

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
August 23, 2022**

The Selectmen's Meeting convened at 4:01 pm in the Meeting Room at the New Town Hall with the following present: C. David Weathers, Mary Carey Seavey, Carl Thibodeau, John Colbath, Town Manager John Eastman, 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 adding agenda item 5a. Authorization to Sign Cover Letter.

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

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

- a. \$1,112.10 from the State of NH for Opioid Grant for Regular Officer Overtime

Chief Mattei explained that this money was a reimbursement for the overtime hours worked by the Police in regards to drug enforcement.

Mr. Colbath moved, seconded by Ms. Seavey, to accept the \$1,112.10 from the State of NH for Opioid Grant for Regular Officer Overtime. The motion carried unanimously.

DISCUSSION OF MASTER PLAN GRANT APPLICATION

Jamel Torres appeared before the Board to review the completed the grant application for Invest NH that would hopefully contribute to funding the new Mater Plan.

Mr. Torres reviewed the application with the Board.

Mr. Torres noted that he had contacted planning firms to calculate the estimated overall cost.

AUTHORIZATION TO SIGN COVER LETTER

Mr. Colbath moved, seconded by Mr. Thibodeau, to authorize the Chair to sign the cover letter for the Invest NH grant application. The motion carried unanimously.

Mr. Hounsell thanked Mr. Torres for his quick completion of the application.

He directed the Board's attention to page 14 of their packet which stated that community engagement is a critical component of solving the housing crisis.

Mr. Hounsell stated that he was pleased that Conway would be one of the first in line for this grant.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Waiver of Municipal Liability on Map/Lot 298-24
- b. Abatement of Taxes on Map/Lot 219-251.101

Mr. Colbath moved, seconded by Ms. Seavey, to sign the documents listed above in a. and b.

Ms. Seavey asked what the waiver of liability was about.

Mr. DegliAngeli explained that the area in question was developed back in the 1970s prior to the Town adopting road standards.

The statute provides an option for the owners of the property to obtain a waiver that makes clear that the owners acknowledge the preexisting condition of the road/driveway that may prohibit emergency service vehicles to reach them in the case of an emergency.

The motion carried unanimously.

CONSIDERATION OF BILLS

- a. AP Manifest dated 8/25/2022
- b. Payroll dated 8/25/2022

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 8/25/2022. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

(none)

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

(none)

CONSIDERATION OF MINUTES

- a. Regular and Non-Public from 8/9/2022
- b. Regular from 8/16/2022

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the minutes listed above in a. and b. The motion carried unanimously. Colbath, Thibodeau

TOWN MANAGER REPORT

Mr. Eastman explained that he had received a phone call from a resident, Ellen Caughey, who had concerned regarding pedestrian traffic by Saco Bound in Center Conway.

Mr. Eastman added that he had called the owner of Saco Bound who was aware of the issue and was willing to pay for a solution such as a blinking light in order to slow traffic in that area.

Mr. Eastman also explained that there are a few places in Town where they are not currently complying with State law in terms of parking spaces too close to crosswalks.

They will be addressing this issue as soon as possible.

Mr. Colbath added that many in Town would like to see better lit crosswalks in North Conway Village.

Mr. Eastman noted that at the School Board meeting last night, the Board had been unable to have an affirmative vote to appoint any of the candidates to fill the open School Board seat.

Mr. Eastman explained that there is a statute, 671:33 that reads as follows:

(a)The school board shall fill vacancies occurring on the school board, except as provided in subparagraph (b), and in all other district offices for which no other method of filling a vacancy is provided. Appointees of the school board shall serve until the next district election when the voters of the district shall elect a replacement for the unexpired term. In the case of a vacancy of the entire membership of the school board, or if the remaining members are unable, by majority vote, to agree upon an appointment, the selectmen of the town or towns involved shall appoint members by majority vote in convention.

Mr. Eastman stated that the statute appears to be clear and instructs the Selectmen to appoint.

Mr. Thibodeau suggested that we advertise for the open seat and appoint a candidate on September 6, 2022.

Mr. Porter stated that maybe they should take the option to leave it empty.

The definition of shall was read aloud:

“Shall is an imperative command, usually indicating that certain actions are mandatory, and not permissive”.

There was discussion regarding issues of an even number of Board members.

Mr. Colbath stated that leaving the seat open would not allow for the full representation of the voters.

Mr. Colbath moved, seconded by Mr. Thibodeau, to move forward with appointing an interested party to fill the vacancy on the Conway School Board in accordance with RSA 671:33 and to advertise for letters of interest by Friday, September 2, 2022 at 12:00 pm in order for the appointment to take place on September 6, 2022. The motion carried unanimously.

Mr. Colbath asked for an update on the windows at Town Hall and the elevator.

Mr. Smith stated that the windows had started to be replaced and the work was ongoing.

He noted that the elevator at Town Hall had activated the fire alarm the previous week as the motor had burned up.

They are looking into replacement costs and insurance claims.

BOARD REPORTS AND COMMENTS

Mr. Porter stated that the Planning Board would be meeting Thursday night.

Mr. Colbath noted that the ZBA and the Budget Committee had met the previous week.

At the ZBA meeting they had continued Leavitts Bakery's request for a variance.

The other project in question was a property on Hobbs Street that had been purchased by the Bluebird Project multi-unit housing.

Mr. Colbath explained that the Budget Committee had been in discussions regarding whether there was a need to update the non-profit budget request packet for this year.

He explained that while the subcommittee who worked on this did not feel it needed to be updated, the Chair and Vice Chair of the Committee did.

However, the packet traditionally is sent out by September 1, 2022 and the budget committee was not meeting again before that.

Mr. Colbath explained that the subcommittee felt that the packet asked all the right questions, and that it was the presentations by the individual non-profits that needed to be improved.

Mr. Colbath asked Ms. Day to clarify the process of petitioned warrant articles.

Ms. Day explained that there seems to be a misunderstanding that the non-profit petitioned warrant articles are different than the petitioned warrant articles for say the acceptance of a road.

Ms. Day noted that they are by definition the same thing.

She explained that if a non-profit submits a petition by the deadline of February 7, 2023 and it is verified to have at least 25 signatures of registered voters from the Town of Conway, the warrant article is placed on the ballot regardless of whether they submit information or present to the Budget Committee.

Ms. Day noted that the request by the Budget Committee and Board of Selectmen to have the non-profits submit financial information and present was something that was not statutorily required, but something the Boards prefer in order to vote whether to recommend or not recommend the warrant article on the ballot.

Ms. Day suggested that when she sends out the schedule of presentations in January, they could include a cover letter really emphasizing what the Boards would like the non-profits to discuss during their time slot.

Mr. Colbath added that he would like to hear from the nonprofits what the adverse effects would be if they did not receive the funds from the Town.

Mr. Porter noted that the North Conway Water Precinct would be submitting a letter regarding the bathrooms in their station.

He noted that the precinct never intended to offer their bathrooms to the public for multiple reasons.

Ms. Seavey explained that Mr. Furtado had met with the North Conway Community Center regarding the minutes from prior to their new building being built that had stated they would offer public bathrooms.

However, because there are no restrictions placed on the deed, they are not obligated to do it.

Ms. Seavey noted that she had spoken with Executive Councilor Kenney regarding the Town's request to obtain the land on which the information booth sits in Conway Village.

She stated that the process is moving along.

Mr. Thibodeau explained that the ESAA would be holding their hangar dedication ceremony on Friday from 1:00 pm to 3:00 pm.

He added that the Aviation Academy would be holding an open house on Saturday.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer from the Conway Daily Sun asked for clarification regarding the Master Plan grant application issue that had been mentioned at a previous meeting.

Mr. Eastman explained that they just needed to get clarification on what the grant funding could be used for and it turned out that the Town could apply for grant funding for the housing portion of the Master Plan.

At 4:56 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 RSA 91-A:3 II (c) TAX MATTER

At 5:28 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes from this non-public session as divulgence of the information would render the proposed action ineffective. The motion carried unanimously.

SIGNING OF TAX DEEDS AND DEED WAIVERS

Mr. Colbath moved seconded by Mr. Thibodeau, to sign deed waivers for Tax Map/Lots 268-116, 262-79.26, 259-111, 260-25.1, 276-97, 214-3, 265-188, 254-29.101, 225-42.1, 235-51.33, 262-79.12, 279-17, 261-27, 219-225, 264-53, 265-57, 265-58, 299-120, 254-107 and 262-83.201. The motion carried unanimously.

At 5:29 pm, Mr. Colbath moved, seconded by Mr. Thibodeau, to go into non-public session under RSA 91-A:3 II (A). The motion carried unanimously.

NON-PUBLIC RSA 91-A:3 II (A) PERSONNEL

At 6:29 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes from this non-public session as divulgence of the information would render the proposed action ineffective. The motion carried unanimously.

ADJOURN

At 6:29 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day

Executive Secretary