

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
January 26, 2021**

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

Mr. Weathers noted that they would be removing the quarterly budget review.

Under Signing of the Documents, Mr. Weathers stated that they would be adding the following:

k. Notice of Intent to Cut Wood or Timber on Map/Lot 293-6.

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

PRESENTATION OF AUDIT BY PLODZIK & SANDERSON

Tyler Paine, Manager from Plodzik & Sanderson, appeared before the Board via Zoom.

Mr. Paine gave the Board a summary of their financial statements.

Mr. Paine explained that they had received an unmodified opinion, which is the best opinion that they can render.

Mr. Paine noted that they saw a large savings in the Highway Department due to savings on road treatment material such as salt.

Mr. Paine explained that as they had used \$550,000 in fund balance to reduce the tax rate, and had a surplus of \$760,000, they ended the year with 2.7 million dollars in unassigned fund balance which was positive.

Mr. Paine summarized a few of the exhibits in the audit report.

Mr. Paine noted that changes in the GASB included how things are labeled and disclosed in regards to capital leases.

Mr. Holmes questioned whether their two leases of the Recreation Center and the New Town Hall would be considered Capital Leases.

Mr. Paine stated that he would need to look into it more, but there would be nothing that had to be done on the Town's end.

The Board thanked Mr. Paine.

COMPLETION OF BOARD OF SELECTMEN FINANCIAL QUESTIONNAIRE

As a Board, they completed a questionnaire of the following questions:

1. *Do you have knowledge of any fraud or suspicions of fraud affecting your entity?*

The Board answered No.

2. *Have you received any communications from employees, former employees, regulators, or others alleging fraud?*

The Board answered No.

3. *Have you identified any specific risks of fraud within the entity?*

The Board answered No.

4. *Has the Board adopted a universal code of ethics for members and employees to follow?*

The Board answered Yes.

If yes, does this document prohibit elected officials and employees from doing business with the Town?

The Board answered No.

5. *Have you or any related party of yours had any interest, direct or indirect, in any of the following transactions or pending or incomplete transactions since January 1, 2020 to which the Town or any retirement, savings, pension, or other similar plan was, or is to be, a party?*

Sale, purchase, exchange, or leasing of property?

The Board answered No.

Receiving or furnishing of goods, services, or facilities?

Ms. Seavey, Mr. Porter, Mr. Weathers, and Mr. Colbath answered No.

Mr. Thibodeau answered Yes.

Transfer or receipt of income or assets?

The Board answered No.

Maintenance of bank balances as compensating balances for the benefit of another?

The Board answered No.

Other transactions?

The Board answered No.

If yes, please describe below, and note dollar amount of the activity.

Mr. Thibodeau stated that the Town does have an account at his hardware store and had done about two thousand dollars or so of business with him. These purchases included things such as tables, U-Haul rentals, and other various hardware.

6. *Does the Board formally authorize all disbursements, both vendor and payroll, prior to the release of funds?*

The Board answered Yes.

7. *Describe how the Board stays informed of the latest changes in the laws and regulations pertaining to the Town?*

Mr. Colbath explained that they rely on the Town Manager to keep them informed. He also noted that the bi-monthly Town and City Magazine also does a good job of highlighting Municipal Changes. The rest of the Board agreed.

8. *Does the Board review comparative reports of estimated and actual revenues and appropriations and expenditures? If Yes, how often?*

The Board agreed that they do review these reports on a quarterly basis.

9. *What procedures does the Board follow in reviewing or using these reports? For example, does the Board normally meeting with the department heads as part of this process? Also, does the Board review BOTH the revenue and expenditure reports?*

During Budget Season, Department Heads meet with the Board to discuss their proposed budgets. Throughout the year, the Board relies on both the Town Manager for information, as well as the review of both revenue and expenditure reports quarterly by the Finance Director.

10. Has the Board approved a Disaster Recovery Plan in the event of loss or interruption of the IT function?

The Town Manager believed that they have this plan with their contract IT company.

11. Is there a written investment policy adopted? If yes, please provide a copy. When was the policy last reviewed and approved?

The Board agreed that they do. They believed it was reaffirmed in 2018 or 2019.

12. Have you adopted the use of either debit or credit cards by employees?

The Board confirmed that they had adopted the use of debit and credit cards.

13. Does the Board have knowledge of any funds or bank accounts that are not in the custody of the Treasurer?

The Board agreed that they did not.

14. Has the Board approved a fund balance policy in compliance with GASB No. 54?

The Board agreed that they did.

15. Does this Board/Town Council have knowledge of any crowdfunding activities?

The Board agreed that they did not.

16. Please describe how the Board's approval process of vendor and payroll manifests; review of revenue and appropriations reports; and general process over Board meetings has changed due to the COVID-19 pandemic.

The Board agreed that they approval of both the vendor and payroll manifests are regularly items approved at each weekly Board meeting. These processes have not changed due to COVID-19.

Mr. Thibodeau moved, seconded by Mr. Colbath, to authorize the Chairman to sign this questionnaire out of session on behalf of the Board. The motion carried unanimously.

DISCUSSION OF PAVERS IN CONWAY VILLAGE

Mr. Weathers asked the Board if there was interest in moving forward with this project before they get into the details.

Ms. Seavey stated that she believed they owed it to the people who produced the Memorandum of Agreement to look at the details.

Mr. DegliAngeli stated that there had been a suggestion not to sell every paver that was available, but instead keep some and engrave them with historical people from Town. He noted that this had been added into the MOA.

Mr. Colbath explained that most of the feedback he had received had been against the project.

He added that he had always heard people ask why Conway Village is treated differently than North Conway Village, but then people also say, just because North Conway has it doesn't mean that Conway has to. He stated that you cannot have it both ways.

Mr. Colbath stated that personally he would like to see it done.

Ms. Seavey stated that initially she was very much in favor as Conway Village is her home. However, she noted that she had heard a lot of negatives.

Ms. Seavey questioned the cost factor.

Ms. Seavey was happy to see that Conway Village had \$5,000 in their account instead of the estimated \$2,000.

Mr. Thibodeau stated that his concern was the potential for this project to cause some kind of grief and aggravation down the road in terms of maintenance and stress cracks.

Mr. DegliAngeli explained that every concrete sidewalk they have built has cracked. They do what they can with control joints to try and dictate where the crack will end up.

Mr. DegliAngeli stated that it would be just as manageable as in North Conway.

Mr. DegliAngeli stated that they needed to decide whether it was worth the time and effort here in Conway.

Mr. DegliAngeli stated that they had received a plea for historical pavers and that the Preservation Association would donate 40 pavers for that.

Ms. Seavey stated that while she thinks this would be nice, she would not want to be the ones who decide who the historic people would be. She noted that who is important is just someone's opinion.

Mr. DegliAngeli stated that obviously deciding not to do any pavers is less work and maintenance all around.

Mr. DegliAngeli stated that the Board could defer the decision as there was a lot of time before he needed to issue the change order for the sidewalks.

There was discussion regarding the designs and risk of cracking.

Mr. Weathers believed that the diamond design would limit the amount that could be engraved.

Ms. Seavey asked about the concerns regarding those in wheelchairs having a hard time going down the sidewalks.

Mr. DegliAngeli believed that people with canes may have a harder time, however, it would be just the same as in North Conway.

There was a discussion regarding the temporary granite that would be placed in the sidewalk while the pavers were sold.

Both Mr. Thibodeau and Mr. Porter believed that they needed more public input before they could make a decision one way or another.

The Board agreed to table this issue until they were able to obtain more information.

DISCUSSION OF BATHROOMS IN NORTH CONWAY VILLAGE

Mr. Holmes gave the Board an update regarding public bathrooms in North Conway Village. He explained that they are exploring several different options for permanent bathrooms including building and leasing.

Mr. Holmes noted that Selectmen Seavey had been instrumental in this process.

He explained that once there were some concrete details, he would present them to the Board in non-public session.

Mr. Holmes added that he was looking into the potential of obtaining a Northern Borders grant to help pay for this.

Mr. Colbath stated that he had questioned the North Conway Community Center about opening their bathrooms and been told that at least for the foreseeable future that they would remain closed.

Mr. Holmes noted that this task could cost hundreds of thousands of dollars.

Ms. Seavey stated that they would still need to come up with an alternative solution for bathrooms for this upcoming Summer.

Mr. Colbath stated that he hoped that the Town would not have to bear the entire burden for these bathrooms as all the local businesses would benefit.

APPOINTMENT OF ZBA MEMBER

A. Andrew Chalmers for a 3-year term

It was determined that they needed clarification regarding the term length and when it would take effect.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Abatement of Taxes on Map/Lot 278-78
- b. Certification of Yield Taxes Assessed on Map/Lot 226-5
- c. Yield Tax Levy on Map/Lot 226-5
- d. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 265-198.003
- e. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 269-72
- f. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 247-97
- g. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 203-51
- h. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 265-161.331
- i. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 203-139
- j. Notice of Intent to Excavate on Map/Lot 260-58
- k. Notice of Intent to Cut Wood or Timber on Map/Lot 293-6

Mr. Colbath moved, seconded by Ms. Seavey, to sign the documents listed above in a. through k. The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 1/28/2021
- b. Payroll dated 1/28/2021

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 1/28/2021. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 1/21/2021

Mr. Colbath moved, seconded by Ms. Seavey, to sign the AP Manifest dated 1/21/2021. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)\

- a. Gibson Center Craft Fair (5/29/21 – 5/30/21, 7/3/21 – 7/4/21, 9/4/21 – 9/5/21, 10/9/21 – 10/10/21)

Mr. Colbath moved, seconded by Ms. Seavey, to sign the special event permit for the event listed above. The motion carried unanimously.

CONSIDERATION OF MINUTES

- a. Regular and Non-Public Minutes from 1/12/2021

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular and non-public minutes from 1/12/2021 motion carried unanimously.

TOWN MANAGER REPORT

Mr. Holmes informed the Board that Memorial Hospital is going to be having their vaccine clinic at the old Weather Observatory. He explained that they had been asked if Hospital Staff would be able to park at the Whitaker Homesite during the week, Monday-Friday, in order to not take up the parking spaces for patients.

They would need approximately 15 spaces.

Mr. Colbath confirmed that this would be less than half of the total available spaces.

Mr. Colbath moved, seconded by Mr. Porter, to approve the request for Memorial Hospital Staff to use parking spaces at the Whitaker Homesite Monday through Friday for their vaccine clinic. The motion carried unanimously.

Mr. Holmes noted that he had received a question from Gemini Signs about what they would like for lettering on the back door at the New Town Hall.

There was discussion regarding different options.

The consensus of the Board was that they would like a directory inside the door, and to keep the outside door very simple.

Mr. Holmes noted that he had begun discussions with Northledge Technologies about outfitting the Meeting Room for presentations. He showed the Board the recommended spot on the wall in the Meeting Room for a large television monitor.

Mr. Colbath and Mr. Thibodeau both agreed that they would like Mr. Holmes to talk with Northledge to ensure that this would-be cutting-edge technology as they wanted to stay ahead of the times.

Mr. Holmes explained that he had received a phone call from a constituent regarding the fact that the Conway TD Bank location would be closing. He wanted to know if the Board wanted to send a letter regarding the closure.

The consensus of the Board was that a letter would not hold much weight as they were sure that a lot of thought had been put in prior to the decision to close.

Mr. Colbath inquired as to how the construction at the New Town Hall was going.

Mr. Holmes explained that it was coming along well.

Mr. Thibodeau stated that they needed to start making some more concrete decisions regarding the parking issue. It was stated that there was a lot of misinformation out there that needed to be clarified.

Mr. Holmes stated that it would be on the agenda for next week.

Mr. Colbath questioned Mr. Holmes about furniture for the Town Clerk's area. Mr. Holmes noted that he had reached out to see if they could obtain any more donated furniture. Mr. Holmes stated that he would make sure that they had what they needed.

Mr. Colbath noted that he had gotten a peak at the New Town Hall signs and they looked very good.

BOARD REPORTS AND COMMENTS

Mr. Thibodeau explained that the ESAA was making some progress on the transient hangar project.

Mr. Thibodeau mentioned that unless there was a substantial change in protocol, The Canadian Helicopter would not be visiting the airport again this year.

Ms. Seavey stated that the Economic Council would be meeting the next night.

Mr. Colbath stated that the ZBA had met the previous week and approved the cell tower on Artist Falls Road. He noted that they still needed to go to Planning Board for site plan review.

Mr. Colbath noted that the Budget Committee would be meeting the next night, however, it was clarified that they would be meeting on February 1, 2021 at the Professional Development Center.

Mr. Porter stated that the Planning Board would be meeting Thursday, January 28, 2021 at the Marshall Gymnasium,

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun asked where people could send their feedback regarding the pavers in Conway Village. Mr. Holmes stated that they should email Mr. DegliAngeli at pauld@conwaynh.org and copy him, tholmes@conwaynh.org.

Mr. Steer asked if they thought they should have a joint meeting with surrounding towns regarding parking. Mr. Holmes noted that they would have parking on their agenda for the next week.

Mr. Steer asked whether the Board should ask the other Boards or Committees to Zoom their meetings. Mr. Porter noted that he would mention it to the Planning Board.

Mr. Steer asked if they could raise the short-term rental permit fees in order to get money to fund bathrooms in North Conway. Mr. Holmes stated that in terms of licensing, you are not allowed to make a profit.

At 5:22 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 II (C) – TAX MATTER

At 5:37 pm, the Board returned to public session.

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

At 5:38 pm, Mr. Colbath moved, seconded by Mr. Porter, to go into non-public session under RSA 91-A:3 II (D). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 II (D) – CONSIDERATION OF ACQUISITION, SALE OR LEASE

At 5:43 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 5:43 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary