – Mr. Sires presented the annual operating agreement between the Town, School and MWVSTA. Mr. Sires reviewed this is the same agreement as last year and recommends its approval.

Mr. Sires further reported that a grant of \$50,000 was received this year as well as some other funding for a new (used) groomer for the MWVSTA.

Mr. Martin moved, seconded by Mr. Webster, that we accept the agreement with the Mount Washington Valley Ski Touring Association. The motion carried 4-0-0.

Granite State Fair Tax Association – Mr. Sires reported the Granite State Fair Tax Association contacted the Town with regard to a warrant article to ask that the tax structure of New Hampshire be changed to include other sources of revenue other than property tax

Whitaker Woods Monument – Mr. Sires reported that Faith Schrader contacted the town and advised she would like to see the Whitaker Woods monument moved from its current location to the Meeting House location.

Burbank Road – Mr. Sires reported the Town was contacted by Mr. Russell's attorney regarding the Burbank Road matter. Mr. Sires advised he will provide the Board with a copy of the correspondence and will also forward same to town counsel

Cathedral Ledge Water System – Mr. Sires reported that the Town was contacted by the Cathedral Ledge Water System asking for input from the Town on a water conservation plan. The Board agreed staff could look at this and then report back.

BOARD REPORTS AND COMMENTS

Fryeburg Planning Board Letter–Mr. Dickinson advised that Fryeburg is reviewing a matter concerning the siting of a trucking facility in a rural residential district and whether this is to be considered low impact. Nestle wants to put a location in Fryeburg. Mr. Dickinson advised he has prepared a letter concerning the siting of this trucking facility and distributed and reviewed same with the Board. There was no opposition by the Board to sending the letter. The Board signed the letter.

Larry Wade Retirement Dinner – Mr. Dickinson reviewed that he, Mr. Sires, and Mr. Weathers attended the retirement dinner held for Fire Chief Larry Wade on Saturday, November 4, 2007. The Selectmen's Proclamation for Chief Wade was read at the dinner and was well received.

PUBLIC COMMENTS / MEDIA QUESTIONS

There were no public comments or media questions.

NON PUBLIC SESSION / RSA 91-A,II(c) / WEST MAIN RECREATION

At 5:45 p.m., **Mr. Martin moved, seconded by Mr. Webster, to go into non public session under RSA 91-A,II(c).** Mr. Weathers advised Town Manager, Earl Sires, Tax Assessor, Tom Holmes, Bob Murphy, President of West Main Recreation, Jay Donabedian, Vice President of West Main Recreation, and Karen Hollowell, Recording Secretary, would be going into the non public session. **The motion carried by unanimous roll call vote.**

At 5:29 p.m. the Board returned to public session. A motion to seal the minutes of the non public session until the matter is resolved was made and carried in non public session.

ADJOURN

At 6:30 p.m., **Mr. Webster moved, seconded by Mr. Dickinson, to adjourn the meeting. The motion carried unanimously.**

Respectfully submitted,

Karen J. Hallowell
Executive Secretary