

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
November 10, 2020**

The Selectmen's Meeting convened at 4:00 pm in the Meeting Room at the New Town Hall with the following present: C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Steven Porter, Town Manager Thomas Holmes, and Executive Secretary, Krista Day.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Chairman Weathers welcomed everyone to the first meeting in the New Town Hall Meeting Room and identified the emergency exits.

He noted that the meeting was being broadcast on Bill Edmunds Facebook page as well as via Zoom.

Mr. Weathers noted that there were two changes to the agenda. He stated that 4a. Election Update with Moderator Deb Fauver was being added, as well as a Non-Public Session under RSA 91-A:3 II (c) – Tax Matter at the end of the meeting.

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

DISCUSSION OF TRI-COUNTY COMMUNITY ACTION PROGRAM

No one from Tri-County had arrived yet so this agenda item was moved until later in the meeting.

ELECTION UPDATE

Moderator Fauver stated that she believed the election went really well and now it was time to start thinking about the April election.

Mr. Weathers stated that everyone involved did a great job and there were very few concerns.

Ms. Seavey stated that everyone did a great job.

Ms. Fauver wanted to give Town Clerk/Tax Collector a big shout out stating that she had absolutely put her time in.

Mr. Colbath stated that the amount of people working together to make the election work was wonderful. He stated that everyone including the Supervisors of the Checklist, Ms. Inkell, and Ms. Fauver did a great job.

DISCUSSION OF WELFARE GUIDELINES

Welfare Director BJ Parker appeared before the Board. She explained that she would like to add an introduction to the Town's welfare guidelines that was based on that of the NHMA model Welfare Guidelines.

Ms. Parker explained that the introduction gives applicants a broad overview of what the guidelines are for the program and the RSA's that they follow. She noted that the guidelines do not address every single situation and often discretion must be used.

Ms. Parker added that the introduction explains that if an applicant doesn't agree with a decision, there is an option for a fair hearing.

Ms. Parker also added that she would like to add a section to the guidelines regarding the retention of files. She explained that currently they do not have this section as the State law does not address how long they must keep all parts of the files, but she recommends that they keep them for ten years.

Ms. Parker noted that she had updated the allowable levels of assistance as they have done every other year using the data from multiple sources.

One big change in regards to utility payments she explained was that that in order to prevent a disconnect, they have to pay the average bill instead of the current bill.

Ms. Parker noted that allowable level of assistance for a zero-bedroom unit decreased while everything else increased but that this is consistent with the data.

Mr. Holmes explained that what was before the Board was not the entire set of guidelines, but that changes would be presented to the Board periodically and that this can be updated for 2021.

Mr. Colbath inquired about shelter allowance rates as there are no shelters in the Town of Conway.

Mr. Holmes explained that part of Ms. Parkers goals for the year had been to start touring shelters around the state in order to know more about where she may be sending her clients.

Ms. Parker explained that shelters have case management services available. She noted that when people are in crisis, they tend to want to isolate, so putting them in hotel rooms allows them to isolate. She noted that perhaps shelters were a better way to go in order to help the client.

Ms. Parker stated that she had called hotels to see about potentially renting a room for the year but they were quoted \$100,000 for a single room.

Ms. Parker noted that because Conway does not have a housing authority, they are competing with people from Manchester for Section 8 vouchers. She noted that if people were willing to go to Lancaster, they may have a better chance of getting vouchers.

DISCUSSION OF TRI-COUNTY COMMUNITY ACTION PROGRAM

CEO of Tri County Community Action Program, Jeanne Robillard and Amy Goyete appeared before the Board.

Ms. Robillard stated that she was there because she understood the Board had some questions regarding how they are doing their requests for municipal funds this year.

She explained that in the past, TCCAP would request funding for a few of their specific programs from each town, however, there were many other programs being offered by TCCAP to residents of those towns as well. For example, she noted that they provide USDA Food Commodity Distribution for Conway residents that last year provided services of \$97,308 even though they did not request municipal funds in order to aid with that program.

She noted that in order for TCCAP to be self-sustaining, they decided to seek support for their agency as a whole this year and support of all of the services they provide.

Ms. Robillard explained that they were looking for a way to make municipal requests fair across the board, and therefore they would be basing their requests on town census figures.

She added that they believe this is a genuine and honest attempt to be fair and equitable to those they serve.

Ms. Goyette handed the Board a sheet of program statistics that explained the residents served and funds used for the Town of Conway.

Ms. Robillard highlighted that between July 1, 2019 and June 30, 2020 TCCAP served 1,685 clients from Conway with a value of \$776,173.

Ms. Goyette also handed out information regarding the 24 services that TCCAP offers as an agency, and this included the 11 programs that are offered to Conway residents.

Chairman Weathers explained that he was concerned with them grouping their entire request together as some of their programs, specifically the Blue Loon Bus, had not always done well receiving the support of the voters. His suggestion was to leave them as individual requests.

Ms. Robillard explained that they had spent two years as a leadership team discussing the best approach. She noted that she understands that some services are felt strongly about, however, it was her hope that the Board of Selectman could help get the message out to people. She gave the example that those who believe in the fuel assistance program need to support the agency as a whole or all of the programs will go away.

Ms. Seavey stated that she understood their approach, but that they were only a board of five. She supported what Chairman Weathers said that she believes this will be an issue with some voters.

It was suggested that they reach out to the paper in order to inform the voters.

Mr. Colbath noted that he appreciated them coming to the meeting and that he really appreciated their passion for their organization.

REPORT FROM THE SHORT-TERM RENTAL COMMITTEE

Chief Solomon told the Board that they had a copy of the final report from the Short-Term Rental Committee in their packets. He explained that in 14 meetings, they had come up with a set of regulations and a group of warrant articles necessary to make short-term rentals allowable in the Town of Conway.

Chief Solomon explained that no one is 100% happy with the regulations and that was the goal. He noted that he would have liked to see more regulations in terms of life safety inspections and that there are things that the realtors and owners don't like, but it is a start.

Mr. Colbath asked where they needed to go from here.

Mr. Holmes explained that they would be putting a few things at a time on future meeting agendas for the Board to consider. He added that most of the steps and regulations do not require a warrant article, but instead are enforceable under the Selectmen's police powers.

Mr. Holmes explained that either the Planning Board or the Selectmen would need to present a warrant article to define short-term rentals and identify where they are allowed in Town and under what conditions.

Mr. Holmes added that because they are under the Board's police powers, if some of the regulations are not working out as planned, the Board will be able to adjust them.

It was stated that if these warrant articles do not get passed by the voters, then they will be at the point of enforcing that short-term rentals are not permitted in the Town of Conway and open themselves up to litigation.

Mr. Holmes added that they are trying to come up with a solution to allow short-term rentals to work here in Town.

Mr. Colbath asked about the short-term rental inventory. Mr. Holmes stated that they are in the process but Host Compliance had already identified about 500 short-term rentals.

There was discussion of time line in order to get things done. It was determined that in terms of the zoning changes, those needed to be presented by the Planning Board by mid-December, or by the Selectmen in January.

Chief Solomon stated that he would be attending the Planning Board meeting later in the week to present their package.

Mr. Porter stated that the Planning Board had tabled the discussion and will revisit it this week.

Mr. Colbath inquired as to whether there would be public hearings. Mr. Holmes explained that if it is a Planning Board article, then there would be public hearings as part of the required process. In regards to those things presented by the Selectmen, they would be discussed in public meetings.

Ms. Seavey questioned why they would spend the time looking at all of the paperwork and make recommendations if the authority has not been passed by the voters.

Mr. Holmes explained that they need to have something ready to go because they have identified that there is a problem and they want to be proactive.

Chief Solomon added that while only the individual warrant article giving the permission for the Board of Selectmen to regulate has to be voted on by the voters, the public is going to ask how they plan to regulate.

Mr. Colbath noted that there will be a cost of enforcement either way due to potential litigation.

Mr. Irving explained that the Planning Board would be considering the report from the Short-Term Rental Committee at their next meeting. He noted that they may come up with recommendations to the Board of Selectmen that they should propose the zoning change as a Selectmen's article, or they may propose it themselves. He noted that there is also the potential "back-up" of using conditional use permits to allow short-term rentals.

Mr. Colbath stated that he would rather the zoning proposal come from the Planning Board and the regulations from the Board of Selectmen.

Mr. Colbath thanked the committee.

Mr. Thibodeau described the venture as a simultaneous joint effort between the Board of Selectmen and the Planning Board.

Mr. Porter stated that the Planning Board had issues with allowing short-term rentals anywhere a single-family home is permitted and also making them non-applicable for site plan review.

Chief Solomon stated that if the Planning Board doesn't move forward with an article, the Board of Selectmen can.

Mr. Weathers questioned whether the Planning Board was against having short-term rentals in residential areas if they are regulated.

Mr. Porter stated that they had not been presented with that information at the previous meeting so he was unsure.

Chief Solomon stated that if they can show residents that they are attempting to fix a lot of the problems that have been associated with short-term rentals, they may be supportive.

Mr. Thibodeau suggested public hearings in order to educate the public. Mr. Holmes commended Chief Solomon for his work on the committee. He also recognized the other members of the committee that were present including Mr. Turner, Mr. Reed, Mr. Irving, Mr. Porter, and Mr. Thibodeau.

Mr. Turner explained that they had worked over 60 hours on the regulations and that it was not an easy process. He stated that small changes can have large effects.

BUDGET REVIEW

a. Overview of Proposed Budget

Mr. Holmes gave an overview of the proposed 2021 budget. He explained that as 2020 was a very unique year, and there is a lot of unknown in terms of the future, the numbers are going to change frequently.

Mr. Holmes stated that the proposed budget as it stands now is looking to be an increase of 2.96%.

He added that the Library and Police submitted their own budget as they have their own Board of Trustees and Police Commission.

Mr. Holmes emphasized that COVID-19 had presented challenges this year, and looking forward, there are many unforeseen expenses that they may have. In 2020, they were able to get reimbursement for many COVID-19 expenses, but the stipulation was that the expenses had to be unbudgeted. Because of this they are hesitant to budget for some items that they may be able to seek reimbursement for in the future.

Mr. Holmes added that they are working on a proposal to tap revenue from other sources besides taxes including potential parking fees for town amenities to help pay for extra COVID-19 expenses like porta-potties.

Mr. Holmes noted that if by Town Meeting in March there is no option for reimbursement for COVID-19 related expenses, it would be his recommendation to add that to the budget figure at that time.

Major highlights in the budget proposal were the reorganization of the Department of Public Works. This would include freeing up the Town Engineer to focus on that side of things by hiring a Department of Public Works Chief who would oversee both garages, the transfer station, and the landfill. This change would not cost the taxpayers any extra due to the retirement of the landfill foreman, and would actually result in a cost savings.

The budget for elections would be reduced as there would not be four elections in 2021.

In the Assessing Department, Mr. Holmes is looking towards hiring a contract assessor from an outside company. He believes that they can get by with a contract assessor one to two days a week until the next revaluation.

Mr. Holmes will be decreasing the legal budget.

Mr. Holmes noted that health insurance premiums were up 8.7%.

Mr. Holmes stated that the budget for Governmental Buildings is up as the new Town Hall will be three times the size of the current Town Hall. He also noted that currently they are operating at both locations. He explained that the new town hall is inefficient and they are looking at ways to make it more efficient going forward.

Mr. Holmes added that if the short-term rental regulations pass, they would be looking to hire a full time Assistant Building Inspector.

The welfare budget reflected salary increases but a cut in total budget.

The Parks and Recreation budget reflected a 4% increase and the Library was coming in with a 2.8% increase.

The Police Budget was looking at a 1.6% percent increase.

b. Conservation Commission

Chairman of the Conservation Commission Rob Adair noted that their proposed budget was \$100 less than 2020.

He also noted that as the market is currently very poor for softwood, they were not expecting any major revenue in 2021.

c. Executive

Mr. Holmes noted that the increase in this department's budget was a reflection of the relocation of the Town Engineer into the Executive Department but that this move would also show a decrease in the Solid Waste and Highway budgets.

d. Legal

Mr. Holmes noted that they planned to decrease this budget.

e. Parks/Recreation & Patriotic Purposes

Recreation Director John Eastman explained that their 4% increase in budget was primarily due to salary increases.

Mr. Eastman explained that they were increasing hourly wages of the three parks and rec as they were having issues with retention. He noted that they now will include the stipulation that any new hire must get their CDL within six months. They are also required to get their pesticide and herbicide license which is not an easy program.

He noted that this pay increase results in a total increase of \$11,000 for the current two employees.

Mr. Eastman explained that there was the annual increase in salaries for the four full time employees and one administrator at the recreation center.

There was discussion regarding porta potties and determined that these were not being budgeted for in case they could be reimbursed through COVID-19 funds.

Mr. Eastman stated that they had also removed a part-time employee who would be responsible for weekend trash pick-up from the budget in case COVID-19 funds become available.

f. Recreation Revolving Fund

Mr. Eastman gave an overview regarding the Recreation Revolving Fund in terms of revenues and expenditures.

Mr. Eastman explained that any revenue stream that comes in for programs goes directly into this fund so that the money can be distributed for those particular expenses.

The total revenue was projected to be \$80,250.

He noted that these numbers are quite a bit lower than previous years but due to COVID-19, he would rather under-project.

There was discussion regarding the potential proposal for parking fees to help with expenses incurred due to COVID-19 and the influx of visitors to the area.

Mr. Eastman stated that in 2020 they spent what they had taken in.

He reviewed this year's expense figures.

Mr. Colbath questioned whether they were considering a warrant article for an air-conditioning unit for the recreation center gym. Mr. Holmes stated that it had not been discussed.

Mr. Colbath stated that he believed they should, especially if they were looking to do any theater performances during the warmer months.

There was discussion regarding whether they should open the Whitaker House this winter for cross country skiers. Cort Hanson from the Ski Touring Association had reached out regarding this issue.

Due to potential sanitizing issues, the consensus of the Board was to keep the building closed unless the other interested parties will fund and have the bathrooms cleaned more often.

Mr. Eastman will contact Mr. Hanson.

g. Police

Chief Mattei stated that the Police budget was looking at a 1.6% increase.

He noted that there was a major decrease in the labor line as the salaries are lower due to the retirements that occurred in 2020.

Chief Mattei explained that the training budget is going up due to having to pay for meals for those recruits at the academy.

Mr. Holmes noted that the budget will continue to change almost daily.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Yield Tax Levy on Map/Lot 222-1, 203-111.2, 203-112
- b. Certification of Yield Taxes Assessed on Map/Lot 222-1
- c. Certification of Yield Taxes Assessed on Map/Lot 203-111.2
- d. Certification of Yield Taxes Assessed on Map/Lot 203-112
- e. Notice of Intent to Cut Wood or Timber on Map/Lot 259-78
- f. Notice of Intent to Cut Wood or Timber on Map/Lot 260-58

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 11/12/2020. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 11/12/2020

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest dated 11/12/2020. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 11/5/2020
- b. Payroll dated 11/5/2020

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the AP Manifest and Payroll dated 11/5/2020. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 10/27/2020

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular and non-public minutes from 10/27/2020 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes explained that the phones at the New Town Hall are not working great, but they are working on fixing that. He also added that they had the toilets working after they had identified a crushed pipe. He explained that the lease stated that they accepted the building as is, so the work was completed by town staff.

Mr. Holmes explained that the energy costs at the new building were higher than expected, so they are saving some money by having some of the construction for the building completed by town staff. He added that they had not anticipated the bank ripping out the teller area, so they are now on a tight budget.

Mr. Holmes stated that they had received the Highway Block Grant funds in October, but were still waiting for the rooms and meals tax.

Mr. Holmes explained that the tax bills would be going out late because two precincts did not get their paperwork out in time. Unfortunately, this means that they may have to borrow money in order to meet financial obligations as tax payments are not coming in.

Mr. Thibodeau wondered whether they would consider looking into a warrant article to change out the lighting in the New Town Hall. Mr. Holmes stated that Mr. DegliAngeli did not believe that they would get much in return, but has considered the potential for solar in the future.

Mr. Thibodeau believed that they should look into changing to LED lights as it has a 14-16-month payback.

Mr. Colbath suggested having Eversource complete a free audit.

Mr. Colbath inquired about the signage at the New Town Hall. Mr. Holmes explained that he had met with two sign companies that morning and the deadline for the RFP had not arrived yet.

BOARD REPORTS AND COMMENTS

Mr. Porter stated that the Planning Board would be meeting on Thursday at the Conway Fire Department.

Mr. Colbath stated that the ZBA would be meeting on Wednesday, November 18, 2020 and that the Budget Committee would be meeting on December 16, 2020.

Ms. Seavey noted that her committees had not met, but it was her understanding that Valley Vision had moved into the upstairs of Town Hall.

Mr. Weathers stated that the CCC would be meeting the next night.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun wondered if the STR report could be put online.

In regards to the bathroom situation, Mr. Steer wondered if they had tried to reconnect with the Ski Museum to see if they could use their bathrooms. Mr. Holmes stated that when he had talked to them before, they wanted them to be cleaned more often than was possible for the Town to commit too.

In regards to the Main Street Project, it was determined that they did not have any new information, but that Pequawket Pond had been lowered and signage was appearing.

Mr. Steer asked about whether the Town would be interested in looking into creating a shelter. Mr. Holmes stated no, it would normally arise through a church or other private entity.

Mr. Thibodeau brought up the idea of using the old nursing home in Ossipee as a shelter.

Ms. Seavey wondered how much contact Ms. Parker had with other town welfare departments. Mr. Holmes stated that she is in constant contact with many other towns and service providers.

At 6:38 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (c). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 (c) – Tax Matter

At 6:43 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes from this non-public session. The motion carried unanimously.

ADJOURN

At 6:43 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary