

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

August 5, 2008

The Selectmen's Meeting convened at 3:07 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), C. David Weathers Gary Webster, Mark Hounsell, Howard C. Dickinson; and Robert Drinkhall; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hollowell

PLEDGE OF ALLEGIANCE

Chairman Martin led the Board in the Pledge of Allegiance to the Flag.

SIGNING OF DOCUMENTS

The Board reviewed and signed various documents contained in the signature folder.

CONSIDERATION OF BILLS

The Board reviewed and signed the manifest dated August 7, 2008.

APPROVAL OF MINUTES

**Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve the minutes of 6/10/08 as written. The motion carried unanimously.**

The Board agreed to carry the consideration of the minutes of 6/24/08 and 7/8/08 to the next meeting.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATIONS

Reach the Beach Relay, Inc./9<sup>th</sup> Annual Reach the Beach Relay – Mr. Sires reviewed this application is awaiting receipt of an insurance certificate and is otherwise complete. **Mr. Hounsell moved, seconded by Mr. Weathers, to approve the event application for Reach the Beach contingent upon them providing the Town with the insurance certificate. The motion carried 5-0-0.**

American Cancer Society/Making Strides Against Cancer Walk - Mr. Sires reviewed this application is awaiting receipt of an insurance certificate but is otherwise complete. **Mr. Drinkhall moved, seconded by Mr. Dickinson, to approve the event application for the American Cancer Society Breast Cancer Walk, contingent upon them providing the Town with the insurance certificate. The motion carried 5-0-0.**

NON PUBLIC SESSION – RSA 91-A:3:II(e)/Litigation Matter

At 3:05 p.m. **Mr. Weathers moved, seconded by Mr. Hounsell, to go into non public session under RSA 91-A:3:II(e) to a discuss litigation matter. The motion carried by unanimous roll call vote.** Town Manager, Earl Sires, Town Attorney,

Peter Malia, Tax Assessor, Tom Holmes, and Recording Secretary, Karen Hallowell, were present during the non public session.

At 3:25 p.m., the Board returned to public session.

**Mr. Hounsell moved, seconded by Mr. Weathers, that the minutes of the non public session are unsealed and available to the public. The motion carried unanimously.**

NON PUBLIC SESSION #2 – RSA 91-A:3:II(e)/Litigation Matters

At 3:25 p.m. **Mr. Hounsell moved moved, seconded by Mr. Drinkahll, to go into non public session under RSA 91-A:3:II(e) to a discuss litigation matter. The motion carried by unanimous roll call vote.** Town Manager, Earl Sires, Town Attorney, Peter Malia, Tax Assessor, Tom Holmes, and Recording Secretary, Karen Hallowell, were present during the non public session.

The Board returned to regular session at 4:10 p.m. The minutes of this non public session were sealed by a motion made a carried in non public session.

There was brief recess upon return to regular session. The meeting was called to order at 4:15 p.m.

AUDIT EXIT INTERVIEW

Greg Colby of Plodzic and Sanderson joined the meeting. Town Finance Director, Lucy Philbrick, was also present.

Mr. Colby provided a copy of the Annual Audit of the Town of Conway to the Board and reviewed same. (A copy of the Audit is available at Town Hall).

PUBLIC HEARING: TO CONSIDER PROPOSED CHANGES  
TO CHAPTER 113/SOLID WASTE ORDINANCE

Mr. Sires reviewed this is the first of two public hearings on proposed changes to the Solid Waste Ordinance.

Chairman Martin opened the Public Hearing at 4:25 p.m.

Mr. Sires reviewed that staff is suggesting increasing fees for disposal of fluorocarbons (air conditioners, etc.) from \$5 to \$13. Mr. Sires explained there is an \$8 gap and it is costing the Town of Conway for disposal. The increase in the fee is to cover the cost of disposal.

Mr. Hounsell questioned the disposal method. Mr. DegliAngeli advised that we hire out a vendor to come in and capture the refrigerant and that is the bulk of the cost. Mr. Hounsell stated that he would like to know of the \$4,000 we spend on 500 units how much of that can we save and capture our own refrigerant instead of hiring someone to do this. Mr. Sires advised staff will look into this and advise.

Chairman Martin asked for public comments. There were none. The public hearing was closed at 4:40 p.m.

#### DISCUSSION OF PARKS ISSUES WITH PARKS COMMISSION

Parks Commissioners, Phil Haynes, Carol Lyman and John Cannell, joined the meeting. Ms. Lyman distributed minutes of the Parks Commission to the Board for review.

Mr. Haynes advised that with regard to dogs in Schouler Park, the Parks Commission recommends that dog events be moved to Hussey Field. Mr. Haynes also questioned the town about a leash ordinance and recommended that dogs in Schouler Park be leashed. Mr. Haynes commented on the tissue boxes in the park to address dog waste. Mr. Haynes further added they would like to see any animal shows held in other parks and not in Schouler Park.

There was discussion with the Board. **Mr. Hounsell moved, seconded by Mr. Weathers, that all dog events public or private can no longer be held at Schouler Park and that all dogs in Schouler Park be placed on a leash and to post a sign to pick up after ones dog and to place dog bag dispensers at 4 places in Schouler Park.** Mr. Drinkhall questioned if anyone know how much effect this will have on the dog event. There was discussion regarding advertisings, etc. There was next a discussion of Hussey Field. Ms. Lyman pointed out this field will need to be hayed etc if events such as Bark in the Park were to be moved to this field. Mr. Dickinson pointed out the differences in the Bark in the Park and AKC show and they have different space needs and, also, the flavor of the events are different. Mr. Drinkhall questioned if Bark in the Park has ever been a problem. Mr. Sires advised the park is left clean, the physical litter is taken care of; however, we do not know what health problems may exist. Mr. Sires next reviewed that no dogs are allowed on any ballfields in town. Mr. Dickinson stated he agrees that dogs in parks and in town should be on leashes. Mr. Dickinson further stated that the Bark in the Park people have made a concerted effort with Schouler Park. There was further discussion. There was a suggestion to split the question. **The Chair rules to divide the question.** A vote was taken on the following: **Motion that all dog events public or private can no longer be held at Schouler Park. The motion failed 1-4-0 with Mr. Hounsell voting in the positive and Messrs. Drinkhall, Dickinson, Weathers and Martin voting in the negative.** Mr. Haynes suggested a waste scooping law all over town with a fine attached to same. The Board next voted on the latter half of the motion as follows: **Motion that all dogs in Schouler Park be placed on a leash and to post a sign to pick up after ones dog and to place dog bag dispensers at 4 places in Schouler Park. The motion carried 5-0-0.**

Mr. Hounsell discussed banning any other animal events in the park. There was discussion. Mr. Sires reviewed that any new events in the park, that are not recurring each year, go to the Parks Commission for a recommendation and also have to be approved by the Board of Selectmen. The Board can also attach stipulations as needed.

With regard to the skating rink in Schouler Park, Mr. Weathers questioned if the Parks Commission is opposed to relocating the rink to the ballfield area. John Cannell advised the Outing Club is opposed to moving it to the infield as there is not enough space and the grade at the bases is lower. Mr. Weathers next questioned if opposed to relocating then how do they propose stopping the damage each year. Mr. Cannell

advised the Out Club wont pay \$5800 again. Mr. Cannell advised they would propose moving the skating rink to the Community Center playground. The Community Center is receptive to this idea; however it will be smaller. Mr. Hounsell questioned the position of the Parks Commission on this matter. Ms. Lyman advised that she just heard about the idea of putting down plastic. Mr. Cannell advised that the plastic was discussed but it is expensive. Mr. Haynes stated they can only recommend moving the rink if the Board determines that the grass is more important and he would ask that the Board help the Outing Club finance any cost to help move the rink to the North Conway Community Center.

The Board discussed how long the skating rink has been at the Schouler Park location. The Board also discussed the grass situation at the Park. Mr. Dickinson stated he didn't want to see the rink moved and feels the should go back the old grass. Mr. Drinkhall stated he doesn't want the rink moved as too many things have been lost. **Mr. Hounsell moved, seconded by Mr. Drinkhall, that we allow the skating rink at Schouler Park to continue from now on the way it has been.** Mr. Weathers stated if you are leaving the rink there you need to appropriate money to fix it every year. You need to realize that people will say something and it will take a while to fix this every year. Mr. Martin further explained that this is sod and there will be an oval there every year after the rink is removed. **The motion carried 3-2-0 with Messrs. Drinkhall, Dickinson and Hounsell voting in the affirmative, and Messrs. Weathers and Martin voting in the negative.**

Mr. Haynes next discussed the Parks Commission's recommendation on replacing trees at Schouler Park. **Mr. Dickinson moved, seconded by Mr. Hounsell, that we replace the trees as proposed.** Mr. Dickinson asked what type of trees. Mr. Haynes advised some Maples, etc. The trees have been pruned over the years but now need to be replaced. Mr. Drinkhall questioned the cost of doing this and if we have the money for this. Mr. Drinkhall stated he can't support this recommendation. **Mr. Hounsell withdrew his second and Mr. Dickinson withdrew his motion.**

Donna Woodward was present in the audience and advised that she has an opportunity to buy 25 Liberty Elm Trees but needs to find a 501c3. Ms. Woodward stated she may be able to get these funded for the town if the Parks Commissions wants her to work on this matter. Mr. Martin suggested Ms. Woodward contact Mr. Sires.

#### REQUEST TO PLANT LIBERTY ELM TREE AT WHITAKER HOMESITE

Donna Woodward advised that she is working with the Elm Research Institute. The Elm Research Institute has sent her two 7' tall Liberty Elm trees and she would like to turn these back to the community. One is going to the Fryeburg Academy and she would like to see the other put at the Whitaker Homesite. Ms. Woodward advised that the best time for planting is in the fall or spring and would like permission to do so. **Mr. Hounsell moved, seconded by Mr. Drinkhall, that we authorize and encourage Donna Woodward to proceed with the planting of the hybrid elm tree at Whitaker Homesite.** Mr. Sires questioned if the tree would be dedicated to someone. Ms. Woodward stated not at this time. Ms. Woodward also advised she is looking to plant same in a space near the white sign near the little park. Mr. Dickinson volunteered to work with Ms. Woodward to plan the tree and also to look at other places to put trees. It was pointed out that the town will be fence and water the tree. **The motion carried 4-0-1 with Mr. Weathers abstaining.**

### DISCUSSION OF ECONOMY AND TOWN FINANCES

Mr. Drinkhall gave a presentation regarding the state of the economy pointing out price increases in fuel, etc and the impacts of same. Mr. Drinkhall felt the bottom line budget should be held at a zero percent increase and the same should be recommended to the police, library and school. Mr. Drinkhall stated he is prepared to make this a motion but would like hear feedback from the Board. There was discussion regarding the library and police's portions of the budget which are presented with the Selectmen's budget. There was also a discussion regarding a cutback of services that will have to occur should such an approach be taken. **Mr. Drinkhall moved, seconded by Mr. Hounsell, that we keep the bottom line budget at zero percent and like to agree that we recommend to the police, library and school that they do the same.** Mr. Sires suggested that as a first step, it would make sense to leave this as a goal and ask staff to come back and discuss same at the next meeting. Mr. Sires stated information could be brought to the next meeting so the Board could get a feel of what this could mean, i.e. a 20-30% reduction in services. There was a brief discussion. There was discussion on the motion **Mr. Hounsell withdrew his second and Mr. Drinkhall withdrew his motion.**

**Mr. Drinkhall moved, seconded by Mr. Hounsell, that the bottom line budget be at zero percent and that we request the school do the same.**

**Mr. Hounsell moved, seconded by Mr. Weathers, to table the motion. The motion to table carried unanimously.**

### CONSIDERATION OF LEGISLATIVE POLICY POSITIONS

Mr. Dickinson reviewed letter was sent to the Local Government Center with the positions as proposed and voted on at the last meeting. **Mr. Hounsell moved, seconded by Mr. Dickinson, that Mr. Dickinson represent us based on outline in support of the issues. The motion carried 5-0-0.**

### TOWN MANAGER REPORT

Crosswalk Signs – Mr. Sires reported the signs are up on North-South Road for the crosswalks.

Heating Oil and Propane Planning Meeting – Mr. Sires advised a meeting was held yesterday, 8/4/08, to discussion challenges the community will face this winter. The Welfare Officer and Emergency Management Director gave presentations at the meeting.

Fourth of July Parade – **Mr. Hounsell moved, seconded by Mr. Dickinson, to take the matter of the 2009 parade off the table. The motion carried unanimously. Mr. Hounsell moved the motion.** Mr. Drinkhall stated he had concerns that no consideration is being given to sharing the parade with North Conway back and forth each year. There was a brief discussion regarding Fourth of July activities in Conway and North Conway. **The motion carried 5-0-0.**

Snowmobile Crossing – Mr. Martin pointed out there is still a motion on the table regarding the snowmobile crossing and this has been fixed. **Mr. Martin moved, seconded by Mr. Drinkhall, to take the motion regarding reimbursement for snowmobile crossing off the table. The motion carried 5-0-0. Mr. Martin moved the question.** Mr. Sires briefly reviewed the matter and advised it has been taken of by our crew. **The motion failed 0-5-0.**

Mr. Hounsell left the meeting at 6:14 p.m.

#### BOARD REPORTS AND COMMENTS

Kearsarge Road - Mr. Martin reported there is a large pothole on Kearsarge Road. Staff will look into same.

#### PUBLIC COMMENTS / MEDIA QUESTIONS

Casey Conley from the Conway Daily Sun questioned aside from plowing what other services can be cut back. The Board advised that staff will be looking at this and will be advising the Board on this at future meeting.

Mr. Conley questioned if the town has locked in on an oil price. Mr. Sires replied in the negative.

#### ADJOURN

At 6:20 p.m., **Mr. Weathers moved, seconded by Mr. Weathers, to adjourn the meeting. The motion carried.**

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary