

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN  
December 10, 2019**

The Selectmen's Meeting convened at 4:02 pm in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Town Manager, Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

Mr. Weathers noted that Mr. Porter was unable to attend the meeting.

CONSIDERATION OF UNANTICIPATED REVENUE LESS THAN \$10,000/RSA 31:95-B III

- a. \$250.00 from Ted Phillips for Police Equipment

Lieutenant Chris Mattei explained that this citizen has donated to the Police Department for the past 4-5 years and that they request that it be applied to the Police Equipment line.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the \$250.00 from Ted Phillips and apply it to the Police Equipment line. The motion carried unanimously.**

DISCUSSION OF NORTH CONWAY WATER PRECINCT SEPTAGE DISPOSAL  
AGREEMENT

Mr. DegliAngeli explained referred the Board to an excerpt from the statute regarding waste disposal. He noted that similarly to this, they have an agreement with the water precinct for their leachate.

It was clarified that this is a five-year agreement.

**Mr. Colbath moved, seconded by Ms. Seavey, to sign the water precinct septage disposal agreement. The motion carried unanimously.**

FINANCIAL UPDATE

- a. Revenue

Mr. Holmes referred the Board to page 5 in their packets to review revenues that had been collected as of December 9, 2019. This figure was \$3,648,837 of the budgeted \$3,913,256 for 2019.

Some areas to note were that they had exceeded their budgeted land use change tax revenue and yield tax revenue.

He added that their revenue from late tax payment interest was down as the state had lowered the interest rates.

He noted that motor vehicles registration revenue was on track to finish the year right about the budgeted \$2,000,000.

Mr. Holmes stated that they had not received their rooms and meals tax grants yet.

Mr. Holmes noted that the revenue for recreation was down as Eaton had voted not to fund it.

In regards to the sale of town property, they were way over their projected revenues with an actual collected amount of \$21,925 over their \$2,000 budgeted figure.

Mr. Holmes noted that they would soon need to discuss whether they were planning to sell the old recreation center.

#### b. Expenditures

Mr. Holmes explained that as of December 9, 2019, they had 10.08% left in the budget for expenditures.

He noted some areas that still were expected to spent such as their technology services bill with Northledge Technology.

Mr. Holmes noted that they were over budget on Landfill Engineer for Solid Waste due to the mandated testing of PFAS.

Mr. Holmes noted that they had gone over their budgeted figure for highway sand and gravel due to having to use it for the deferred paving project.

There was brief discussion regarding the purchase of a server for the recreation center as per the request at the previous board meeting. It was determined that this was funded out of the recreation revolving fund.

There was brief discussion on whether reducing the legal fee budget for 2020 was the way to go. Mr. Holmes stated that he felt comfortable with the figure.

**Mr. Colbath moved, seconded by Mr. Thibodeau, to accept the quarterly budget updates for Revenues and Expenditures as presented. The motion carried unanimously.**

BUDGET REVIEW

a. Revenue

Mr. Holmes stated that the total budget for general fund revenues for 2020 was being proposed at \$4,095,688. He explained that this figure is based around the revenues that had been collected in 2019 and an analysis of what may be required for next year. He added that the Board will have chances to modify this figure several times during 2020.

b. Department of Public Works

i. Government Buildings

Mr. DegliAngeli explained that the budget for Government Buildings is used for the routine maintenance, utilities, and supplies.

Mr. DegliAngeli noted that he was increasing the recreation maintenance and supplies budget due to the increase in size of the new recreation center.

He added that they have no plans to test the water anymore at the old recreation center so that budget line was zeroed out.

There was discussion regarding what the Board should do in regards to selling the old recreation center. The Board discussed opening it up for proposals from realtors or just trying to sell it independently.

It was determined that Mr. Holmes would look more into these options and report back to the Board.

ii. Highway

Mr. DegliAngeli stated that the request for Highway was down 1.4%.

Mr. Colbath inquired as to the reason for the reduced budget request. Mr. DegliAngeli explained that they had adjusted the budget up in March for overtime and salt, but the winter did not keep that same pace. He did add that they can always look to increase this figure during the Deliberative portion of Town Meeting.

It was stated that the next project was going to be Birch Hill Road.

There was a brief discussion on the process of documenting data when areas of town are rebuilt.

iii. Solid Waste

Mr. DegliAngeli stated that the proposed increase for the Solid Waste budget is mainly due to the mandate from the State for PFAS testing. He noted that this process is very expensive and he does not see the town offering to do extra testing because of this.

There was a discussion regarding the change from oil barrels to totes at the transfer station.

c. CRF Warrant Articles

i. CRF for Infrastructure Reconstruction

Mr. DegliAngeli stated that they feel they can propose lowering this request to \$500,000.

There was discussion regarding the process of the Main Street Project and the town being responsible for financing the project and waiting for reimbursement from the State.

Mr. DegliAngeli stated that the goal is to go to bid for the project in February for a May or June construction start. He added that they hope to have a more accurate figure regarding costs for this project in January. He noted that they may wish to revisit this figure at the Deliberative Portion of Town Meeting.

There was a brief discussion as the legality of transferring money from the CRF to the TANS budget, or asking that the TANS line be increase.

Mr. DegliAngeli added that the Multi-Use Path project is also scheduled to go to bid in the Spring for a late summer construction start and the town will again need to be the fiscal agent for this project.

There was discussion regarding the Swift River Bridge Work that has now been pushed out to 2028-2030.

Mr. DegliAngeli explained that with the Birch Hill Road reconstruction project schedule for 2020, he is looking to deviate from the road standards that they had been following typically because of the ledge in that area.

ii. CRF for Maintenance of Town Buildings and Facilities

Mr. DegliAngeli reviewed that the Board had requested separate warrant articles for the projects that had been discussed so this CRF request was strictly for \$350,000 for the garage expansion project.

The other warrant articles would be discussed later but included the police generator, funds to renovate town hall, and the air conditioner for the recreation center gym.

Chief Wagner stated that this was the first he had heard of them breaking them into separate warrant articles and expressed concern that if their current generator goes, they have no power at the police station.

Mr. Weathers stated that the Board believed that by breaking them down individually, they would have more of a chance of passing than if they were all lumped together.

iii. CRF for Maintenance of Town Buildings and Facilities Leased by the Town

Mr. Holmes explained that an issue has been raised regarding the \$160,000 for renovations at the new town hall that had been approved by voters in 2018 and encumbered last year. He noted that he was checking with town counsel to see if they would be able to transfer the funds into the CRF prior to the end of the year or if they would have to go before the voters to get approval to move it from the general fund to this particular CRF.

He noted that the CRF request is currently for \$255,000 and that includes the proposed warrant articles for both the town hall move and the recreation center air conditioner.

iv. CRF for Landfill Expansion

Mr. DegliAngeli stated that he would be asking for the same \$80,000 for this CRF that he has asked for in the past.

He noted that they began filling phase three of the landfill this past summer.

v. CRF for Highway Equipment Replacement

The request for 2020 was for \$200,000 and we are scheduled to replace a \$165,000 "Wheeler" in 2020.

vi. CRF for Solid Waste Equipment Replacement

The proposed warrant article request was for \$180,000 a pickup truck and a Cub Cadet tractor in 2020.

vii. CRF for Parks Department Vehicles and Equipment Replacement

The request was for \$7,000 with no scheduled equipment purchase in 2020.

viii. CRF for Police Department Vehicles

The current request for this CRF was presented at \$70,000. Chief Wagner explained that he planned to purchase two cruisers in 2020. He did state that he would be willing to lower his request if that was the Board's wish as there was \$39,072 in the fund currently. However, it was the consensus of the Board that they liked the stability and planning and would like to see this request remain at \$70,000.

ix. Expendable Trust Fund for Public Educational Government Cable Television

Mr. Holmes reminded the Board that Bill Edmunds had discussed this at the previous meeting and was requesting level funding of \$110,000.

Mr. Holmes explained what the tax impact of the budget and capital reserve funds as presented would be. He did note that there would be only minimal to no impact on this from the Selectmen's Warrant Articles that were to be discussed next. He stated that this would make the tax rate 5.46. While this is higher than last year's rate which was 5.02, it does not take into consideration any growth in the tax base which is likely to increase, as well as any money that that Board decides to use to offset the rate in the fall. He stated that it would essentially be the worst-case scenario.

d. Other Selectmen's Warrant Articles

i. Eastern Slope Airport Authority

Mr. Thibodeau stated that the ESAA would be requesting \$10,000 again.

ii. New Recreation Center Gymnasium Air Conditioner

Mr. Holmes noted that this request was for \$95,000 for air-conditioning in the rec center gym. He did note that while highly unlikely, he wanted to include the language of "non-lapsing" to play it safe in case the work was not able to be completed in 2020.

iii. Police Generator

This request was for \$100,000 for the police generator, however, Chief Wagner made it clear that 50% of that was to be funded by a grant, not appropriated through taxes.

iv. Police Union Contract

Lieutenant Mattei presented two options for the Selectman to consider in regards to the collective bargaining agreement for the police department. These options included both a 2- or 3-year contract option.

It was determined that the consensus of the Board, Police Department, and Police Commissioners that the preferred contract was that for 3 years. The cost was essentially the same and Mr. Thibodeau stated he preferred the stability of the longer contract. Mr. Colbath added that the 3-year agreement represents a good faith relationship.

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

**ARTICLE \_\_\_: (Separate – not included in Budget Appropriation Article #?) To see if the town will vote to approve the cost items of a three-year COLLECTIVE BARGAINING AGREEMENT FOR THE CALENDAR YEARS 2020-2022 BETWEEN THE TOWN OF CONWAY AND CONWAY POLICE DEPARTMENT which calls for the following increases in salaries and benefits over the costs that would have been paid under the current agreement at the current staffing levels.**

Calendar Year	Estimated Increase
2020	\$8,708
2021	\$46,206
2022	\$47,593

**And further to raise and appropriate the sum of Eight Thousand Seven Hundred Eight Dollars (\$8,708) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid under the current agreement at current staffing levels. The total compounded cost of the 3-year agreement is \$166,129.**

**The motion carried unanimously.**

- v. Transfer Town Hall Money to CRF

Mr. Holmes reviewed that this would only be added to the warrant if they are told they are unable to encumber the previously voted upon \$160,000 for costs associated with the move to the new town hall building.

- vi. Modify Elderly Exemption

Mr. Holmes explained that with the major increases in property values after the revaluation, many elderly tax payers are finding themselves having to pay taxes for the first time in years. He wanted to revisit the elderly exemption figures that had not been changed since about 2004.

Mr. Holmes explained that there are currently only 67 or 68 people in town who receive this exemption due to the very low-income limits that are required to qualify.

Mr. Holmes stated that with only a potential two-dollar total increase to the rest of the tax payers, the majority of these elderly taxpayers would be able to get some, if not full relief from their property taxes.

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

**ARTICLE \_\_\_\_: Shall the town MODIFY the provisions of RSA 72:39-a for elderly exemption from property tax in the TOWN of CONWAY, based on assessed value, for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years, \$75,000; for a person 75 years of age up to 80 years, \$90,000; for a person 80 years of age or older \$105,000. To qualify, the person must have been a New Hampshire resident for at least 3 consecutive years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married to each other for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \${AMOUNT not less than \$13,400} or, if married, a combined net income of less than \${AMOUNT not less than \$20,400}; and own net assets not in excess of \${AMOUNT not less than \$35,000} excluding the value of the person's residence. (Majority vote required)**

**The motion carried unanimously.**

vii. Modify Disabled Exemption

**Mr. Colbath moved, seconded by Ms. Seavey, to place the following article on the warrant:**

**ARTICLE \_\_\_\_: Shall the town MODIFY the provisions of RSA 72:37-b, Exemption for the Disabled from property tax, based on assessed value for qualified taxpayers to be \$75,000. To qualify the person must have been a New Hampshire resident for at least 5 years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least 5 consecutive years. In addition, the taxpayer must have a net income of not more than \$19,000 or if married, a combined net income of not more than \$25,000, and own net assets not in excess of \$50,000 excluding the value of the person's residence. (Majority vote required)**

**The motion carried unanimously.**

Mr. Holmes noted that a person can only get one or the other in regards to the elderly or disabled exemption.

viii. Transfer Station Solar Lease and PILOT



Mr. Holmes explained that in 2017 the voters approved the PILOT and Lease for Solar Garden for the transfer station and the landfill. Since then, there has been issues with litigation between companies. Currently, a company called Blue Plant has the lease for the transfer station and was asking for changes in the lease. However, because these were approved by the voters, he does not believe that they can do this.

Mr. Holmes proposed including a warrant article requesting authorization for the Board of Selectmen to be able to negotiate changes to the lease.

He did note that it is the staff's opinion that these leases have lapsed as no progress has been made on the project.

Mr. Holmes stated that they have not seemed to attract any other interest for this project so it would be in their best interest to be able to negotiate a new lease and that would be the purpose of this warrant article.

ix. Union Contract

Mr. Holmes noted that the union would be voting on this next week and there would hopefully be an article on the warrant

x. Additional Fee for Automobile Registrations

Mr. Holmes explained that if they choose to include this warrant article, they could allow an additional fee of up to \$5.00 per automobile registration if those funds were dedicated to transportation projects in town.

Town Clerk Louise Inkell explained that this would not apply to vehicle transfers, maintenance issues, and antiques. She did add that she was looking into whether it would apply to trailer registrations. She estimated that if trailers were allowed, they could estimate at raising around \$63,000 a year.

Ms. Seavey stated that she did not like that homeowners would be paying both property taxes and this additional fee.

The consensus of the Board was that this would be best to let the voters decide.

REVIEW OF RECEIPTS

(none)

SIGNING OF DOCUMENTS

- a. Tax Abatement for Map/Lot 216-53
- b. Tax Abatement for Map/Lot 219-172

- c. Warrant for Land Use Change Tax for Map/Lot 258-68.24
- d. Warrant for Land Use Change Tax for Map/Lot 263-65
- e. Municipality Land Use Change Tax Bill for Map/Lot 258-68.24
- f. Municipality Land Use Change Tax Bill for Map/Lot 263-65

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 12/12/19

**Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 12/12/19. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUTSIDE OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. Joyce Endee Productions Craft Fairs at Schouler Park (5/22-5/25, 8/21-8/24, and 10/3-10/5)

**Mr. Colbath moved, seconded by Mr. Thibodeau, to approve and sign the special event application listed above. The motion carried unanimously.**

CONSIDERATION OF MINUTES

- a. Regular Minutes from 12/3/19

**Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes from 12/3/19 as written. The motion carried unanimously.**

TOWN MANAGER REPORT

Mr. Holmes stated that he was disappointed to report that their lead candidate for Finance Director had backed out at the last minute. He noted that they had made an offer to the next candidate and they would hopefully be starting on December 31, 2019.

Mr. Holmes explained that they were planning to hold the presidential primary on February 11, 2019 at the high school. They were looking into the tables and chairs that would be needed. He also noted that the school was requesting that they protect the floors somehow from the salt and

snow that is likely in February. They are looking into options such as a floor covering that they are planning to purchase for the rec center gym.

Mr. Thibodeau noted that they need to be careful that they do not have any issues with being ADA accessible.

### BOARD REPORTS AND COMMENTS

Mr. Colbath stated that the Budget Committee would be meeting at 6:30 pm on December 11, 2019.

He noted that they had a special meeting of the ZBA for someone who had asked for a rehearing. They had decided to not grant the rehearing. However, he added that the applicant has 30 days to appeal to the State Building Board of Appeals if they choose to.

Mr. Colbath explained that the Broadband Committee would be meeting on December 12, 2019.

There was brief discussion on the possible benefits on remaining on this committee.

Mr. Thibodeau gave the November activity report for the ESAA. He added that the Maine Wing Commander Civil Air Patrol was looking to enlisting both New Hampshire and Maine Cadets in one unit. He stated that this is unique because in the past States have remained autonomous.

Mr. Thibodeau explained that they are moving forward with the hangar project and looking to bid in February.

### PUBLIC COMMENTS AND MEDIA QUESTIONS

There were no questions or comments.

### ADJOURN

**At 6:18 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to adjourn. The motion carried unanimously.**

Respectfully submitted,

Krista Day  
Executive Secretary