

Minutes of Meeting
CONWAY BOARD OF SELECTMEN
December 15, 2015

The Selectmen's Meeting convened at 4:05 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen, C. David Weathers (Chair), Mary Carey Seavey, Carl Thibodeau, John Colbath and Steven Porter, 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 advised that the non public session scheduled for today has been canceled. **Mr. Porter moved, seconded by Mr. Colbath, to approve the agenda as amended. The motion carried unanimously.**

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

- a. \$100 from John Fuller School/The Sunshine Fund to Leon Harriman Scholarship fund
- b. \$200 from Fidelity Charitable Gift Fund/John and Alice Pepper to Town of Conway for the Damon O'Neal Scholarship Fund

Mr. Sires reviewed the funds received for the Scholarship funds. **Mr. Colbath moved, seconded by Mr. Porter, to accept the unanticipated revenue of \$100 from John Fuller School/The Sunshine Fund to Leon Harriman Scholarship fund and \$200 from Fidelity Charitable Gift Fund/John and Alice Pepper to Town of Conway for the Damon O'Neal Scholarship Fund. The motion carried unanimously.**

INTRODUCTION OF ADMINISTRATIVE ASSISTANT

Mr. Sires introduced Jacqueline (Jackie) White who is the new Town of Conway Administrative Assistant for the Building and Public Works Departments. Jackie is from the Valley and a Kennett High graduate.

REQUEST BY NORTH CONWAY COMMUNITY CENTER AND THE GIBSON
WOODBURY FOUNDATION TO REMOVE TWO LARGE TREES ON NORTH
SIDE OF ORIGINAL COMMUNITY CENTER BUILDING

Mark Butterfield, Executive Director, of the Gibson Woodbury Foundation joined the meeting to discuss a request to remove two large trees on the north side of the original North Conway Community Center Building.

Mr. Weathers distributed photos of the trees for the Board to review.

Mr. Butterfield stated that they have been in discussions with the New England Ski Museum to occupy the building and a study has been done and they have the green light to go. One issue that came up was with the basement as there is moisture. There are pine trees 8' and 9' from the building and the roots have grown toward the building. The Ski Museum has

told them they need the building basement to be dry as they will be keeping documents in the basement. To get the building dry they will have to remove the trees and seal the foundation. Right now the Ski Museum coming to town depends on that dry basement. Mr. Butterfield next stated they would like to remove the trees this winter while the ground is frozen and then dig out the roots in spring.

Mr. Sires next explained that the piece of land where the trees are located is co owned by the Town and the North Conway Community Center and, therefore, they need permission from the Town to remove the trees.

Mr. Colbath asked about the cost for removal and who will pay to have the trees removed. Mr. Butterfield stated the cost is around \$2,500 and the North Conway Community Center will pay to have them removed. The charitable foundation will then reimburse them next June.

Mr. Thibodeau questions if Planning and Zoning should weigh in on this matter. Mr. Sires advised that he did speak with Planning Director, Tom Irving, and he was advised that these trees weren't calculated in the green space for the new community center.

Mr. Porter asked if they will replace the trees with smaller trees. Mr. Butterfield stated there are other white pines on the property that they want to remove as well and then down the road they would put in deciduous trees however not white pine. There is also another tree, a maple, that has a hole in it and this will have to come down as well.

Mr. Weathers next discussed drainage systems. Mr. Thibodeau questioned if they had an engineer look at this. Mr. Butterfield advised that the New England Ski Museum hired Couture to look at the building. There was further discussion regarding drainage and the trees. Mr. Thibodeau asked if they had an engineer look at the outside of the building to make sure this is the fix. Mr. Butterfield responded in the negative and stated the first step was to try to get the trees down frozen and then deal with the other issues in the spring.

Mr. Porter moved, seconded by Mr. Colbath, to allow him to remove the two pines on the north side of the community center in conjunction with a proper underground drainage system to lower the seasonal water table. Mr. Thibodeau stated he would like to see an engineer tell him this is the only way to cure the problem as he doesn't want to see the trees come down. **The motion carried 4-1-0 with Mr. Thibodeau voting in the negative.**

Mr. Butterfield stated that once the trees are down he will have an engineer look at this and will let Mr. Thibodeau know what he says.

BUDGET

Consideration of proposed 2016 Operating Budget – Mr. Sires reviewed that we have reviewed the proposed 2016 budgets by department. Mr. Sires reviewed that there is still \$10,000 in the proposed budget for North Country Council but this can be taken out later if needed depending who they hire, etc.

Mr. Thibodeau asked about fire ponds. Mr. Weathers stated he feels we should make this line \$3,500 to redo two hydrants –one on Hiram Philbrook and also for the one behind Town Hall. Mr. Thibodeau stated he would like to see this line at \$5,000 and then if we don't need it we won't spend it. There was brief discussion. **Mr. Thibodeau moved, seconded by Mr. Porter, to change the fire pond maintenance line item from \$1,500 to \$5,000. The motion carried unanimously.**

It was reviewed that the new bottom line proposed budget figure would now be \$10,614,105. **Mr. Thibodeau moved, seconded by Ms. Seavey, to approve the budget as amended for a total of \$10,614,105. The motion carried unanimously.**

Revenues – Ms. Gilligan reviewed estimated revenues of \$3,518,722. **Mr. Thibodeau moved that we accept and approve the estimated revenue amount of \$3,581,722. The motion carried unanimously.**

Warrant Articles and Capital Reserve Funds – Mr. Sires reviewed an updated copy of proposed warrant articles to date as well as capital reserve funds (CRF). Mr. Sires reviewed that the Board had eliminated \$100,000 from the Buildings CRF and this article has been reduced from \$375,000 to \$275,000. Mr. Sires next reviewed that there was also a change made to the sidewalk article and reviewed same. Mr. Weathers questioned if we have heard back from the Conway Village Commissioners regarding this article. Mr. Sires responded in the negative and advised that it was forwarded to them the morning after the last meeting.

Mr. Thibodeau stated that last year we took \$100,000 from fund balance to add to the Infrastructure CRF and he would like to do this again in 2016. He feels this is a dangerously small number for this CRF and he doesn't know if we will spend it but it will carry forward for when we do need it. We have culverts etc that need maintenance. Mr. Sires reviewed that last year when we did this we were a little further along in the process. We need to do a year end on this first. Mr. Thibodeau agreed and stated we can readdress this again in January. Mr. Sires stated that the end of January would be better. The Board agreed.

Mr. Thibodeau commented that he is still looking for warrant article language for the bill that will be voted on in January and will provide same once he has it. Mr. Sires stated that we have until February 9 to approve warrant articles.

The Board next agreed to hold off on voting on any of the proposed warrants articles until a future meeting.

INVESTMENT POLICY

Mr. Sires reviewed that the auditors like to see the Investment Policy reaffirmed. There are no changes to the existing policy. There was brief discussion. **Mr. Thibodeau moved, seconded by Mr. Porter, to approve the Investment Policy for 2016. The motion carried unanimously.**

REVIEW OF RECEIPTS

The receipts were available for review.

SIGNING OF DOCUMENTS

There were no documents presented for signature.

CONSIDERATION OF BILLS

a. Accounts Payable Manifest dated 12/17/15 – **Mr. Thibodeau moved, seconded by Mr. Porter, to approve and sign the Accounts Payable Manifest dated 12/17/15. The motion carried unanimously.**

RATIFICATION OF DOCUMENTS SIGNED OUT OF SESSION

There were no documents signed out of session to ratify.

REVIEW AND CONSIDERATION OF SPECIAL EVENT APPLICATION(S)

There were no special event applications to consider.

CONSIDERATION OF MINUTES: 12/1/15

Mr. Thibodeau moved, seconded by Mr. Porter, to approve the minutes of 12/1/15. The motion carried unanimously.

TOWN MANAGER REPORT

RFP/Town Hall Analysis – Mr. Sires reported the RFP's are due tomorrow for the Town Hall analysis. Also, it is his understanding that the old Echo building next door is under contract so this is now out of the equation. Mr. Sires stated he hopes there would be a committee to review the RFP's along with himself and Paul to make recommendations back to the Board. Carl Thibodeau and Mary Seavey volunteered to be part of this committee. Mr. Sires advised that he will provide copies of proposals we receive and schedule a meeting next week. All agreed.

Buildings Capital Reserve – Mr. Sires reviewed we have now received bids for the work to be done on the General Assistance office. The bid was \$6,000. We could either pare down the bid to \$5,000 or add money that was for video etc. **Mr. Thibodeau moved, seconded by Mr. Colbath to approve the amount of \$6,119 for renovations from the Buildings Capital Reserve Fund for the General Assistance office.** There was brief discussion on the renovations proposed which includes doors, a counter, etc. **The motion carried unanimously.**

Short Term Rentals – Mr. Sires reviewed the town has been working on this issue and are putting together information on same. They will also be meeting with the fire chiefs to discuss this matter. Staff plans to make a presentation on this to the Board around January 19, 2016. Mr. Colbath stated he has concerns with enforcement on this issue. Mr. Thibodeau asked how this came about to the Selectmen and asked if we do have problems that need to be addressed. Mr. Sires stated that part of this is an educational exercise and the Board can decide if this is a problem they feel needs to be addressed or not. The issues are mainly with life safety issues and also the impact of taking residential property out of regular rental market. Another issue is impact to neighborhoods with parking, etc. Mr. Thibodeau stated he would like to have information on the frequency and nature of complaints received.

Davis Hill lots – Mr. Sires reported the sale of the lots on Davis Hill will be closing on December 18, 2015.

Wyman Avenue lot – Mr. Sires reviewed that the town has received an offer on the lot on Wyman Avenue. Mr. Sires next advised that an abutter to the lot is asking to do a wetlands. Mr. Sires next stated that the Kearsarge Lighting Precinct has approved a building permit for the lot and this was also upheld at a recent hearing. Mr. Thibodeau stated that this appears to him to be another avenue to try to prevent the sale of the property. Any of these types of tests should fall to the perspective buyer. If the abutter wants to get involved this is to prevent the sale and he is not in favor of this. The Board agreed they would not grant permission to the abutter to do the test on the property.

Budget Committee Rules and Regulations- Mr. Colbath commented that Mr. Sires looked into whether the Budget Committee needs to have a public hearing to adopt the Rules and Regulations discussed at their recent meeting. The answer came back that the Budget Committee does not need to hold a public hearing for this matter.

BOARD REPORTS AND COMMENTS

Planning Board – Mr. Porter reported that the Planning Board met last Thursday. Taco Bell was approved and also the Lyman Oil LP facility was approved. The Planning Board is also entertaining several amendments regarding lighting. Some however won't be recommended and if someone want to propose them by petition they can do so.

ZBA – Mr. Colbath reported the ZBA is scheduled to meet tomorrow.

Budget Committee – Mr. Colbath reported the Budget Committee is scheduled to meet tomorrow.

ESAA – Mr. Thibodeau distributed copies of the airport budget and bylaws to the Board. Mr. Thibodeau asked that the Board review the information and he can answer any questions they have at the next meeting. Mr. Thibodeau reported that he accepted an invitation as the airport representative to a luncheon with Senator Shaheen on Friday. There will be discussion of the possibility of moving federal funds to help with the commercial terminal building, hangar building and integrated terminal building. Mr. Colbath commented that he is tentatively going to the same meeting as the Selectmen representative. If anyone has any issues for him to bring up at the meeting, please let him know.

Next Meeting – Mr. Weathers reviewed that the next meeting of the Board of Selectmen is scheduled for January 5, 2016.

PUBLIC COMMENTS AND MEDIA QUESTIONS

Daymond Steer stated that with the new Ethics Policy of the Budget Committee if one member thought another had a conflict they could vote to exclude them from voting. Mr. Steer questioned if the Board of Selectmen have the same policy. Mr. Sires stated he did not think this was in the Selectmen bylaws but would check. It is up to the Selectmen to state if they have a conflict. Mr. Colbath explained that the policy for the Budget Committee is that a committee member could challenge another, have discussion, and then make a determination if conflict.

NON PUBLIC SESSION: NH RSA 91-A:3,II(C) –TAX MATTER(S)

The non public session was canceled.

ADJOURN

At 5:09 p.m. the meeting adjourned at the call of the Chair.

Respectfully submitted,

Karen J Hallowell
Executive Secretary