

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
March 18, 2014

The Selectmen's Meeting convened at 4:08 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Michael DiGregorio (Vice Chair), Mary Carey Seavey, Stacy Sand, and Carl Thibodeau, Town Manager, Earl Sires and Recording Secretary, Karen Hallowell.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Weathers noted a correction to agenda item 10. Scratch the word none as we do have two Special Event Applications for consideration.

PUBLIC HEARING

In accordance with RSA 32:5-c Adoption of Local Tax Cap, the Town of Conway Board of Selectmen shall hold a public hearing in the Town Hall Meeting Room, 1634 East Main Street, Center Conway, NH, on Tuesday, March 18, 2014 at 4:05 p.m. to receive public input on a petitioned warrant article appearing on the 2014 Warrant as follows: **ARTICLE 27:** Shall we adopt the provisions of RSA 32:5-b, and implement a tax cap whereby the Town of Conway/Budget Committee shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than 10%. Submitted by Petition. (3/5 majority vote required). Not recommended by the Board of Selectmen (0-5-0). Not recommended by the Budget Committee (0-16-0).

Mr. Weathers opened the public hearing at 4:11 p.m. There were approximately six people from the public in attendance. Mr. Weathers reviewed that the wording in Article 27 was changed at the deliberative session of town meeting from 2.5% to 10%.

Mr. Sires next gave a Powerpoint presentation on the proposed tax cap. (A copy same is attached hereto).

Bill Masters stated that if you look RSA 32:5c which allows the towns to adopt RSA 32:5b, RSA 32-5c the permission document. Mr. Masters questioned if the town ever adopted 32:5c. Mr. Weathers stated he does not recall an article voted on by the voters to do that. Bill Masters stated that they way he reads the RSA's that we should adopt c before b. Mr. Weathers advised that this was reviewed by town counsel, the DRA, and the Municipal Association.

David Wright of Center Conway asked that with all the new construction going on, what potential impact will this have on revenue. Mr. Sires explained that the amount to be raised by taxes stays the same, but how it is distributed can change. It could impact a bill but not the amount to be raised by taxes. Mr. Wright next asked about commercial values. Mr. Sires advised that they have decreased in the years past and this causes the burden to shift.

Mark Hounsell stated that he commends this Board for its position on this article. He feels the town can breathe now that the article has been amended. Mr. Hounsell next stated that the tax cap alleviates the need for a Budget Committee as they would just do calculations. Voters have to ask themselves if they want to do away with this check and balance. Mr. Hounsell next stated he is speaking as a citizen on this subject. 60% of your tax bill goes to the school. The tax cap has been explained perfectly by Mr. Sires and he is right --it is a starting point. The school is different, it relies on outside sources and this could decimate what we do for education in the town. Even though today's meeting is for the town, the same argument can be made for the school as the school relies on outside funding. He hopes that people do not vote for this.

Mary Seavey questioned why commercial revenue is going down. Mr. Sires stated it is not the revenue that is going down; the assessed values are going down. There are vacancies and it is the overall economy. A number of businesses in the past couple of years have asked for abatements.

Daymond Steer stated that it is interesting that it takes 3/5 to adopt this, but to amend it is by simple majority. Thereafter it could be amended easily. Mr. Steer next questioned if it takes 3/5 to vote it in --then what if someone wants to change it back to 2.5%. Mr. DiGregorio stated someone would have to bring another petitioned article to town meeting.

David Wright asked how this board felt about the comment that you are just mailing in the budget. What is the Board's reaction to people that bring this up. Mr. Weathers stated that any figure he is asked to support he must defend. Also a budget is supported by a Board and not an individual selectmen. By the time the budget gets to town meeting this Board has been through it line by line for months. Mr. Hounsell stated that by saying mailing it in, he meant the Budget Committee. He still doesn't understand why the Budget Committee didn't just vote for a 2.5% budget without this article. Mr. Hounsell next stated that this Board (Selectmen) works hard and takes time with the budget and we should listen. This is not an easy task. These proposed caps are a way of doing less.

Bob Barriault questioned if you come in with a budget that complies with a 2.5% cap and then at the deliberative portion of town meeting you amended the budget up, then the following year -- what is your starting point? Is it the number from the previous town meeting? Mr. Sires stated that his understanding is the starting point is the amount from the deliberative meeting even if it is amended. Mr. DiGregorio stated that the way he reads the RSA is that the voters could only come in with a maximum of 10%. We could go to the meeting with 10% and the public could only add 10%.

Mr. DiGregorio stated that he is critical of the Budget Committee as some of them don't spend any time going into town and school facilities and then vote on budgets. When he was on the Budget Committee he asked them to go to meetings at the school, etc, but they didn't. There were comments this year on the school contract and that they voted against it because of raises teachers got. The teachers didn't even get raises last year.

Ms. Sand stated that she doesn't like to see budgets go up. We have sat with departments, i.e, recreation, to keep programs affordable to the town. We ask this of all departments and Earls asks this of staff. She thinks that what this cap does is take the decision making out of the budget. This year the budget went up because people voted for more police in the past. Another increase is due to health insurance and we are forming a committee to look at insurance.

Bill Masters stated that he doesn't think that this applies to the precinct. They could boost their precinct taxes. This shows him there is a problem with town and precincts. As a taxpayer he wants to know what he gets for his tax dollar. Further, he doesn't have as much of a problem with what the town does as he does with the school. Mr. Masters next questioned, back to the precinct rates, if there is any impact on their tax rates by this cap. Mr. Weathers stated there is no impact on precinct budgets.

Ken Rancourt stated thank you to the Board for having a meeting like this so the public can ask questions. Mr. Rancourt next stated that the problem with taxes in general is if you are on a fixed income, etc. This leaves older taxpayers with a gap as they are not getting increases at the same rate. Mr. Rancourt next stated that it is common for taxpayers to see the votes of the Budget Committee and they were in favor of this article. Mr. Weathers pointed out that the votes on the article changed after the deliberative meeting.

Bob Barriault stated that regardless of the outcome of the article, he is personally not in favor of the article. The only reason we are discussing it now is because of the frustrations of the community of rising taxes. Also, he doesn't see an end to articles like this as it only takes 25 signatures to get an article on the warrant. He hopes this Board will take this into consideration and take a proactive approach at ways to get additional revenue. About 12 years ago he made a suggestion to look at a hospitality tax; however there was resistance from some in town that this would hurt the community. This is happening in a lot of communities as a way of raising money. Mr. Barriault next stated that he feels that both the school board and, to a lesser degree, the Board of Selectmen need to look at ways to hold the line and also look at revenues. Ms. Sand asked if a hospitality tax is allowed by the state. Mr. Barriault stated that he had asked the state legislature to look at it and they said they would look at how it is shared. Also, last year there was a proposal to look at changing the formulas but it didn't go far. We need to push this with our legislators. Ms. Seavey stated that everyone here feels the pain of taxes and thinks we can look at other revenue sources and Mr. Sires is doing this. Mr. DiGregorio commented that we are looking at our fee structures at this time. He has also talked with our Assessor about a hospitality tax and we are limited by state law on this issue.

Bob Barriault next stated that he feels we need to also look at exemptions. Property tax is a burden for those on fixed incomes. The last time the elderly exemption was looked at was years ago and maybe we need to look at this again. This will help those that are really affected by taxes.

There were no further comments and Mr. Weathers closed the public hearing at 5:17 pm.

Mr. Weathers reminded everyone that April 8, 2014 is voting day.

DISCUSSION OF HEALTH BENEFITS REVIEW COMMITTEE

Ms. Sand reviewed that she had provided some thoughts regarding a health benefits review committee and they are provided in the Selectmen's agenda packet. Ms. Sand stated that she hopes this will set up the structure for the committee and then we can get meetings scheduled. Ms. Sand next commented that she proposes that we have two brainstorming sessions to come up with ideas and then schedule further meetings from there. She is also proposing to do an evening meeting and then a Saturday meeting as well.

Mr. DiGregorio commented that this is something that he has been trying to initiate for some time. His feeling now is that we should create this subcommittee. The participants of the subcommittee could be something for further debate. He feels the town, school and surrounding towns should be involved. At the start, it should be the town and school. Initially, his thoughts were that we invite the school onto the subcommittee and then determine from there who else should be on the subcommittee. This is going to be a lot of homework.

Mr. DiGregorio moved, seconded by Ms. Sand, that we form a subcommittee for health benefits. Ms. Sand stated that she doesn't feel we should have limitations on the makeup of the committee. All Board members can come to the meeting. All meetings should be open to public input. We need to set up meetings and publicize when they are going to be. She also does not see why anyone from out of town shouldn't participate either. There was next a discussion on the name of the subcommittee. Mr. Weathers suggested the Healthcare Study Committee. All agreed. Mr. Weathers next suggested that we put an ad in the paper for the subcommittee and then call a meeting after we get responses. Mr. DiGregorio stated it is his recommendation that we invite the school to participate and send a letter. Ms. Sand stated that hopefully they do participate. Ms. Sand further added that this Board is taking the leadership position on this and we can't wait for this person or that person and that we should form the committee. The Board of Selectmen can decide when we are going to meet and then get it out to the School and also do public notices. By waiting for the school or anyone else we will find ourselves in the same position come budget season again. Ms. Seavey stated that she does not see this happening without a cross section of people. Ms. Sand stated that she is saying that we set the meeting dates as the leader. We can't wait for the school board but we should send them a notice. Ms. Seavey stated that she feels it is important that the letter go out to the School Board up front. Mr. DiGregorio stated that he thinks we should form the committee and then see who will be on it. He would like to be on the committee. The information from Ms. Sand is an effort to get this committee started. **The motion carried 5-0-0.**

Mr. Weathers stated that he would like to see a letter go to the school first to see if they are interested in the subcommittee to discuss health benefits. Mr. DiGregorio stated that he has spoken with them and they know that something is coming. Mr. DiGregorio stated again that he would like to be on the committee. Ms. Seavey and Ms. Sand added that they would like to be on the committee as well.

Mr. Barriault asked if this committee is just going to look at benefits and can we be self-insured. Mr. DiGregorio stated that he has been reading articles on communities that have developed their own clinics. The conversations could go many places with this committee. He has had a call from a dentist who wants to be out dentist and the hospital called to say they want to be our clinic. He knows this will be a lot of work to figure this all out. Mr. Barriault stated he thinks we should be able to work out some sort of an agreement with the hospital but we would need to have all the schools, etc, involved as well.

Mr. DiGregorio left the meeting room at 5:32 p.m.

Mr. Weathers suggested that Mr. Sires do a letter to the school that he will sign to get this rolling and then take this matter up again at the next meeting. **Mr. Thibodeau moved, seconded by Ms. Seavey, that the Board ask Mr. Sires to draft a letter to the school to announce the formation of this committee and to have Mr. Weathers review it and sign it out of session. The motion carried 4-0-0.**

Mr. DiGregorio rejoined the meeting at 5:34 p.m.

Ms. Sand suggested that we also set a starting date. She is open to setting a date in April or May. There was brief discussion and it was agreed to start meeting in May. **Ms. Sand moved, seconded by Ms. Seavey, that the first meeting be the week of May 5. The motion carried 5-0-0.**

Mr. DiGregorio left the meeting at 5:36 p.m.

APPOINTMENTS TO ZBA

Mr. Weathers stated that the town placed an ad for the open seats on the Zoning Board of Adjustment but there was no response from the public. A memo was received from the Planning Director advising that John Colbath and Luigi Bartolomeo were interested in being reappointed.

Mr. Thibodeau left the meeting room at 5:38 p.m.

Ms. Seavey moved, seconded by Ms. Sand, to reappoint John Colbath and Luigi Bartolomeo to three year terms on the Zoning Board of Adjustment. The motion carried 3-0-0.

Mr. Thibodeau rejoined the meeting.

ELECTION DAY SCHEDULE FOR SELECTMEN

Mr. Weathers reviewed the Board needs to set up a schedule for the upcoming April 8, election. Mr. Weathers advised that since he and Mary are both candidates, they can work the polls but cannot touch the ballots.

The Board agreed to the following time assignments for the April 8, 2014 Election: David Weathers 8:00 am to Noon, Mary Carey Seavey 3:00 pm to closing, Stacy Sand 10:30 am to 2:00 pm (or as long as needed), Carl Thibodeau 2:00 pm to 5:00 pm and Michael DiGregorio 4:00 pm until the polls close.

Ms. Sand questioned if the Board is supposed to have a quorum present at the polls as this is her understanding from Moderator Burnell. Mr. Weathers advised it is his understanding that the Town Clerk looked into this but did not find anything about a quorum requirement.

SIGNING OF DOCUMENTS

- a. Abatement Map/Lot 223-7
- b. Abatement Map/Lot 232-77
- c. Abatement Map/Lot 251-129
- d. Abatement Map/Lot 266-147.2
- e. Abatement Map/Lot 247-10, 247-11, 247-108, 247-109, 247-110, 250-105, 218-19, 262-41, 250-13
- f. Certification of Yield Taxes Assessed Map/Lot 296-18
- g. Notice of Intent to Cut Wood or Timber Map/Lot 227-1
- h. Notice of Intent to Excavate Earth Map/Lot 246-62
- i. Permanent Application for Property Tax Credit/Exemption Map/Lot 232-47
- j. Permanent Application for Property Tax Credit/Exemption Map/Lot 254-64

- k. Permanent Application for Property Tax Credit/Exemption Map/Lot 262-83.111
- l. Permanent Application for Property Tax Credit/Exemption Map/Lot 277-209.008
- m. Permit to Sell Raffle Tickets/Carroll County RSVP – Drawing 10/8/14
- n. Permit to Sell Raffle Tickets/MWV Old Car Club – Drawing Monday nights 5/26/14-8/25/14
- o. Permit to Sell Raffle Tickets/MWV Old Car Club – Drawing 9/7/14
- p. Permit to Sell Raffle Tickets/Rotary Club of North Conway – Drawing 5/17/14
- q. Tax Anticipation Note Documents
- r. Timber Tax Levy Map/Lot 296-18

Ms. Sand moved, seconded by Mr. Thibodeau, that we sign the Abatement Map/Lot 223-7, Abatement Map/Lot 232-77, Abatement Map/Lot 251-129, Abatement Map/Lot 266-147.2 Abatement Maps/Lots 247-10, 247-11, 247-108, 247-109, 247-110, 250-105, 218-19, 262-41, 250-13, Certification of Yield Taxes Assessed Map/Lot 296-18, Notice of Intent to Cut Wood or Timber Map/Lot 227-1, Notice of Intent to Excavate Earth Map/Lot 246-62, Permanent Application for Property Tax Credit/Exemption Map/Lot 232-47, Permanent Application for Property Tax Credit/Exemption Map/Lot 254-64, Permanent Application for Property Tax Credit/Exemption Map/Lot 262-83.111, Permanent Application for Property Tax Credit/Exemption Map/Lot 277-209.008, Permit to Sell Raffle Tickets/Carroll County RSVP– Drawing 10/8/14, Permit to Sell Raffle Tickets/MWV Old Car Club–Drawing Monday nights 5/26/14-8/25/14, Permit to Sell Raffle Tickets/MWV Old Car Club – Drawing 9/7/14, Permit to Sell Raffle Tickets/Rotary Club of North Conway– Drawing 5/17/14, Tax Anticipation Note Documents, and Timber Tax Levy Map/Lot 296-18. The motion carried 4-0-0.

CONSIDERATION OF BILLS

- a. Manifest dated 3/20/14
- b. Payroll dated 3/20/14

Ms. Seavey moved, seconded by Ms. Sand, to approve the manifest dated 3/20/14 and the payroll dated 3/20/14. The motion carried unanimously.

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

- a. Manifest dated 3/13/14
- b. Notice of Intent to Cut Wood or Timber Map/Lot 239-1
- c. Notice of Intent to Cut Wood or Timber Map/Lot 246-62
- d. Notice of Intent to Cut Wood or Timber Map/Lot 247-4

Ms. Sand moved, seconded by Mr. Thibodeau to ratify the Manifest dated 3/13/14, Notice of Intent to Cut Wood or Timber Map/Lot 239-1, Notice of Intent to Cut Wood or Timber Map/Lot 246-62, and the Notice of Intent to Cut Wood or Timber Map/Lot 247-4. The motion carried unanimously.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATIONS

- a. MWV Old Car Club/Monday Night Cruise Nights – 5/26/14 through 8/25/14
- b. MWV Old Car Club/24th Annual Car Show – 9/7/14

Ms. Seavey moved, seconded by Ms. Sand, to approve the special event applications for the MWV Old Car Club/Monday Night Cruise Nights – 5/26/14 through 8/25/14 and the MWV Old Car Club/24th Annual Car Show – 9/7/14 both pending receipt of insurance. The motion carried unanimously.

CONSIDERATION OF MINUTES: 3/4/14

Ms. Sand moved, seconded by Mr. Thibodeau, to approve the minutes of 3/4/14 as written. The motion carried unanimously.

TOWN MANAGER REPORT

Town Report – Mr. Sires reported the town report is done and will be delivered from the printer soon. Stacy Sand and Bob Barriault were our editors and were a great help. Mr. Sires suggested that a letter go out to Bob Barriault thanking him his help. **Ms. Sand moved, seconded by Ms. Seavey, that we send a letter to Bob Barriault thanking him for his proofreading of the town report. The motion carried unanimously.**

Saco River Access Committee – Mr. Sires reported the Saco River Access Committee met recently and invited the local chapter of Trout Unlimited. Trout Unlimited has some concerns regarding river traffic and land use and we will fold this into future discussions.

Fees/Revenues Sources – Mr. Sires reported that staff is working on a comprehensive list of fees and other revenue sources. This will be brought to the Board to take a look at at a future meeting.

Business Guide – Mr. Sires reported that Mr. Thibodeau has suggested a business guide and we are working on same. We have also forwarded this to the MWVCC and MWVEC to see if anything should be added. This guide will hopefully help people who want to start a business in town.

Hobbs Street Property – Mr. Sires reported that the closing is scheduled for tomorrow for the Hobbs Street property. There were some questions raised on the deed but he has checked with the attorney and the information is correct. Mr. Weathers stated Mr. Thibodeau raised a concern as he has an underground drainage easement and it didn't appear on the deed. Mr. Thibodeau stated that he is not 100% certain it is on his deed; however, he has a plot plan that shows it quite clearly. Mr. Weathers stated he feels it should be recorded. Mr. Sires stated that he would raise the issue at the closing tomorrow. Mr. Sires next asked if it is on public property. Mr. Thibodeau stated it is private. Both of his properties have catch basins that are tied to a cement pipe that runs off to Pequawket Pond. It has been there since about the 1980's. Mr. Sires stated he will certainly note this at the closing. Mr. Thibodeau stated that if the buyer knows it is there and has no issue he is okay.

BOARD REPORTS AND COMMENTS

Sign Committee – Mr. Thibodeau reported the Sign Committee is scheduled to meet Thursday night at 7:00 p.m. here at town hall.

Airport – Mr. Thibodeau reported there are no substantial changes at the airport to report. Mr. Thibodeau next commented that this is the first time since SB2 that the Airport has had the unanimous support of the Board of Selectmen and, also, the support of the Budget

Committee. He hopes that the voting public takes the recommendations in to consideration and supports this as well.

MWVSWD – Ms. Sand reported the MWVSWD was supposed to meet this Friday but the meeting is being rescheduled. Also, some surveys were sent out and the committee is waiting for responses back.

Budget Committee – Ms. Sand stated it is her understanding the Budget Committee is done meeting for now.

MWVEC – Ms. Seavey reported the MWVEC has not met recently.

Conservation Commission – Mr. Weathers stated that the meeting of the Conservation Commission that was scheduled for last week was canceled.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer asked if the discussion earlier regarding the drainage easement is next to Mr. Thibodeau's home or business. Mr. Thibodeau advised it is at his business address at 71 Hobbs Street.

Ken Rancourt stated that he would be happy to help with the insurance committee. Mr. Rancourt asked if there is reason why we don't have school and town employees together. Mr. Sires explained that we are different entities, the town and school. Even when we were in the same pool, we were covered under different policies. Maybe we can find a way to do this in the future.

Mr. Thibodeau stated that last year the voters passed a warrant article regarding a constitutional amendment. Mr. Thibodeau reviewed the article. Mr. Thibodeau next stated that this strips the rights that any businesses have left. A letter has been signed to forward the vote on this article on but he wants it on record that he is opposed to this.

ADJOURN

At 5:50 p.m. the meeting adjourned at the call of the chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary