

**Minutes of Meeting
CONWAY BOARD OF SELECTMEN
May 2, 2023**

The Selectmen's Meeting convened at 4:00 pm at Conway Town Hall with the following present: Mary Carey Seavey, Carl Thibodeau, John Colbath, Steve Porter and Ryan Shepard, Deputy Town Manager Paul DegliAngeli and Executive Assistant Krista Day.

PLEDGE OF ALLEGIANCE

Ms. Seavey led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF AGENDA

Ms. Seavey noted that there were no changes to the agenda.

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

VOTING ON CHAIR AND VICE CHAIR

Mr. Colbath moved, seconded by Mr. Shepard, to appoint Mary Carey Seavey as Chair of the Board of Selectmen. The motion carried (4-0-1) with Ms. Seavey abstaining.

Mr. Colbath moved, seconded by Mr. Shepard, to appoint Carl Thibodeau as Vice Chair of the Board of Selectmen. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

READOPTION OF SELECTMEN RULES OF PROCEDURE

Ms. Seavey noted that they needed to readopt the Selectmen Rules of Procedure.

She added that there had been one revision under Rule 24 (B).

It would now read as following with the underlined addition:

- (B) Board of Selectmen Representatives: Board of Selectmen members may serve as representatives to various town organizations and committees or may appoint a Town of Conway Resident to serve as the Selectmen's Representative on these town organizations or committees. These representatives shall be nominated and approved by the Board of Selectmen on an annual basis (usually at the first meeting of the new Board).

Mr. Colbath moved, seconded by Mr. Porter, to readopt the Selectmen Rules of Procedure as presented. The motion carried unanimously.

ADOPTION OF BOS MEETING SCHEDULE

The Board was presented with a draft schedule for the year.

Ms. Inkell noted that June 13, 2023 would be the special election.

She explained that before she can post the warrant, she would like to confirm the hours that the Board would like the polls to be open.

The filing period for candidacy for the Charter Commission would be May 17, 2023 until May 26, 2023.

Mr. Porter moved, seconded by Mr. Colbath, to hold the special election for the Charter Commission on June 13, 2023 at the Town Garage from 8:00 am to 7:00 pm. The motion carried unanimously

Mr. Porter moved, seconded by Mr. Thibodeau, to adopt the Board of Selectmen meeting schedule as presented. The motion carried unanimously.

COMMITTEE ASSIGNMENTS

Ms. Seavey moved, seconded by Mr. Thibodeau, to appoint Ryan Shepard as the Selectmen's Representative to the Budget Committee and Mr. Colbath as the Alternate. The motion carried (3-0-2) with Mr. Shepard and Mr. Colbath abstaining.

Mr. Porter moved, seconded by Mr. Colbath, to appoint Mr. Thibodeau as the Selectmen's Representative on the ESAA. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

Mr. Thibodeau moved, seconded by Mr. Porter, to appoint Mr. Colbath as the Selectmen's Representative to the Economic Council and Ms. Seavey as the alternate. The motion carried (3-0-2) with Mr. Colbath and Ms. Seavey abstaining.

Ms. Seavey moved, seconded by Mr. Colbath, to appoint Mr. Porter as the Selectmen's Representative to the Planning Board with Mr. Shepard as an alternate. The motion carried (3-0-2) with Mr. Porter and Mr. Shepard abstaining.

Ms. Seavey moved, seconded by Mr. Colbath, to appoint Ryan Shepard as the Selectmen's Representative to the Historic District Commission with Mr. Porter as the alternate. The motion carried (3-0-2) with Mr. Shepard and Mr. Porter abstaining.

Mr. Colbath moved, seconded by Ms. Seavey, to appoint Mr. Thibodeau as the Legislative Liaison for the Board of Selectmen. The motion carried (4-0-1) with Mr. Thibodeau abstaining.

Ms. Seavey moved, seconded by Mr. Thibodeau, to appoint Mr. Colbath as the Selectmen's Representative to the Lower MWV Solid Waste District. The motion carried (4-0-1) with Mr. Colbath abstaining.

Mr. Colbath moved, seconded by Mr. Thibodeau, to appoint Ms. Seavey as the Selectmen's Representative to Union Negotiations. The motion carried (4-0-1) with Ms. Seavey abstaining.

Ms. Seavey explained that Mr. Weathers said that he would still be interested in being the Selectmen's Representative to the Conservation Commission.

Ms. Seavey stated that he is the most knowledgeable person she knows on the subject.

Ms. Seavey moved, seconded by Mr. Shepard, to appoint C. David Weathers as the Selectmen's Representative to the Conservation Commission. The motion carried unanimously.

APPOINTMENT TO THE TRUSTEE OF THE TRUST FUNDS

Ms. Seavey noted that Mr. Hounsell was willing to be appointed to fill the vacancy for the Trustee of the Trust Funds.

Mr. Colbath moved, seconded by Mr. Thibodeau, to appoint Mark Hounsell as Trustee of the Trust Funds. The motion carried unanimously.

Ms. Inkell noted that the person who had received the most write-in votes for this position had declined to accept.

DISCUSSION OF BATHROOMS IN NORTH CONWAY

Ms. Seavey noted that she would like to hear what the business community had to say or suggest regarding the issue of bathrooms in North Conway.

Director of the MWV Chamber of Commerce Michelle Cruz appeared before the Board.

She thanked them for moving this discussion to this meeting.

Ms. Cruz explained that they believe there is adequate availability for restrooms during open business hours for patrons of North Conway businesses as most have now opened their business bathrooms up to their patrons.

However, they are finding that evening availability is limited.

Ms. Cruz noted that while they do believe a long term solution needs to be found, it is difficult for the businesses to take it all on as they are already allowing people into their bathrooms.

She noted that businesses have raised funds to help with the cleaning for the Ski Museum bathrooms but they do close at 5:00 pm.

Ms. Seavey explained that the bathroom committee worked really hard but did not seem to have support from North Conway Village.

Alec Tarberry from the Berry Companies appeared before the Board.

He explained that if it came to building a new building, he would be happy to work to share the cost and believed that businesses would help as well.

He stated that he believed that every business who could should open their bathrooms to their customers.

He noted that Eastern Slope Inn allows the public to use their bathrooms.

He believed that this will take some time.

Daymond Steer from the Conway Daily Sun asked if there was a solution.

Mr. Tarberry noted that if there is interest to come up with a plan, including identifying a site to build, he would be happy to be part of that.

Ms. Seavey noted that the bathroom committee had reached out to property owners in North Conway Village about potential sites but had no success.

Mr. Porter stated that he does believe there is a need as they have been talking about bathrooms in North Conway Village for as long as he can remember.

Mr. Tarberry noted that the past bathroom committee had the requirement that members be Conway Residents.

He stated that while he does not live in Conway, he would love to volunteer.

Mr. Tarberry also noted that they are working on the food hall project and would entertain a partnership to make those bathrooms open to the public as long as if it starts to be a problem in terms of vandalism, etc., that the partnership could be ended.

DELEGATION OF AUTHORITY FOR INVESTNH GRANT

Mr. Colbath moved, seconded by Mr. Thibodeau, to authorize John Eastman to sign any documents related to the InvestNH grant and to authorize the Chairman to sign this out of session. The motion carried unanimously.

PUBLIC WORKS UPDATE ON PROJECTS AND LIBRARY ROOF

Mr. Smith explained that the Library Roof is done.

He noted that it's replacement had been on the Capital Reserve schedule for this year.

Mr. Smith explained that they would be grinding and paving by Walmart the week of May 15, 2023.

They are looking into whether it can be done at night.

It was noted that the price of asphalt was way up and some of the scheduled roads had been removed for this year.

Mr. Smith stated that they would be reconstructing the boat ramp this fall and that renovations on the Town Hall building were scheduled to begin next week.

DISCUSSION OF "NO OUTLET" SIGN ON DUPREY ROAD

Ms. Seavey explained that she had received a request that the "No Outlet" signs be moved on Duprey Road so that it is easier to see.

Mr. Smith will look into it.

DISCUSSION OF VETERANS REQUALIFYING BENEFITS

Ms. Day explained that as per State statute, those receiving a veteran's tax exemption must be recertified every five years.

She noted that Ms. Hilton had sent out the short two page recertification forms.

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

- a. Permit to Sell Raffle Tickets for RSVP 5/1/2023-12/2/2023
- b. Notice of Intent to Cut Wood or Timber on Map/Lot 240-7
- c. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 299-115
- d. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 299-115
- e. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 269-18
- f. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 266-162
- g. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-23
Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.068

- h. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.068
- i. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 262-83.075
- j. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 275-78
- k. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 232-79
- l. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 235-6.020
- m. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 232-79
- n. Permanent Application for Property Tax Credits/Exemptions on Map/Lot 254-29.019
- o. Assessing Officials Response to Tax Credits/Exemptions or Tax Deferral Application on Map/Lot 201-10.017

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the document listed above in a. The motion carried (4-0-1) with Ms. Seavey abstaining.

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

CONSIDERATION OF BILLS

- a. AP Manifest dated 5/4/2023
- b. Payroll dated 5/4/2023

Mr. Colbath moved, seconded by Mr. Thibodeau, to sign the AP Manifest and Payroll dated 5/4/2023. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. AP Manifest dated 4/27/2023

Mr. Colbath moved, seconded by Mr. Thibodeau, to ratify the AP Manifest dated 4/27/2023. The motion carried (4-0-1) with Mr. Shepard abstaining.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

- a. White Mt Milers Summer Trails Series (6/6/23, 6/13/23, 6/20/23, 6/27/23, 7/11/23, 7/19/23, 7/25/23, 8/1/23, 8/15/23)
- b. Upper Saco Valley Land Trust Annual Meeting (5/6/23)

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

CONSIDERATION OF MINUTES

- a. Regular Minutes from 4/11/2023
- b. Regular Minutes from 4/18/2023

Mr. Colbath moved, seconded by Mr. Thibodeau, to adopt the regular minutes from 4/11/2023 and 4/18/2023 as written. The motion carried (4-0-1) with Mr. Shepard abstaining.

TOWN MANAGER REPORT

Mr. DegliAngeli explained that the Eastern Project seems to be moving forward again as there is a new Project Manager and they have been meeting more often.

They have agreed on a new schedule and plan to begin with the taking by eminent domain process.

The hope is a 2025 construction.

Mr. DegliAngeli explained the eminent domain process.

Krista Day explained that they would be participating in a “Flat Panda” project at the next meeting and answering some questions for the students at the Pine Tree School.

She also added that the Town had prevailed in the case regarding the cell tower and construction is expected to begin soon.

BOARD REPORTS AND COMMENTS

Mr. Thibodeau stated that Canadian Helicopter is in Town and the aerobatics team will be at the airport at the end of the month.

Mr. Porter explained that the Master Plan Committee was unable to meet due to technical difficulties.

He noted that they did have a conversation about housing in the valley.

He believes this Board should take a look at potentially creating a housing authority.

Mr. Colbath explained that the ZBA had granted two equitable waivers and upheld one administrative decision regarding the signs at Settlers Green.

He noted that they are looking into the logistics regarding requesting a rehearing as one of the Board members would like to.

It was stated that the Board of Selectmen can also request a rehearing.

Mr. Colbath moved, seconded by Mr. Porter, to appoint Ms. Seavey as the Selectmen's representative to Valley Vision. The motion carried (4-0-1) with Ms. Seavey abstaining.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Resident Quentin Lewis wondered if they were planning to do some sort of educational session for people to learn about the Charter Commission so they know what they may be signing up for.

Ms. Day will post information on the website.

Mr. Colbath stated that he is assuming that the newspaper will be covering it.

Mr. Colbath noted that he does not believe that it is the Town's job to make each and every person an informed voter.

Mr. Colbath explained that they had a recount last week with the Board of Recount and that it had gone very well.

Mark Hounsell congratulated Ms. Seavey and Mr. Shepard.

He noted that all of the Selectmen do excellent work.

Mr. Hounsell explained that this is an important time in our Town.

His hope is that the Charter Commission will help us get away from SB2 as he does not feel it has served the Town well.

However, he is concerned over what could possibly happen and many things our current form of government should stay.

He cautioned those who get elected to be attentive to what they are trying to accomplish.

We are in a time in our town. Conversation of the charter commission is important.

Mr. Hounsell wants those who wish to maintain and preserve Conway in the historic sense to run.

Mr. Hounsell also apologized to the Board as he said sometimes when he gets passionate about something he is not on his best behavior.

Daymond Steer from the Conway Daily Sun congratulated Ms. Seavey and Mr. Shepard.

He asked Mr. Shepard how his first meeting was.

Mr. Shepard answered that it went well.

Mr. Steer asked what the Board had to say about the court decision regarding short term rentals and wondered how the new definition of dwelling unit played into things.

Mr. DegliAngeli stated that it was premature to discuss that.

At 5:38 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 II (C) – TAX MATTER

At 6:49 pm, the Board returned to public session.

Mr. Colbath moved, seconded by Mr. Thibodeau, to seal the minutes from this non-public session as it may affect adversely the reputation of any person other than a member of the Board. The motion carried unanimously.

At 6:50 pm, Mr. Thibodeau moved, seconded by Mr. Porter, to go into non-public session under RSA 91-A:3 II (L). The motion carried unanimously.

NON-PUBLIC SESSION RSA 91-A:3 II (L) – LEGAL

At 7:48 pm, the Board returned to public session.

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

ADJOURN

At 7:48 pm, the meeting adjourned at the call of the Chair.

Respectfully Submitted,

Krista Day
Executive Secretary